



GOVERNING BOARD MINUTES
ORGANIZATIONAL AND REGULAR MEETING, GOVERNING BOARD
PALOMAR COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD ROOM
COLLEGE CAMPUS
SAN MARCOS, CALIFORNIA
TUESDAY, DECEMBER 10, 2002, 7:00 P.M.

A. CALL ORGANIZATIONAL MEETING TO ORDER

Darrell L. McMullen, Vice President, called the organizational meeting of the Palomar Community College District Governing Board to order at 7:00 p.m.

AA. ADMINISTRATION OF OATH OF OFFICE

At this time, Dr. Sherrill L. Amador, Superintendent/President, administered the oath of office to recently re-elected Governing Board Member Michele T. Nelson; Letha McWey, Vista Unified School District Board Member, administered the oath to recently elected Governing Board Member Mark R. Evilsizer; and Tony Brandenburg, Superior Court Commissioner, administered the oath to recently elected Governing Board Member Nancy C. Chadwick.

B. ROLL CALL

TRUSTEES PRESENT:

DARRELL L. McMULLEN, M.B.A., VICE PRESIDENT
RALPH G. JENSEN, B.A., TRUSTEE
MICHELE T. NELSON, PH.D., TRUSTEE
NANCY C. CHADWICK, M.S.W., M.P.A., TRUSTEE
MARK R. EVILSIZER, M.A., TRUSTEE
SEAN WEIMER, STUDENT TRUSTEE

EXECUTIVE ADMINISTRATORS PRESENT:

Dr. Sherrill L. Amador, Superintendent/President
Diane Lutz, Assistant Superintendent/Vice President, Instruction
Joseph Madrigal, Assistant Superintendent/Vice President, Student Services
Dr. Jack Miyamoto, Assistant Superintendent/Vice President, Human Resource Services
Jerry Patton, Assistant Superintendent/Vice President, Finance and Administrative Services

STAFF PRESENT:

Barbara Baldrige, Executive Assistant, President's Office
Chris Barkley, President, Faculty Senate; Associate Professor, English
Mike Dimmick, President, CCE/AFT; Information Services Senior Network Specialist
Mary Ann Drinan, Co-President, PFF; Associate Professor/Chair, Economics, History, and Political Science
Dr. Linda Dudik, Professor, Economics, History, and Political Science
Jo Anne Giese, President, Confidential and Supervisory Team
Doug Key, President, The Faculty; Associate Professor, Earth Sciences
Mollie Smith, President, Administrative Association; Interim Director, Vocational Programs

GUESTS:

Chris Champine, ASG
Claudette Dain, Vicenti, Lloyd and Stutzman, LLP
Leo Melena, ASG Executive Vice President
Others present are listed on the sign-in sheets.

QUORUM ESTABLISHED

Following the pledge of allegiance to the flag, Mr. McMullen declared a quorum present, and the meeting proceeded with the order of business.

A TAPED RECORD OF THE PROCEEDINGS OF THIS MEETING IS ON FILE IN THE PRESIDENT'S OFFICE FOR THIRTY DAYS OR UNTIL THE MINUTES OF THE MEETING HAVE BEEN APPROVED BY THE GOVERNING BOARD, WHICHEVER IS LONGER.

BB. ELECTION OF OFFICERS

1. **ELECTION OF PRESIDENT**

Nomination of Mr. McMullen by Nelson, seconded by Chadwick

RESOLUTION NO. 02-20750

BE IT RESOLVED, That DARRELL L. McMULLEN be elected **President** of the Governing Board of the Palomar Community College District, effective December 10, 2002.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

2. **ELECTION OF VICE PRESIDENT**

Nomination of Mr. Jensen by Nelson

RESOLUTION NO. 02-20751

BE IT RESOLVED, That RALPH G. JENSEN be elected **Vice President** of the Governing Board of the Palomar Community College District, effective December 10, 2002.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

3. **ELECTION OF SECRETARY**

Nomination of Ms. Chadwick by Mr. Evilsizer
Nomination of Dr. Nelson by Mr. McMullen

RESOLUTION NO. 02-20752

BE IT RESOLVED, That MICHELE T. NELSON be elected **Secretary** of the Governing Board of the Palomar Community College District, effective December 10, 2002.

The Vote: Ms. Chadwick – 2 (Evilsizer, Chadwick)
Dr. Nelson – 3 (McMullen, Jensen, Nelson)
Student Trustee Advisory Vote: Ms. Chadwick

BBB. APPOINTMENT OF SECRETARY TO THE BOARD

1. **APPOINTMENT OF SECRETARY TO THE BOARD**

MSC Nelson, Jensen

The Governing Board hereby appoints **Dr. Sherrill L. Amador, Superintendent/President**, to serve as **Secretary to the Governing Board** of the Palomar Community College District, effective December 10, 2002.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

BBBB. ESTABLISHMENT OF DATE, TIME, AND PLACE OF MEETINGS

1. **ESTABLISH DATE, TIME, AND PLACE OF MEETINGS**

MS Jensen, Nelson

MSC Evilsizer, Chadwick to amend the motion to read as follows:

RESOLUTION 02-20753

BE IT RESOLVED, That the Regular Meetings of the Governing Board of the Palomar Community College District shall be held on the **second and fourth Tuesday** of each month, **closed session** beginning at **6 p.m.**, **open session** beginning at **7 p.m.**, in the **Governing Board Room, Student Services Center, San Marcos Campus.**

It was agreed to evaluate this decision to hold two regular meetings each month after a three-month trial period.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

COMMITTEE APPOINTMENTS

President McMullen made the following standing committee appointments and the Board members agreed to serve:

Finance Committee:	Mr. Evilsizer and Mr. Jensen
Real Estate Committee:	Ms. Chadwick and Dr. Nelson

ADJOURNMENT OF ORGANIZATIONAL MEETING

The organizational meeting was adjourned at 7:28 p.m.

CONVENE REGULAR MEETING

The regular meeting was convened at 7:28 p.m.

C. APPROVAL OF MINUTES

MSC Jensen, Nelson

The Governing Board hereby approves the Minutes of the Regular Meeting of November 12, 2002.

The Governing Board hereby approves the Minutes of the Special Meeting of November 19, 2002.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

D. CALL FOR REMOVAL OF ITEMS FROM OR CHANGES TO AGENDA

1. Item M-18, page 16, should read (changes in **bold**):

18. RECOMMENDATION: ACTION - ACCEPT AND APPROVE CHANGE ORDER #2 FOR STUDENT UNION REMODEL PROJECT

The Governing Board hereby accepts and approves Change Order #2 , pertaining to the Student Union Remodel project; original contract approved by the Governing Board on July 15, 2002, as detailed on the accompanying memorandum in support hereof. Total amount of additive items on change order #2 are **\$25,956.00**; total amount of deductive item on change order #2 is **\$6,375.00**; total net cost of change order #2 is **\$19,581.00**.
Exhibit M-18

E. REPORT OF THE GOVERNING BOARD PRESIDENT

Mr. McMullen welcomed the two new Trustees and stated that he is looking forward to a lot of progress. He noted that it will take the combined efforts of all Trustees to solve all the issues before the Board.

F. REPORTS OF THE GOVERNING BOARD MEMBERS

Dr. Nelson extended her welcome to the new Trustees, stating that she looks forward to an exciting year.

Dr. Nelson congratulated the gala committee for an outstanding party and a very productive year culminating in a huge amount of money raised. Gail Griffith was commended for her outstanding leadership.

Ms. Chadwick thanked everyone for their welcome and stated that she is proud to be here and represent the community that is part of this District. She stated that this is one of the best community college districts in the state, if not the United States. The faculty, staff, and students here are among the best in this country, and she is proud to represent this community.

Mr. Evilsizer read aloud the pledge he made in the voters' pamphlet prior to the November 5 election: "As a Board member, I will support students by listening to them and ensure that our programs and facilities meet their needs. I pledge to be accessible and to seek input from community members to strengthen educational quality. I will advocate fiscal responsibility and sound planning for growth. I will work to re-establish trust and improve relations with employees. I pledge to promote teamwork, communication, and action with my fellow Board members to provide quality education to each student." He thanked everyone for their support. He stated that he is available to all stakeholders in this community college district, that he is approachable, and he is listed in the phone book.

Mr. Jensen also welcomed Mr. Evilsizer and Ms. Chadwick. He also congratulated the Palomar football team on winning their bowl game.

Mr. Weimer made the following report: "My fellow Board members, there has been an issue that I have been wrestling with for some time now. In the position of Student Trustee, you are put in an awkward position because not only are you the ASG President, but you are also the Student Trustee. And on top of that, you're a student. It is a very, very large plate to carry, and it takes extraordinary effort, and I would like to state that in the California Community College League manual that 58 out of the 72 districts that belong to the League have a separate Student Trustee and ASG President and that there are only 14 districts that had it combined. I look at the map, and it's overwhelming. I can see why, and it is my sincere hope that this Board will reconsider having this position linked. It is way too difficult for anybody to execute the job properly. The standards that are heaped upon you are staggering, more than any Board member here, more than anybody here in the College, including Dr. Amador herself, whose plate I'm sure is – she has to have somebody carry it for her. I'm a student, and I need to put a student's needs first. Please do not continue this office linked together. Please separate it. Do the right thing for the students. Let not the ASG President be the first, last, and only defense for the students. Have somebody up here that's not linked with that. Thank you."

G. REPORT OF THE SUPERINTENDENT/PRESIDENT

Dr. Amador welcomed the two new Board members and stated that she looks forward to working with them. She also welcomed Dr. Nelson back as a returning Board member.

1. Report of Vice President for Instruction

a. Accreditation Self-Study Report

Diane Lutz introduced Kelley Hudson-MacIsaac and Lori Waite, who presented the Accreditation Self-Study to the Governing Board. They noted that over 100 staff members were instrumental in writing the document and especially thanked Darla Wilson, James Miller, and Ken Dodson for all of their work in putting the final document together. **Exhibit G-1a** The accreditation team will be on campus March 4-6, 2003.

b. Letter of Appreciation from Veterans Hospital

Ms. Lutz read excerpts from a letter of appreciation from the nurses at the V.A. Hospital commending Marilee Nebelsick-Tagg's nursing students who performed their patient care duties on an extremely busy day at the medical center, which started with a Code Blue at the change of shift. The students did not ask if help was needed, they simply pitched in and did it. They answered telephones, call lights and generally did anything they could do to assist the staff. They displayed genuine interest in the activities of the Code Blue without interfering with the nursing staff members, who were performing their emergent duties. Afterward, they continued to help the staff. The letter commended the student nurses for their unsolicited assistance and their display of empathy. Ms. Lutz noted that this commendation is a credit to our nursing instructors.

2. Report of Vice President for Student Services

a. Find-A-Ways

The Community College League of California at its annual convention on November 14-16, 2002, provided awards titled "Celebrating the Way California Learns" to those colleges who have created outstanding learning environments and enhanced the learning of both students and employees. Palomar College's award is titled "Find-A-Ways." It is a caring, learning educational team instilling the value of knowledge in every student. The award went to our DSP&S program. Staff members receiving awards were the following: Bev Carson, Sherry Goldsmith, Jem McAdams, Jane Mills, Sue Norton, Patty Ricks, Ruth Tait-Brown, Lise Telson, Mary Tuttle, Lori Waite, and Patti Whitman.

b. Chris Shirley – Male Pepsi Scholar Athlete of the Year for California

Joe Madrigal announced that Chris Shirley, a member of our 2001 wrestling team, has been selected as the Male Pepsi Scholar Athlete of the Year for the State. Each conference in California nominates one female and male student athlete to represent their conference. There are over 20,000 student athletes in the California Community College System. Palomar has had five previous nominees from the Pacific Coast Conference over the past four years. All five have made the top 18. Chris is our first winner. The nominees are judged on scholarship, athletic performance, and community service. Chris maintained a 4.0 gpa, was a two-time state place winner and team captain, was an officer for the Criminal Justice Club, assistant wrestling coach at Escondido High School in the off season, tutored high school students in mathematics and worked through his church to assist with the building of homes for needy families in Tijuana. He is very deserving. He and his family will be flown to Reno, and Chris will be presented with the award at the COA convention. He also received a scholarship as part of the presentation. We are very proud of Chris, and he will be brought to a future Board meeting to accept his award.

c. Wrestling Team

The wrestling team will be participating in the state finals on December 13-14 at Cypress College. They have already won the state dual meet championship.

d. Football Team

The football team beat Grossmont College 20-19 in the South San Diego County Bowl.

3. Report of Vice President for Finance and Administrative Services

a. Audit Report

Jerry Patton introduced Claudette Dain, of Vicenti, Lloyd and Stutzman, LLP, who presented the Audit Report. **Exhibits G-3a, H-3** The audit will be on the Fiscal Services web page in about two weeks.

Mr. Patton explained the ramifications of GASB 34 and 35 and how the District is adapting to them.

The two findings on the audit report have been addressed. Faculty members are again being apprised of the need to drop students in a timely manner. Mr. Evilsizer suggested incorporating a mini-training in the spring orientation for faculty to expose them at that venue and sending them e-mails and notices to remind them as many ways as possible of the importance of this procedure. Dr. Amador reported that these steps have already been taken. Ms. Lutz reported that she and the deans met on this matter this morning and have outlined a campaign to make the faculty aware of the problem. It is also a student obligation to add classes in a timely manner. ASG will be asked to assist in getting the word out to the students.

Ms. Chadwick asked for information on our debt capacity at a future meeting.

Mr. McMullen noted that the amount expected to be received from the state this year is still unknown because of the state budget crisis.

4. Report of Vice President for Human Resource Services

a. Discontinuance of CDN Dental Insurance

The JPA has notified us that CDN Dental Insurance has been purchased by Pacific Life Insurance. They are going to drop us from coverage effective December 31. Delta Preferred will be the new provider for those employees who have been enrolled in CDN. The changeover will be seamless to the employees.

5. Sabbatical Leave Reports

Dr. Amador reported that she has reviewed the following sabbatical leave reports and has found that they meet the standards and confirm the committee's actions:

1	Spring, 2000
1	Full year, 2000-01
16	Spring or Fall, 2001

The reports were on such subjects as job shadowing, multimedia, on-line methodology, formal study, travel, and curriculum development. The reports are on file in the Library.

6. State Budget

Dr. Amador stated that, at this point, we do not have any official notification of what our cuts are going to be. Starting last Friday, official statements were made by the Governor about the Prop. 98 cut, and we heard from Chancellor Nussbaum of what those would be in various categories. But clearly, nothing has been determined as official. They gave us a formula to calculate our share if the full \$9.8 billion cut is going to occur to community colleges. Using that formula, Jerry Patton has determined that Palomar's share would be approximately \$3.2 million. If the full force of the cut as it is stated now would come and they would do it on an FTES basis, that would be our mid-year cut. Dr. Amador stated that she does not think that full amount will happen. The faculty and administrative groups feel that this is a beginning to get the public to be concerned and start the ball rolling as to whether there will be cuts and/or new taxes. Dr. Amador reported that we will probably get an answer by January 10 when the Governor's budget comes out, and we will have to take our cut out of the Prop. 98 split with K-12. There is going to be a consultation meeting with the state on December 12. The working assumption is that the cuts that are going to be done by the community colleges will be determined through some internal process. We will probably know more about that by Friday, whether it will come out of categorical programs or general funds, whether there will be certain conditions that will be suspended so we won't have to meet the regulatory requirements.

The K-12s have asked that a minimum of a 3% ending balance be suspended under certain conditions. Our District has a 5% ending balance of the previous year's expenditures, so we do have that cushion. There are some districts that do not have that cushion, and they are much more concerned about this situation than we are. The Resource Allocation Committee has already started discussing some of these implications, so we will be going through our usual committee and governance processes to determine where the "hits" will have to be taken. Dr. Amador stated that her personal commitment is to keep it as far away from the students as possible. We have put several positions on hold until after January 10 to determine whether or not to go forward with announcing those positions. We are doing our preparation plans with the appropriate groups. As soon as Dr. Amador knows specifically, Mr. Patton and she will send out specifics as to how we must take the cuts. The Chancellor's Office web site at <http://www.cccco.edu/> provides the latest information available for those interested. Ms. Chadwick suggested that we have the local information on the College web page. Mr. Patton will see that this information is provided when a decision is made. Dr. Amador will also do a general information e-mail to the staff when the specifics are provided. Right now, there is no definitive information to provide.

Special congratulations go to Dale Wallenius and the Advancement Office as the gala this year netted \$111,000, which is unprecedented. In anticipation of that, the Foundation and the President's Associates have already committed to providing \$300,000 for furnishings for the student union.

Dr. Amador invited everyone to the President's Holiday Coffee on December 12 and wished everyone happy holidays and happy new year. Hopefully, the new year will bring us brighter news on the budget than we have heard up to this point.

CONSENT CALENDAR

H. CONSENT CALENDAR

GIFTS

1. ACCEPT GIFTS

MSC Chadwick, Evilsizer

The Governing Board hereby accepts the following gifts and directs that an appropriate letter of appreciation be sent to the donors:

- a. Bronze life-size figure of young woman (original), Minoan-style youth lead casting (original), press releases, portfolio, photos for students, bronze plank slices for display and use in the Art Department, donated by **Wilfred O. Boettiger**, 12469 Greens East Road, San Diego, CA 92128. Total cash value as estimated by donor is \$15,550.00.
- b. Three boxes of pre-school games, books, tapes, and curriculum books for use in the Child Development Center, donated by **Penny Pecoraro**, 592 Starstone Place, San Marcos, CA 92069. Total cash value as estimated by donor is \$1,000.00.
- c. Compact discs (180+) of music to be used in the Performing Arts Department, donated by **Frank Smalley**, P.O. Box 1504, Vista, CA 92085. Total cash value as estimated by donor is \$5,000.00.
- d. Aviation books (90), pilot training manuals (22), and aviation videos (3) for student reference in the Earth Sciences Department, donated by **Larry F. Stoffers**, 755 Yucca Ridge Lane, San Marcos, CA 92069. No cash value estimated by donor.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

COMMUNITY SERVICES

2. APPROVE COMMUNITY SERVICES CLASSES, AGREEMENTS, AND PERSONNEL

MSC Chadwick, Evilsizer

The Governing Board hereby approves the following new classes, agreements, and personnel for providing Community Services classes.

Spring, 2003

- | | | |
|----|------------------|------------------------------|
| a. | Presenter: | Maureen O'Connor-DuPont |
| | Name of Class: | CBEST Test Preparation |
| | Effective: | February 8 and March 1, 2003 |
| | Instructor Rate: | \$276.29 |
| | Fee to Student: | \$129 |
| | Terms: | Minimum of 10 students |

- b. Presenter: Dawn Schmidt
 Name of Class: CBEST Test Preparation
 Effective: February 1 and 22, 2003
 Instructor Rate: \$245.00
 Fee to Student \$129
 Terms: Minimum of 10 students

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

FISCAL SERVICES

3. Item was removed from the Consent Calendar by Mr. Evilsizer.

4. **APPROVE REPORT OF REVOLVING CASH EXPENDITURES**

MSC Chadwick, Evilsizer

The Governing Board hereby reviews and approves the report of **Revolving Cash Expenditures**, for October, 2002. **Exhibit H-4**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

PERSONNEL

5. **APPROVE CHILD DEVELOPMENT CENTER TEACHER EMPLOYMENT**

MSC Chadwick, Evilsizer

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the employment of the following **Child Development Center Teacher**, at the rate indicated for Fall 2002:

Blankinship, Kathryn	Master Teacher	\$10.83
	A.B., Home Economics	
	J.D., Law	

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

6. Item was removed from the Consent Calendar by Mr. Evilsizer.

7. **RATIFY LEAVES OF ABSENCE**

MSC Chadwick, Evilsizer

- a. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **40% Personal Leave of Absence without pay and with no effect on benefits**, effective January 21, 2003, through May 23, 2003, to **DANIEL K. CLEGG**, Associate Professor, Mathematics.

- b. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **15% Personal Leave of Absence without pay and with no effect on benefits**, effective January 1, 2003, through June 30, 2003, to **DOROTHY M. FARRELL**, Staff Assistant, Counseling and Matriculation.
- c. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **100% Family Leave of Absence without pay and with benefits**, effective January 15, 2003, through April 8, 2003, to **TIFFINY R. HICKEY**, Web Analyst, Educational Television.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

8. RATIFY CLASSIFIED RECLASSIFICATION

MSC Chadwick, Evilsizer

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **reclassification** of the following **classified position**:

- a. **Position:** INTERPRETATION PROGRAM COORDINATOR
Department: Disabled Student Programs and Services
Name: Vacant
Position #: 5706 **New?:** No
Remarks: Position was Supervisor Interpretation Services, grade 48 on Administrative Schedule
Effective: December 1, 2002
% of position: 100% **# of Mos:** 12
Sal Grade/Stp: **35/1** **Salary:** **\$3,848.83/month**
Account(s): A-212200-472100-64200-0000000/100%
Note: Position will be removed from Supervisory and placed in the bargaining unit represented by the CCE/AFT

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

9. INFORMATION: RETIREMENTS

On behalf of the Governing Board of the Palomar Community College District, the following **retirements** have been accepted by Dr. Sherrill L. Amador, Superintendent/President, as authorized by the Governing Board, under **Group I** (receives the same fully employer-paid lifetime health benefits as provided to active employees and eligible dependents for life of the retiree) of the Retirement Health and Dental Plan approved by the Governing Board December 8, 1987:

- a. **JAMES T. SAW**, Professor, Art, December 22, 2002.
- b. **BONNIE B. CORZINE**, Senior Library Media Technician, Library Media Center at Palomar College Escondido Center, December 31, 2002.

10. RATIFY RESIGNATIONS

MSC Chadwick, Evilsizer

The Governing Board hereby ratifies the recommendation of the Superintendent/President granting the **resignation** of the following **employees**:

- a. **AMANDA L. GONZALEZ**, Library Media Technician II, Library Media Center, effective December 1, 2002 (last day of employment 11/30/2002).
- b. **KERRY S. KANONAS-GROSE**, Accounting Assistant, Facilities, effective November 30, 2002 (last day of employment 11/29/2002).
- c. **JULIE A. KLEIN**, Instructional Support Assistant IV, Life Sciences, effective December 3, 2002 (last day of employment 12/2/2002).
- d. **KARLA CASTRO**, Outreach Coordinator, GEAR UP/Student Support Services, effective 12/13/2002 (last day of employment 12/12/2002).

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

11. RATIFY CLASSIFIED EMPLOYMENT

MSC Chadwick, Evilsizer

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **employment** of the following **classified employees**:

- a. Name: **JAMES J. DIAZ**
Position: Supervisor, Facilities Operations
Department: Building Services at Palomar College Escondido Center
Position #: 5654 New?: No
Remarks: Replacement for Timothy McGann; promotion for Mr. Diaz.
Sal Grade/Step: **43/1** Salary: **\$3,345.43/month**
% of Position: 100% # of Mos: 12
Effective: November 18, 2002
Account #(s): A-212100-542100-65100-0000000/100%
Note: Position will be placed in the Confidential and Supervisory Team.
- b. Name: **ALISON G. BECKETT**
Position: Academic Department Assistant
Department: English as a Second Language
Position #: 5127 New?: No
Remarks: Replacement for Judy Tokas; promotion for Ms. Beckett.
Sal Grade/Step: **19/5** Salary: **\$3,166.88/month**
% of Position: 100% # of Mos: 12
Effective: November 25, 2002
Account #(s): A-212200-325100-60910-0000000/100%

- c. Name: **GLORIA SALTZ**
 Position: Records Assistant
 Department: Admissions, Records, and Veterans' Services
 Position #: 5477 New?: No
 Remarks: Replacement for Rose Tucker; transfer for Ms. Saltz.
 Sal Grade/Stp: **16/12** Salary: **\$3,166.88/month**
 % of Position: 100% # of Mos: 12
 Effective: January 2, 2003
 Account #(s): A-212200-421100-62100-0000000/100%
 Note: Normal work schedule: Monday - Thursday, 10:30 am - 7:30
 pm; Friday, 7:30 am - 4:30 pm. 3% differential paid for hours
 worked between 6:00 pm and 10:00 pm.
- d. Name: **DONNA M. GUSTAFSON**
 Position: Client Services Assistant
 Department: Educational Television
 Position #: 6221 New?: No
 Remarks: Replacement for Shanon Beach; funded - e-Conferencing.
 Sal Grade/Stp: **20/1** Salary: **\$2,670.14/month**
 % of Position: 100% # of Mos: 12
 Effective: November 22, 2002
 Account #(s): K-212200-318100-61320-1612191/100%
- e. Name: **LAMEKA C. INGRAM**
 Position: Client Services Assistant
 Department: Educational Television
 Position #: 6271 New?: Yes
 Remarks: Position approved 10/8/02; funded - e-Conferencing.
 Sal Grade/Stp: **20/1** Salary: **\$2,002.60/month**
 % of Position: 75% # of Mos: 12
 Effective: November 22, 2002
 Account #(s): K-212200-318100-61320-1612191/100%
- f. Name: **KHATIJA S. BALOUCH**
 Position: Academic Department Assistant
 Department: Cooperative Education
 Position #: 5192 New?: No
 Remarks: Replacement for Diana Ortiz
 Sal Grade/Stp: **19/1** Salary: **\$2,605.14/month**
 % of Position: 100% # of Mos: 12
 Effective: December 2, 2002
 Account #(s): A-212200-333100-60910-0000000/100%

g. Name: **DEBORAH BROOKS**
Position: Accounting Assistant
Department: Educational Television
Position #: 6273 New?: Yes
Remarks: Position approved 10/8/02; funded - 50% CCCSAT & 50% e-conferencing; reinstatement for Ms. Brooks.
Sal Grade/Step: **16/17** Salary: **\$3,344.73/month**
% of Position: 100% # of Mos: 12
Effective: December 2, 2002
Account(s): K-212200-318100-61320-1612190/50%
K-212200-318100-61320-1612191/50%

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

12. Item was removed from the Consent Calendar by Mr. Evilsizer.

13. **RATIFY ADJUNCT FACULTY EMPLOYMENT**

MSC Chadwick, Evilsizer

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the employment of the following **adjunct faculty**, at the rates indicated for Spring, 2003 (day and/or evening); said adjunct faculty are not scheduled to teach more than a 60-percent load in a single semester:

SPRING, 2003

BUSINESS EDUCATION

Prabowo, Haryo	Business Education B.A., Architecture M.B.A., Management	\$38.24
Smith, Theresa	Office Information Systems B.B.A., Business Administration M.A., Education	\$38.24

ECONOMICS, HISTORY, AND POLITICAL SCIENCE

Martinez, Kristy	Political Science B.A., International Relations M.A., Pacific International Affairs	\$38.24
Zacharias, Jared	Political Science B.A., Political Science M.A., Political Science	\$38.24

PUBLIC SAFETY

Benton, Bob	Administrative Justice A.A., General Studies 6 Years' Experience	\$37.01
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The Vote was unanimous.
Student Trustee Advisory Vote: Aye

**Resumption of
REGULAR AGENDA**

I. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

3. ACCEPT AUDIT REPORT

MSC Jensen, Nelson

The Governing Board hereby accepts the **Audit Report** of the Palomar Community College District, Year Ended June 30, 2002, as prepared by Vicenti, Lloyd, Stutzman LLP, 2100-A Foothill Boulevard, La Verne, CA 91750.

Mr. Evilsizer asked by what amount or percentage are we exceeding the minimum 3% general fund reserves required by the Chancellor's Office. Dr. Amador reported that our Board policy is 5% of the previous year's expenditures. Mr. Patton noted that the Chancellor's Office requires that the general fund unrestricted reserves minimum is 3%, and the prudent amount is 5%, which is what our Board policy is.

Ms. Chadwick asked what percentage of written off accounts are actually collected. Mr. Patton reported he cannot quote a percentage now, but that the collections were rather high this year after we started enforcing payment dates and drop dates. He offered to bring an exact percentage at a future meeting.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

6. APPROVE PERSONNEL ACTIONS HISTORY

MSC Nelson, Chadwick

The Governing Board hereby approves the **Personnel Actions History** report, which includes hires and pay rate changes for short-term and student employees for the month of **November, 2002. Exhibit H-6**

Mr. Evilsizer noted that these actions are being approved "after the fact." He feels two meetings per month might help us get ahead of that. If we didn't approve of somebody coming on board, it would put us in a bad light. He would like to see us make stronger efforts to get some of these a little bit ahead of that approval curve.

Dr. Miyamoto reported that these are part-time students, hourly people that we have a good record with throughout the year. We use them when someone needs help right away. However, Assembly Bill 500, which becomes effective January 1, 2003, says that short-term hourly employees will be Board approved before they start working, with a start date, ending date, and reason for their services. That will alter a lot of our procedures. Part of that legislation does allow ratification at the next Board meeting if we get caught in an emergency situation.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

12. RATIFY ACADEMIC EMPLOYMENT

MSC Chadwick, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **employment** of the following **academic employee**:

a. Name: **DENISE E. RUDY**
Position: Assistant Professor/Director
Department: Dental Assisting
Position #: 5245/80% New?: No
5243/20%
Remarks: Replacement for Jean Landmesser
Sal Rng/Stp: **B/1** Salary: **\$3,839.93/month**
% of Position: 100% # of Mos: 10
Effective: January 21, 2003
Account #(s): A-111000-344200-12041-0000000/80%
A-123400-344100-60100-0000000/20%

Mr. Evilsizer suggested that academic credentials be listed for all academic employees in the future. Dr. Miyamoto will see that this is done in the future.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

J. REPORTS FROM COLLEGE GROUPS

1. INFORMATION

Report of the Faculty Senate

Chris Barkley welcomed new trustees Mr. Evilsizer and Ms. Chadwick, and welcomed Dr. Nelson back to the Board and gave the following report:

“We elected Bonnie Dowd as our Faculty Senate Secretary to serve the rest of April Woods’ term since April is going on sabbatical next semester.

“We passed a Faculty Leadership Conflict of Interest policy for senators applying for administrative positions.

“We discussed, made suggested changes to, and passed the Board Policies that you are considering tonight. Our suggestions were further discussed at the Strategic Planning Council before coming to you. We are recommending passage of BP 7120. We appreciate the fact that you are willing to do the first reading and the second reading at the same time. We are in the process of developing Faculty Hiring Procedures and have gotten a tentative agreement with administration on adding a ‘compliance officer’ and will get those procedures in place as soon as possible early next semester. We have suggestions for inclusions in the Governance Structure narrative, which I will bring to Strategic Planning Council’s next meeting.

“We have dealt with over 150 pages of Curriculum issues in the last few meetings, questioned at least one class, gotten clarification, and passed it at the next meeting.

“We have appointed several committee members, including Nancy Galli to replace Doug Key as Co-Chair of the Educational and Facilities Master Planning Task Force, and Anne Voth to replace Doug as a representative from the Math and Sciences Division.

“By the way, we have gone to electronic balloting on many committee appointments; and the Faculty is using this method for elections, and we are discovering that it works very well.

“We nominated the Reading Services Cross-Course Tutor Program for the Exemplary Program Award for 2002, and decided not to submit a nominee for the Hayward Award this year.

“We passed a resolution stating that instruction-related reorganizations (which we are identifying as the counseling, instruction, and technology reorganizations) are academic and professional matters, and we requested a moratorium on instruction-related reorganizations from Strategic Planning Council until the Senate has had sufficient opportunity to discuss them. So far, Strategic Planning Council has complied.

“We thoroughly discussed the Counseling reorganization during the course of several meetings, including related Board policies concerning the Transfer Center and gave our input to the Strategic Planning Council and, while we had some concerns that the use of funds which had provided faculty reassigned time could not be used to fund a classified position without approval of our bargaining agent, we did not otherwise object to that reorganization. Our counseling department supported it.

“We are currently in the process of discussing the Instruction reorganization plan. The Faculty has held two meetings, and we will hold a special Senate meeting next week to discuss this item alone. We hope to have a recommendation at that point.

“As you can see, this has been a very busy last month. I would like to say that one of the things that the Senate can do on the issue of adds and drops as part of our Senate motions, I will direct the secretary to send out an announcement reminding faculty to add and drop students in a timely manner early in the spring semester.”

2. **INFORMATION**

Report of the Palomar Faculty Federation

Mary Ann Drinan gave the following report:

“My report today is simply a statement of heartfelt congratulations to Nancy Chadwick and to Mark Evilsizer on their election victory. The voters chose well when they elected you because you both bring a wide breadth of experience and a wealth of talent to the task at hand, and we welcome you both. Also, congratulations are in order for you, Michele Nelson, for your election victory. And I couldn't help but note that several times during the election contest that you mentioned the need of a faculty contract. And so, I hope that you are indeed committed to working speedily toward a contract for faculty, not just any contract but rather one that respects faculty for the professionals that they really are and the talents that they bring to the classroom. The contract has to be one that shows an integrity of the process and one that faculty and Governing Board can be proud of. So congratulations.”

3. **INFORMATION**

Report of The Faculty

Mr. McMullen noted that he had received a copy of the report that Doug Key had written on the Facilities Master Plan Task Force. He thought it was right on target. He appreciates that a great deal of information was consolidated into the document.

Doug Key gave the following report on behalf of The Faculty:

“The Faculty, by a vote of 74 to 19, approved the revisions to The Faculty Constitution. These changes will go into effect when a contract is signed between the Palomar Faculty Federation and the District. When that happens, the position of Faculty President, Vice President, and The Faculty organization will no longer be.

“We also held a Faculty meeting on November 21, and the focus of this meeting was the reorganization of Instruction. Several primary concerns were heard by faculty at that meeting. First, that the realignment would create a large imbalance in FTEF between the divisions. And second, the new Dean position that is being generated is primarily focused on facilities, in particular the centers. There was a concern that we look at our planning. In fact, tonight we are considering adopting that plan, which I very much support, which says that we are going to reduce the number of centers, and it seems this may be something contrary to our planning. The faculty at that meeting supported a resolution that we oppose the Instructional reorganization as proposed and support in concept an alternative plan. The issue was submitted to the Senate as an academic and professional matter.

“This is my last meeting as Faculty President. Nancy Galli will be taking on that roll for the next year or until a contract agreement is reached. Also, Maria Miller has been elected as Faculty Vice President. Again, at the time the contract is signed, the Faculty President and Vice President positions will terminate. I know that I join everyone, especially Nancy and Maria, in hoping that happens sooner rather than later. I would just like to leave with a couple thoughts. One is that I do think planning is very important, and I hope very much that the plans that we have done with the Educational Master Planning Task Force will be approved. But I think, also, it is important to note that for these plans to really happen, you really do need a cooperative effort of the Palomar community. In the environment we have right now, that’s going to be very difficult. I know that there are lots of things that different groups can do, but two things that I can actually ask of the Board: One is you really do need to reach a contract agreement, and one that will be satisfactory for faculty, and that is a major obstacle. Secondly, I think with the Board itself, one thing that I hope will happen is that there has been a tradition in Palomar with many of our groups over the years to reach decisions by consensus. And I really hope that this Board will consider strongly reaching agreements that everyone can live with, and that will set a good tone for the rest of this community. It’s going to take community support for us to have any chance of a bond measure being passed in 2004, so I hope we can all set our focus on Palomar in the future and items like that.”

4. **INFORMATION**

Report of the Administrative Association

Mollie Smith gave the following report:

“First of all, I’d like to welcome our two new Trustees to the Palomar Board, and I’d like to welcome back Dr. Nelson.

“On behalf of the Administrative Association, I would like to extend a sincere appreciation and thanks to Kelley Hudson-Maclsaac and to Lori Waite for the significant contribution they made in completing the Self-Study. Thank you very much.”

5. **INFORMATION**

Report of the Confidential and Supervisory Team

Jo Anne Giese gave the following report:

“I, too, would like to welcome Mrs. Chadwick and Mr. Evilsizer to the Governing Board. I would also like to report that we had our first meet and confer meeting today with Vice Presidents Miyamoto and Madrigal, as we develop our handbook designed specifically for the Confidential and Supervisory Team.”

6. **INFORMATION**

Report of the CCE/AFT

Mike Dimmick gave the following report:

“I, too, would like to welcome Mark and Nancy and welcome back Michele, now that it’s official – welcome. I’d also like to make a comment with regard to – just keep in mind – Toys for Tots drive which the police officers are doing – just to keep that in mind. We are getting closer to the holiday season. Just to reiterate that there are stations throughout campus. I’m sure you’ve seen the e-mails that have come out from Jim Stoney, but just keep that in mind.”

7. **INFORMATION**

Report of the Associated Student Government

Sean Weimer gave the following report:

“Tonight I have no real report but more of a statement. My fellow Board members, I am in receipt of the memos of the November 13 and November 26 ASG executive sessions. The comments of the November 26 session were particularly gratifying, especially the testimonial to my outstanding achievement in being a true pioneer for issues regarding students. I had accepted the timeline of four weeks of the semester to remedy what some would consider perceived deficiencies. The five conditions have been met since November 13, particularly number one, no behavior can be evidenced in this category without danger of libel or slander; two, no abuse of power has occurred or alleged since November 13. I have been responsible for regular scheduled meetings and agendas since November 13. I had stated in an executive session that we would meet at the Escondido Center as the venue for the monthly meeting. Only the minute taker did not hear it, would not deal with it, or chose not to respond to it. My reports of the ASG activities conform to all expectations within the First Amendment freedoms and the ASG constitution and bylaws. My record of achievement is clear, particularly in regard to assisting disabled students, putting students on college committees, i.e., Curriculum Committee, and just getting students involved with ASG period, and the introduction of electronic voting. It is apparent that my colleagues in the ASG have been maneuvered into positions which can only be explained as administrative heavy-handedness. The independence of the ASG has been, therefore, gravely compromised, and since I am the leader of the ASG, I therefore take the responsibility with seriousness of this compromise. Ladies and gentlemen, I would rather jump into a bathtub of broken glass than read this next part. Therefore, I will retire from my position as ASG President

effective December 11, 2002. By doing so, I do not relinquish my First Amendment rights, nor my rights to proceed with grievances under Palomar College procedures. I wish the College well and thank all those faculty and students who gave their hearts and souls to the College. I have been one of those students, and I will always have a special affection for those who strive for excellence at Palomar.”

Mr. McMullen commented on behalf of the Governing Board that they have always appreciated Sean’s candor and the fact that he was always looking for the very best for the students. He stated that Sean was always a very even-keel person who they felt was a benefit and has given the Board food for thought on a number of issues. Mr. McMullen then presented Sean with a framed certificate commemorating his service as Student Trustee.

K. COMMENTS FROM OTHER INDIVIDUALS OR GROUPS

a. Statements of Appreciation

Linda Dudik, Mary Ann Drinan, Leo Melena, and Chris Champine each made a presentation to Sean Weimer. Mr. Evilsizer asked Mr. Weimer why he is retiring. Mr. Weimer responded that he has been asked to step down by the ASG. Mr. Weimer thanked everyone and stated that there is no greater honor than being able to govern yourself.

L. UNFINISHED BUSINESS – There was none.

M. NEW BUSINESS

1. RECEIVE BIDS FOR PROVIDING EQUIPMENT AND SERVICES FOR A PAY TELEPHONE SYSTEM

MSC Jensen, Nelson

The following bid was received by the Palomar Community College District from the firm indicated in response to Notice to Bidders published on October 18 and October 25, 2002:

BIDDER

Payphone Stations, Inc.
Big Bear Lake, CA 92315

Payphone Stations, Inc., is hereby found to be the bidder with the least potential cost and greatest percentage of revenue sharing to Palomar Community College District on the aforesaid **Pay Telephone System**, and an agreement per attached schedule, **Exhibit M-1**, is hereby authorized between this company and the District, subject to compliance with all insurance requirements.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

2. APPROVE DELETION OF BP 101 AND ADOPTION OF BP 3420

MSC Nelson, Jensen

The Governing Board hereby approves the **deletion of BP 101** and the **adoption of BP 3420**, which reads as follows:

BP 3420 – UNLAWFUL DISCRIMINATION
(replaces BP 101) **Exhibit M-2**

It is the policy of the Palomar Community College District to offer equal opportunity for all persons in all facets of the District's operations. Equal opportunity is offered to all employees and applicants for employment without regard to these matters including, but not limited to ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, physical or mental disability, medical condition, marital status, political affiliation, veteran status, and protected union activities under EERA in any program or activity under California state or federal law or regulation. The District affirms its commitment to non-discrimination in recruitment, screening, testing, selection, hiring, compensation, employment benefits, promotion, educational opportunities access to programs, work assignments, application of discipline, layoffs, recalls, access to grievance procedures, terminations, and all other conditions of employment which are provided by District policy, regulation, rule, or practice. This policy is subject to the provisions of any collective bargaining agreement between the District and an employee bargaining agent.

The Superintendent/President shall establish administrative procedures to assure equal opportunity. It is the ongoing responsibility of the Governing Board, Superintendent/President, assistant superintendents/vice presidents, deans, directors, chairpersons, search committees, and others involved in employment decisions to comply with this policy.

Palomar College recognizes and appreciates the benefits of a diverse campus community and values the individual distinctions of its staff and students. In support of its goal to encourage students to examine their own and other heritages through multicultural and interdisciplinary programs, Palomar College seeks to provide positive role models for all students and recognizes that diversity in the academic and vocational environment fosters cultural awareness, mutual understanding and respect, harmony, and creativity.

The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability, or because he or she is perceived to have one or more of those characteristics.

In so providing, the Palomar Community College District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code, § 66250 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101).

Authority: Cal. Code Regs., Title 5, § 59300; Gov. Code, § 11135-11139.5; Ed. Code, § 66250 et seq.; 42 U.S.C. § 2000d; 20 U.S.C. § 1681; 29 U.S.C. § 794; 42 U.S.C. § 12100 et seq.; 42 U.S.C. § 6101.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

3. APPROVE DELETION OF BP 174 AND BP 26 AND ADOPTION OF BP 7120

MSC Jensen, Nelson

The Governing Board hereby approves the **deletion of BP 174 and BP 26** and the **adoption of BP 7120**, which reads as follows:

BP 7120 - RECRUITMENT AND SELECTION

(Replaces BP 174 and BP 26) **Exhibit M-3**

The Palomar Community College District recognizes that excellence in student learning and student success requires that faculty, staff, and administrators have a clear understanding of and commitment to the mission, vision, and values of the institution. Additionally, the District seeks to employ highly qualified faculty, staff, and administrators who are sensitive to and understand the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of the student population in such a way that effective student learning results.

The Superintendent/President, in cooperation with the appropriate campus constituencies, shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria:

Academic

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board policies regarding the Faculty Senate's role in local decision-making. In accordance with AB1725 and BP 2510, the Governing Board elects to rely primarily upon the advice and judgment of the Faculty Senate on Academic and Professional Matters. Faculty hiring is an Academic and Professional Matter.

Classified

The criteria and procedures for hiring classified employees shall be established after affording the CCE/AFT an opportunity to participate under the Board's policies regarding local decision-making.

Administrative and Confidential/Supervisory

The criteria and procedures for hiring administrative, confidential, and supervisory employees shall be established in a way that encourages participation of administrators, the Administrative Association and the Confidential and Supervisory Team, faculty, and classified staff in all appropriate phases of the process.

Education Code Section 70902(d); 87100 et seq

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

4. APPROVE DISTRICT CONFIGURATIONS FOR PURPOSES OF EDUCATIONAL AND FACILITIES MASTER PLAN

State approval of district facilities and the necessary capital funding require that a district's educational and facilities master plan describes and quantifies the educational programs and services of a district in the configurations of centers, campuses, and/or colleges.

Palomar Community College District currently serves approximately 32,000 students using the configuration of one college and 8 educational centers of varying sizes. The District's projected student growth by 2022 is 47,500. Based on the current capacities and locations of existing District sites, it was determined that retaining the current configurations will impede the projected growth. To accommodate the District's future growth, new configurations with build-out capacities were considered by the Educational and Facilities Master Plan Task Force.

The Task Force considered these factors in determining the recommended configurations: demographics and 20-minute drive times supplied by SANDAG, free flow patterns based on San Diego County community colleges' enrollments by zip codes, census 2000 adult population, potential number of students served using a 60:1000 adult participation rate, geographical overlap with other Palomar sites, and overlap with other community college districts. See **Exhibit M-4**.

MSC Jensen, Nelson

MSC Chadwick, Evilsizer to amend to read as follows:

The Governing Board hereby approves the following **future District site configuration** to complete the planning process for the draft Palomar Community College District 20-Year Educational and Facilities Master Plan:

- a. set maximum capacity of San Marcos campus at approximately 25,000 students;
- b. set the appropriate number of centers;
- c. plan for two campuses; and (d.) or (e.)
- d. develop a campus in the north and a center in the south (with land potential for a campus); or
- e. develop a campus in the south and a center in the north (with land potential for a campus)

The Vote on the amendment to item a: 3 Aye, 2 No (Nelson, McMullen)
Student Trustee Advisory Vote: Aye

The Vote on the amendment to item b: Unanimous
Student Trustee Advisory Vote: Aye

The Vote was unanimous on the entire item.
Student Trustee Advisory Vote: Aye

5. APPROVE AGREEMENT WITH AUDITOR

MSC Jensen, Evilsizer

The Governing Board hereby approves an agreement for **audit services** pursuant to California Government Code § 53060, Title 5 California Code of Regulations § 59102 and California Education Code § 84040, for the fiscal years ending June 30, 2003, and June 30, 2004, with **Vicenti, Lloyd, Stutzman, LLP**, business consultants and CPA's, which agreement may be terminated by either party upon thirty (30) days' notice to the other. Compensation for the audit services shall be in the amount of Fifty-One Thousand, Nine Hundred Dollars (\$51,900.00) for FY 2002-2003, and Fifty-Four Thousand, Five Hundred Dollars (\$54,500.00) for FY 2003-2004, plus reimbursement for mileage at the approved IRS rate for the year served. In addition, the District shall have the option to retain the services of this firm to assist with implementation and related issues outside the audit scope, as needed to convert its internal records to the new reporting format, for additional fees ranging from Nine Thousand Dollars (\$9,000.00) to Twelve Thousand Dollars (\$12,000.00), with funding for audit and related services budgeted from the general fund. **Exhibit M-5**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

6. RATIFY AND APPROVE AGREEMENT WITH EXAMINERS TO CONDUCT HEARINGS ON CONTESTED PARKING CITATIONS

MSC Jensen, Nelson

The Governing Board hereby approves a master agreement effective November 1, 2002, and until terminated by the District upon ten (10) days' written notice, pursuant to California Vehicle Code §§ 40215 and following for **hearing contested parking citations** issued by the Palomar College Police Department and under which qualified individuals, including but not limited to Kim A. Mikhael and Veronica Baird, are retained to act as Examiners and conduct the required hearings at the rate of Forty-Five Dollars (\$45.00) per hour, with a minimum of three (3) hours per hearing day funded from the Parking Fines and Forfeitures Account. **Exhibit M-6**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

7. APPROVE SUBSTITUTION OF FRAMING AND DRYWALL SUB-CONTRACTOR ON STUDENT UNION RENOVATION, PHASE II CONSTRUCTION

MSC Jensen, Nelson

The Governing Board hereby approves the request by Marcotte & Hearne Builders, Inc. ("Marcotte"), general contractors for the Student Union Renovation, Phase II Construction Project, to substitute Hardisty, Inc., as its framing and drywall sub-contractor for WR Chavez Construction, Inc. ("Chavez"), as authorized under Public Contract Code § 4107 (a) (4) on the grounds that Chavez is unable to meet the bond requirements of Marcotte; the notice and opportunity to object required under § 4107 (a) (9) has been waived by Chavez in writing dated November 21, 2002. **Exhibit M-7**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

8. **RECEIVE SITE SURVEY AND LEGAL DESCRIPTION FOR STUDENT UNION SITE AND AUTHORIZE RECORDING AS TO LEASE REVENUE BOND, SERIES 2001-A FINANCING AND LEASE DOCUMENTS**

MSC Jensen, Nelson

The Governing Board hereby accepts the **site survey** performed by **Burkett & Wong Structural & Civil Engineers & Surveyors** dated 11-14-02 (see back-up) and the legal description resulting from the survey of the Student Union building site located on the San Marcos Campus of the District, authorizes the Superintendent/President and the Assistant Superintendent/Vice President for Finance and Administrative Services, or either of them, to execute and record with the Office of the Assessor/Recorder/County Clerk of San Diego County, State of California, all purchase contracts, lease/purchase agreements, amendments, leases, site leases, sub-leases, financing statements, trust indentures, and any other documents necessary to record this legal description as to the financing through the Lease Revenue Bonds, Series 2001A issued by the California Community College Financing Authority on or about April 1, 2001, and funding the work of construction on the Student Union Renovation, Phases I and II. **Exhibit M-8**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

9. **AUTHORIZE RECORDING OF CHANGE OF NAME OF DISTRICT AS TO CERTAIN REAL PROPERTY OWNED BY THE DISTRICT AND HELD IN OUTDATED NAMES OR DESIGNATIONS**

MSC Jensen, Nelson

The Governing Board hereby authorizes the Superintendent/President and Assistant Superintendent/Vice President for Finance and Administrative Services, or either of them, to execute and record with the Office of the Assessor/Recorder/County Clerk of San Diego County, State of California, **quitclaim deeds** and any other documents of title necessary to **record name changes for the District** as to certain real property identified below, changing the legal name of the holder of title thereof to the **“Palomar Community College District”**:

1. Parcel 1 (Assessor's Parcel Nos. 220-021-23, 220-021-24, & 220-021-25) currently held in the name of the “Southern San Diego County Junior College District of San Diego County.”
2. Parcel 4 (Assessor's Parcel No. 220-021-21) currently held in the name of the “Palomar Junior College District of San Diego County.”
3. Parcel 6 (Assessor's Parcel No. 219-161-03) currently held in the name of the “Palomar Community College District of San Diego County” which acquired title as the “Northern San Diego County Junior College District.”
4. As to any unrecorded and/or documents of title recorded, conveying and/or otherwise transferring legal title to real property and/or real property interests to the District, in other than the name of the “Palomar Community College District.”

The interests affected under paragraphs 1, 2, and 3 above are detailed in a Preliminary (title) Report issued by Chicago Title Company, San Diego Office, on or about April 30, 2002, under its Order No. 23038270-U13, Michael Brady, Title Officer. **Exhibit M-9**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

10. **APPROVE CHANGE ORDER NO. 1, ACCEPTANCE AS FINAL AND COMPLETE THE WORK ON FISCAL SERVICES RENOVATION PROJECT, AUTHORIZE RELEASE OF BID SECURITY IN THIRTY-FIVE DAYS, RELEASE THE BONDS, AND RECORD NOTICE OF COMPLETION**

MSC Jensen, Evilsizer

The Governing Board hereby approves **change order No.1** to replace existing ceiling installation, change ¼" Plexiglas to 3/8" laminated glass for extra safety and change in construction schedule from 2 phases to 3 phases to minimize disruption of services in the amount of \$4,533.80 and **accepts the renovation work** of the **Fiscal Services** department on the San Marcos campus (hereinafter "Project") in accordance with the bid awarded by the District, on August 13, 2002, to Richard & Richard Construction Co., Inc., (the "Contractor"), 4751 Oceanside Blvd., Suite D, Oceanside, CA 92056.

The Project is hereby accepted as complete and final; and the Superintendent/President is authorized to execute and file the Notice of Completion including execution of the verification as Secretary to the Governing Board. The total amount of this contract is \$75,273.00 and all money due and owing to the Contractor, with the exception of the ten percent (10%) retention of \$7,527.30, (the "Retention") shall be paid, and following the expiration of thirty-five (35) calendar days from the date this resolution is recorded, the Retention shall be paid to the Contractor, provided no liens are filed within this period. The bid security posted by Richard & Richard Construction Co., Inc., shall be returned to this Contractor and all bonds shall be released, within the time and in the manner as provided by law.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

11. **APPROVE AUTHORIZATION TO REDUCE RETENTION HELD ON ENERGY CONSERVATION PROJECT FROM 10% TO 5%**

MSC Jensen, Nelson

The Governing Board hereby approves **reduction of the percentage of the retention** held on the **Energy Conservation Project** with CalAir **from 10% to 5%** based on the successful completion of over 50% of the project work to date. Remaining project work consists of the Student Services Center HVAC replacement that cannot be undertaken until after the Student Center project is complete. The total contract amount for all projects is \$1,350,000.00.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

12. **ACCEPTANCE AS FINAL AND COMPLETE THE WORK ON THE CCCSAT SATELLITE UPLINK INSTALLATION, AUTHORIZE RELEASE OF BID SECURITY IN THIRTY-FIVE DAYS, RELEASE THE BONDS, AND RECORD NOTICE OF COMPLETION**

MSC Jensen, Nelson

The Governing Board hereby approves and accepts as complete the installation of the California Community College Satellite Uplink on the San Marcos campus in accordance with the bid awarded by the District on March 14, 2000, to BitCentral.com (formerly Miralite Communications) 18872 Bardeen Avenue, Irvine, CA 92612. The Superintendent/President is authorized to execute and file the Notice of Completion including execution of the verification as Secretary to the Governing Board. The total amount of the uplink portion of this contract is \$865,691.00 and all money due and owing to the Contractor by the District for the uplink installation shall be paid following the expiration of thirty-five (35) calendar days from the date this resolution is recorded. The bid security posted by BitCentral.com shall be returned to this Contractor; and the labor and material and performance bonds shall be released within the time and in the manner as provided by law, but in no event earlier than the completion of the last down link installation at any remaining off site, non-District locations.

The Governing Board hereby authorizes and approves a pro-rata reduction in the principal amount of the labor and material and performance bonds originally posted by BitCentral.com, sufficient to cover the remaining downlink site installations. **Exhibit M-12**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

13. **APPROVE AGREEMENT WITH AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA (AAA) TRAVEL AGENCY; AND APPROVE EARTH SCIENCES FIELD COURSE TRIP TO HAWAII; AND APPROVE ADVANCE PAYMENT TO COVER DEPOSIT OF TRIP FOR 2003 SUMMER TERM**

MSC Jensen, Evilsizer

The Governing Board hereby approves an agreement with **AAA Travel Agency**, 3330 Vista Way, Oceanside, CA 92056-3752, for transportation and related services required for the **Earth Sciences Department field course to Hawaii**; GEOG/195 (2 units); during the 2003 Summer term with departure scheduled from Los Angeles, CA on June 14, 2003, and return on June 23, 2003.

The Governing Board also approves a request for payment of an **advanced deposit** in an amount not to exceed \$3,500.00, payable to AAA Travel Agency to secure their services required for this field course. The funds so advanced by the District shall be reimbursed to District from students' field course fees. The estimated total cost per student is \$1,600.00. **Exhibit M-13**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

14. APPROVE AND ACCEPT FUNDING FROM THE CALIFORNIA DEPARTMENT OF EDUCATION FOR INSTRUCTION MATERIALS, CONTRACT # GIMS-2558 FOR CHILD DEVELOPMENT CENTER

MSC Jensen, Chadwick

The Governing Board hereby approves contract number GIMS-2558 and accepts **funds for Fiscal Year 2002-2003** in the amount of \$954.00, from the **California Department of Education, Child Development Services**, for purchasing of materials and supplies for the Child Development Program for fiscal year 2002-03. The following District personnel are hereby authorized to sign all required contract documents:

Dr. Sherrill L. Amador, Superintendent/President
Jerry R. Patton, Assistant Superintendent/Vice President for Finance and
Administrative Services

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

15. RATIFY AND APPROVE APPLICATION FOR CONTINUED FUNDING FOR FISCAL YEAR 2003-04 FROM CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT DIVISION

MSC Jensen, Nelson

The Governing Board hereby ratifies and approves the application for **continued funding** in the amount of \$250,000.00 from the **California Department of Education, Child Development Division** for **FY 2003-04 for State Pre-school – Campus Match Program** at the San Marcos campus and Escondido Center Child Development Centers and authorizes the Superintendent/President to execute the application for the District.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

16. APPROVE 2002-03 ONE-TIME TTIP GRANT EXPENDITURE PLAN FOR VIDEOCONFERENCING EQUIPMENT UPGRADE

MSC Jensen, Chadwick

The Governing Board hereby approves the application of the Palomar Community College District, for 2002-2003 one-time TTIP (Telecommunication and Technology Infrastructure Program) Expenditures Plan for Videoconferencing Equipment Upgrade, as detailed on the information lodged in support hereof, and authorize the execution of certification for these expenditures by Dr. Sherrill L. Amador, Superintendent/President on behalf of the District. **Exhibit M-16**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

17. **ACCEPT CUSTOMER SERVICE ACADEMY GRANT**

MSC Jensen, Chadwick

The Governing Board hereby accepts from **Region 10 Consortium** a **Customer Service Academy Grant** in the amount of Six Thousand Eight Hundred Fifty Dollars (\$6,850.00), Six Thousand Five Hundred Dollars (\$6,500.00) to be used to fund the Team Coordinator; Two Hundred Fifty Dollars (\$250.00) to be used for supplies; and One Hundred Dollars (\$100.00) for mileage. **Exhibit M-17**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

18. **ACCEPT AND APPROVE CHANGE ORDER #2 FOR STUDENT UNION REMODEL PROJECT**

MSC Jensen, Chadwick

The Governing Board hereby accepts and approves **Change Order #2**, pertaining to the **Student Union Remodel** project; original contract approved by the Governing Board on July 15, 2002, as detailed on the accompanying memorandum in support hereof. Total amount of **additive** items on change order #2 are **\$25,956.00**; total amount of **deductive** item on change order #2 is **\$6,375.00**; total **net cost** of change order #2 is **\$19,581.00**. **Exhibit M-18**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

19. **ACCEPT ACCREDITATION SELF-STUDY**

MSC Jensen, Nelson

The Governing Board hereby **accepts the Palomar College accreditation self-study report** and authorizes the Superintendent or designee to **submit the report to the Accrediting Commission for Community and Junior Colleges** of the Western Association of Schools and Colleges to meet the required submittal date.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

20. **INFORMATION – FIRST READING: PROPOSED DELETION OF BP 7.08 AND ADOPTION OF BP 4020**

The Governing Board will be asked to approve the **deletion of BP 7.08** and the **adoption of BP 4020**, which reads as follows:

BP 4020 - PROGRAM AND CURRICULUM DEVELOPMENT
(Replaces BP 7.08)

The programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency. To that end, the Superintendent/President, relying primarily on the Faculty Senate, through the Curriculum Committee, shall establish procedures for the development and review of all curricular offerings, including their establishment, modification, or discontinuance.

Furthermore, these procedures shall include:

- regular review and justification of programs and course descriptions;
- opportunities for training for persons involved in aspects of curriculum development.

All new courses and programs and course and program deletions shall be approved by the Board.

Every vocational or occupational training program shall be reviewed every two years by the Board.

New courses that are not part of an existing approved program and all new programs shall be submitted to the Office of the Chancellor for the California Community Colleges for approval as required.

*Education Code Sections 70902(b) and 78016;
Title 5, Section 51022(a)*

21. INFORMATION – FIRST READING: PROPOSED DELETION OF BP 413 AND ADOPTION OF BP 4225

The Governing Board will be asked to approve the **deletion of BP 413** and the **adoption of BP 4225**, which reads as follows:

BP 4225 - COURSE REPETITION
(to replace BP 413)

Students may repeat a course under the following conditions:

- A. The course has been identified in the Catalog as repeatable, and the student has not taken a course more times than allowed; OR,
- B. The student is repeating a course to alleviate a D, F, or NC grade; OR,
- C. The student is repeating a course after a lapse of three years by approved petition of the Director of Enrollment Services.
- D. The student is repeating a course after a lapse of less than three years by approved petition of the Director of Enrollment Services based on the previous grade being, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student.
- E. To meet legally mandated-training requirements as a condition of continued employment. No limitation on repetitions.
- F. Special classes for students with disabilities can be repeated beyond the stipulated number if appropriate as a reasonable accommodation for a disability.

Under conditions B, C, and D above, a course may be repeated only once for State apportionment.

When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

The CR/NC option is not available if a D or F grade was received the first time.

Students discovered through the course repetition programs who do not comply with the above regulations will be administratively dropped from those classes and will be notified by mail to see a counselor for alternative course selection.

Students dropped as a result of this process will be eligible for a refund of the enrollment fee. 5 CAC 55761, 55762, 55763, 58161; GB 9-17-85

Title 5, Sections 55761-55765, 56029

22. INFORMATION – FIRST READING: PROPOSED ADOPTION OF BP 5120

The Governing Board will be asked to approve the **adoption of BP 5120**, which reads as follows:

BP 5120 - TRANSFER CENTER

The District recognizes transfer of its students to baccalaureate level institutions as one of its primary missions. The District further recognizes that students who have historically been under-represented in transfer to baccalaureate level institutions are a special responsibility.

The Superintendent/President, in cooperation with the appropriate campus constituencies, shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of under-represented students, and complies with law and regulations.

Title 5, Section 51027

23. INFORMATION – FIRST READING: PROPOSED DELETION OF BP 401 AND ADOPTION OF BP 5050

The Governing Board will be asked to approve the **deletion of BP 401** and the **adoption of BP 5050**, which reads as follows:

BP 5050 - Counseling and Matriculation

The District shall provide counseling and matriculation services to students for the purpose of furthering equality of educational opportunity and academic success. Palomar College will provide counseling and matriculation services to all students who enroll in credit courses. Counseling and matriculation will assist students in optimizing their opportunities for successfully completing their educational goals through the District's established programs, policies, and requirements. This will provide enhanced admission, assessment, orientation, academic career, transfer and personal counseling, advising and follow-up services.

The Superintendent/President shall establish procedures to assure implementation of counseling and matriculation services that comply with the Title 5 regulations.

Education Code sections 78210, et seq.; Title 5, Section 55500

24. INFORMATION – FIRST READING: PROPOSED DELETION OF BP 4.5 AND ADOPTION OF BP 2510

The Governing Board will be asked to approve the **deletion of BP 4.5** and the adoption of **BP 2510**, which reads as follows:

BP 2510 - PARTICIPATION IN LOCAL DECISION-MAKING

(to replace BP 4.5)

The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative procedures for Superintendent/President action under which the District is governed and administered.

Each of the following shall participate as required by law in the decision-making processes of the District:

Faculty Senate (Title 5, Sections 53200-53206.)

Pursuant to rules adopted by the Board of Governors of the California Community Colleges, the Governing Board elects to rely primarily upon the advice and judgment of the Faculty Senate on academic and professional matters.

The term "Academic and Professional Matters" refers to the establishment or modification of the following Policy and Procedure matters:

1. Curriculum, including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards or policies regarding student preparation and success
6. Governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation processes, including self-study and annual reports
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Faculty Hiring Policy, Faculty Hiring Criteria, and Faculty Hiring Procedures
12. Other academic and professional matters as mutually agreed upon by the Governing Board and the Faculty Senate. As other such academic and professional matters are identified, they will be added to this list.

Palomar Faculty Federation

Consistent with the EERA (Educational Employment Relations Act), the Palomar Faculty Federation shall represent faculty on campus committees dealing with salaries, benefits, and working conditions.

Staff (Title 5, Section 51023.5.)

Staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of the CCE/AFT, Administrative Association, and Confidential and Supervisory Team will be given every reasonable consideration.

Students (Title 5, Section 51023.7.)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of District policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on District committees or task forces shall be made after consultation with the Associated Students.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540, *et seq.*

Education Code Section 70902(b)(7); Title 5, Sections 53200 et seq., (Academic Senate), 51023.5 (staff), 51023.7 (students)

25. APPROVE PROPOSED CHANGES TO PLANETARIUM SHOW FEE STRUCTURE

MSC Jensen, Chadwick

The Governing Board hereby approves the changes to the fee structure for planetarium shows, effective for the Spring, 2003, semester, as outlined on **Exhibit M-25**.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

N. CLOSED SESSION

The Board recessed at 9:49 p.m. and went into Closed Session at 9:57 p.m., to discuss:

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code 54957.6.
2. Conference regarding negotiations with CCE/AFT, pursuant to Government Code Section 54957.6.
3. Conference regarding negotiations with PFF/AFT, pursuant to Government Code 54957.6.
4. Conference regarding discussion with Other Unrepresented Employees, pursuant to Government Code 54957.6.

Closed Session ended at 12:01 a.m., December 11, 2002

O. RECONVENE TO OPEN SESSION

The meeting reconvened at 12:03 a.m., December 11, 2002

Mr. McMullen announced that the following action was taken during closed session:

1. The Board took action to terminate the contract of classified manager #000075676, effective December 23, 2002.

P. ADJOURNMENT

The meeting was adjourned at 12:04 a.m., December 11, 2002

President

Secretary