

MINUTES OF MEETING OF
BOARD OF TRUSTEES
STATE CENTER COMMUNITY COLLEGE DISTRICT
January 12, 2010

Call to Order A regular meeting of the Board of Trustees of the State Center Community College District was called to order by President Patrick E. Patterson at 4:33 p.m., January 12, 2010, at the District Office Boardroom, 1525 E. Weldon Avenue, Fresno, California.

Trustees Present Patrick E. Patterson, President
Dorothy Smith, Vice President
Isabel Barreras, Secretary
Richard M. Caglia
H. Ronald Feaver
Leslie W. Thonesen
Erika Gutierrez, Student Trustee, Fresno City College

Trustees Absent William J. Smith
Alexandria Morales, Student Trustee, Reedley College

Also present were:
Tom Crow, Chancellor, SCCC
Doug Brinkley, Vice Chancellor, Finance and Administration, SCCC
Cynthia Azari, President, Fresno City College
Barbara Hioco, President, Reedley College
Terry Kershaw, Vice Chancellor, North Centers
Don Lopez, Interim Associate Vice Chancellor, Workforce Development and Education Services, SCCC
Randy Rowe, Associate Vice Chancellor, Human Resources, SCCC

Introduction of Guests Mr. Rowe introduced Renee Dauer, CSEA Vice President, Reedley College, attending for CSEA President Jason Meyers.

Among the others present, the following signed the guest list or were noted as present:
Jan Krueger, Executive Secretary to the Chancellor, SCCC
Linda DeKruif, Academic Senate President, FCC
Bill Turini, Academic Senate President, RC/NC
Lacy Barnes, SCFT
Melanie Highfill, Classified Senate President, RC
Andrew Crider, Career and Technology Center, FCC

Venancio Gaona, El Concilio de Fresno, Inc.
Jose Luis Barraso, El Concilio de Fresno, Inc.
Lucy Ruiz, Public Information Officer, RC
Tony Cantú, Vice President, Instruction, FCC
Cris Bremer, Director, Marketing & Communications, FCC
Monica Nolasco, Instructor, MC
Gurdeep Sihota He'Bert, Exec. Director, SCCC Foundation
Gregory Taylor, General Counsel, SCCC
Brian Speece, Associate Vice Chancellor, Business and
Operations, SCCC
Teresa Patterson, Executive Director, Public and Legislative
Relations, SCCC
Cyndee Fontana, Reporter, Fresno Bee
Michael Guerra, Vice President, Admin. Services, FCC
Scott Thomason, Vice President, Admin. Services, RC
Christopher Villa, Vice President, Student Services, FCC
Marguerite Leoni, Nielsen, Merksamer, Parrinello, Mueller &
Naylor
Jean Gobalet, Lapkoff & Gobalet Demographic Research
Randy Vogt, Director, Purchasing, SCCC
Ed Eng, Director, Finance, SCCC
Carol Curtis, FCC
Jim Escobar
Ray Mendez
Lupe C. Mendez
Diana Rodriguez, FUSD/Consultant
Philip Patino, AMAC
Diana Banuelos, Director, Grant Funded Programs, RC
Marilyn Behringer, Vice President, Instruction, RC
Maria Paredez, El Concilio de Fresno
Willie Lopez, El Concilio de Fresno
Jenny Rodriguez, Homeland Security (DHS)
Richard Christl, Dean of Instruction, FCC
Judy Ramirez, FCC
Sylvia A. Sanchez, FCC
Eleanor Bruce, FCC
Shelly Conner, Director, Grants and Ext. Funding, SCCC
Diane Benefiel, FCC

Approval of Minutes

The minutes of the regular Board meeting of December 8, 2009, were presented for approval. A motion was made by Ms. Barreras and seconded by Mr. Feaver to approve the minutes of the regular Board of Trustees meeting of December 8, 2009, as presented. The motion carried unanimously, absent Mr. Smith.

Delegations, Petitions, and
Communications

Mr. Rowe announced that Board President Patterson has received some request forms from individuals who wish to address the Board at the appropriate time on the agenda.

Chancellor's Report

Dr. Crow reported the following:

Enrollment Update – Throughout the district, enrollment numbers for spring are up 1.4% in headcount and 3.8% in FTES over last spring. Students are getting the message to register early; most classes had full wait lists even before the semester started. The retention numbers are higher, which means once students have their class seats, they are not giving them up. The addition of students, and decrease in funding, has put a lot of pressure on the campuses to maintain the level of excellence SCCCD students have become accustomed to. Faculty, staff and administration have risen to the challenge. In spite of the influx of new and returning students, early reports from the campuses reveal that instructors are doing their best to accommodate students even in classes that are already at capacity. However, the budget outlook remains bleak, and it will continue to be a challenge to maintain the current level of services. We will have to become more resourceful and even more creative to survive. Dr. Crow expressed his appreciation for the extra mile the campuses are going to ensure their college missions are fulfilled.

Wall of Honor – Nominations forms are being sent out by email for the Wall of Honor at the African American Historical and Cultural Museum. The Wall of Honor recognizes the contributions of outstanding African Americans. Those inducted onto the wall must have either attended or worked for State Center Community College District at one of the colleges, centers or district office. Complete guidelines for nominations will be included with the email. This year's ceremony will be in late February to commemorate African American History Month. The exact date will be announced soon.

Renaissance Feast – This year's Renaissance Feast for Scholars will be held on Saturday, March 13. Everyone is encouraged to attend the event this year. The food is fantastic, the entertainment is lively, and it all benefits students. Every year is a sellout and this year's event will be no different. This year the queen sets sail for Spain. Gurdeep Sihota-He'Bert and her team are planning a very exciting, unique experience. Tickets are available now for this outstanding event.

Campus Reports

Dr. Azari reported the following from Fresno City College:

- Centennial Ball – A thank you is extended to all who attended the Centennial Ball on New Year's Eve. Nearly 400 attended the gala.
- Proclamation – On December 17, the Fresno City Council honored the college with a proclamation officially recognizing FCC's 100th Anniversary.
- Theatre Cultural List – Donald Munro of the Fresno Bee listed FCC's theatre production *Eurydice* as the number five cultural event of 2009.
- Extreme Tour Invitation – FCC Business student Mike Pronovost has been asked to join the Extreme Entrepreneurship Tour as a featured speaker.

Dr. Hioco reported the following from Reedley College:

- The RC Student Center and Residence Hall dedication and Open House will be held on January 13 at 2 p.m.
- The college officially welcomed back faculty and staff on January 7. RC was joined by North Centers' faculty and spent the day working on student learning outcomes assessment.
- Express registration tables were set up to help students during the opening of the semester
- New student orientation was January 6. A veterans orientation was added and was very well attended.

Dr. Kershaw reported the following from the North Centers:

- Osher Scholarships – Five North Centers students were awarded Osher scholarships.
- ASB Activities – Club Rush will be held on January 26 at Willow International and January 27 at Madera Center. Black History Month plans are underway for February. Spring Extravaganza will be held April 8 at the Madera Center and April 15 at Willow International Center.
- Willow International Facilities – The library and tutorial center at the Willow International Center are being renovated as part of the Phase II secondary effects. For the spring semester, the library will be moved to the existing tutorial center and the tutorial center will be moved into the computer lab.

Academic Senate Report

Linda DeKruif, FCC Academic Senate President, reported the following:

- FCC classes are at full capacity, and the faculty are working to accommodate as many students as possible.
- Curriculum is now being done only by using CurricuNet,

Academic Senate Report
(continued)

and faculty is receiving continued training.

- John Cummings was invited to an Academic Senate meeting to address the Title 5 changes. The changes in Title 5 will result in review of administrative regulations, and will be addressed at their meeting on January 27.
- There will be a new pilot, program review template for the instructional programs that will be starting in the spring.
- The Academic Senate has received a final draft of the educational master plan, they will be providing input.
- The Centennial Celebration will be addressed within the activities of African American History Month, Women's History Month, and Asian American Month.

Classified Senate Report

Melanie Highfill, Reedley College Classified Senate President, reported the following:

- Reedley Classified Senate held a Canned Food Drive for their holiday project and it went very well. The food was donated to the Community Food Bank for distribution.
- The educational master plan will be reviewed at the Classified Senate's next meeting. Many of the classified staff were involved in the ad hoc committee.
- The next Classified Senate meeting will be January 21.

Green Contest

Doug Brinkley announced the Green Awareness Contest. The contest directions and guidelines were provided for the Board. The contest will kick off on February 1, 2010. All the campuses have activities in February and March dealing with green and sustainability on their campuses and the contest will be a good tie in to those activities. There will be a contest at each of the campuses, and the winners will be announced at each of the campuses on April 22, 2010, which is Earth Day. The winners will be recognized at the May 4 Board meeting.

Career and Technology
Center

Andrew Crider, Director of the Career and Technology Center, gave a presentation on the center's programs and services. CTC is a full-service campus that is not only a vocational educational site but also serves the local automotive and industrial communities. Services for students include financial aid, CalWORKs job specialist, job development, counseling services, and limited business office and assessment services. The programs offered at CTC are auto collision repair, engine repair, engine performance, maintenance mechanic, warehouse technician, fire academy, and new programs of manufacturing mechanic and electrical line/utility worker. The Career Advancement Academy is now housed at CTC. The center also has many technical

Career and Technology
Center (continued)

short-term courses: Programmable Logic Controllers (PLC), industrial refrigeration, technical report writing, calculation for the trades, fluid power, introduction to manufacturing, pneumatic fundamentals, power transmissions, hydraulic fundamentals, welding fundamentals, and computer application for trades. Over 600 students are currently enrolled at CTC (does not include Fire Academy). The campus has passed the hazardous materials inspection conducted by the Fresno County Environmental Health/State Department of Toxic Substances Control. Mr. Crider reported that CTC is planning for the future through continued improvements to the quality of instruction, locating external funding for increased course offerings of value to local automotive and industrial communities, and participating in the process for building the new Southeast campus.

Educational Master Plan
Update

Reedley College President Dr. Barbara Hioco, Fresno City College President Dr. Cynthia Azari, and North Centers Vice Chancellor Dr. Terry Kershaw reported on the educational master plans being finalized for their campuses. They discussed what an educational master plan is, how it differs from the strategic plan, its placement among other planning documents, and how the educational master plan is used. The development process for the educational master plan included data collection and review, surveys, interviews, distribution of drafts, and participation of ad hoc committees. The plan is being presented to each college's planning councils and at open forums.

The educational master plans will be presented to the Board of Trustees for approval. After approval, the data and recommendations will be incorporated into the 2010-11 strategic plans and will be a key component in the development of the accreditation self studies of Fall 2011. The educational master plan is used as a basis for future planning in program reviews, program development/staffing plans, facilities plan, technology/enrollment management/student equity/basic skills, and bond measures.

The draft educational master plans for Fresno City College, Reedley College and the North Centers will be presented to the Board for review at the February 2 meeting. The final plans will be brought to the March 2 meeting for the Board's consideration of approval.

Consent Agenda
Action

Mr. Patterson announced the exhibit for Item 10-01HR has been amended and copies provided. It was moved by Mr. Thonesen and seconded by Mr. Feaver that the Board of Trustees approve Consent Item 10-01HR, as amended, and Consent Items 10-02HR and 10-01G through 10-09G, as presented. The motion carried unanimously.

Transfer, Academic
Personnel
[10-01HR]
Action

approve the academic personnel recommendations, Item A, as amended

Employment, Change of
Status, Leave of Absence,
Resignation, Retirement,
Classified Personnel
[10-02HR]
Action

approve classified personnel recommendations, Items A through G, as presented

Review of District
Warrants and Checks
[10-01G]
Action

review and sign the warrants register for the period November 25, 2009, to December 22, 2009, in the amount of \$17,440,748.30; and

review and sign the check registers for the Fresno City College and Reedley College co-curricular accounts and the Fresno City College and Reedley College bookstore accounts for the period November 24, 2009, to December 23, 2009, in the amount of \$1,541,216.65

Consideration to Approve
2010-11 Tuition Rate,
Nonresident Students
[10-02G]
Action

establish the 2010-11 tuition rate for nonresident students (students who are not residents of California) at \$222, which includes a \$30 capital outlay fee, for each unit enrolled

Consideration to Accept
Construction Project,
Hazardous Material
Removal and Selective
Demolition, Old
Administration Building,
Fresno City College
[10-03G]
Action

- a) accept the project for Hazardous Material Removal and Selective Demolition, Old Administration Building, Fresno City College; and
- b) authorize the Chancellor or his designee to file a Notice of Completion with the County Recorder

Consideration to Accept Construction Project, Remodel of Forestry/Engineering/Math Building and Life Science Labs, Reedley College
[10-04G]
Action

- a) accept the project for Remodel of Forestry/Engineering/Math Building and Life Science Labs, Reedley College; and
- b) authorize the Chancellor or his designee to file a Notice of Completion with the County Recorder

Consideration to Approve Study Abroad Program, China, Summer 2011
[10-05G]
Action

- a) approve the offering of the Summer 2011 program to China; and
- b) approve Debbie Ockey and Jimmy Hao as instructors for this program

Consideration to Approve Study Abroad Program, Belize, Summer 2011
[10-06G]
Action

- a) approve the offering of the Summer 2011 program to Belize; and
- b) approve Brandy Anglen and Rodney Olsen as instructors for this program

Consideration to Approve Study Abroad Program, Europe, Summer 2011
[10-07G]
Action

- a) approve the offering of the Summer 2011 program to four European destinations; and
- b) approve Marianne Dunklin and Ron Dustin as instructors for this program

Consideration of Claim, State Center Federation of Teachers
[10-08G]
Action

reject the claim submitted on behalf of the State Center Federation of Teachers and direct the Chancellor or Vice Chancellor, Finance and Administration, to give written notice of said action to the claimant

Consideration to Authorize Agreement with Kirkwood Community College/Community Colleges for International Development, Inc. (CCID) for the Community College Initiative for Egypt Project, Reedley College
[10-09G]
Action

- a) authorize the District, on behalf of Reedley College, to enter into an agreement with Kirkwood Community College/Community Colleges for International Development, Inc. (CCID), for the Community College Initiative for Egypt project for the period August 1, 2009, through July 31, 2010, with funding in the amount of \$172,011;
- b) authorize renewal of the agreement with similar terms and conditions; and
- c) authorize the Chancellor or Vice Chancellor, Finance and Administration, to sign the agreement on behalf of the district

*****End of Consent Agenda*****

Consideration of Bids,
Residence Hall
Demolition, Reedley
College
[10-01]
Action

Upon a motion by Ms. Barreras and second by Mr. Feaver, the Board of Trustees awarded Bid #0910-09 in the amount of \$192,755.00 to Evans Brothers, Inc., the lowest responsible bidder for the Residence Hall Demolition at Reedley College and authorized the Chancellor or Vice Chancellor, Finance and Administration, to sign an agreement on behalf of the district. The motion carried unanimously, absent Mr. Smith.

Public Hearing and
Consideration to Adopt
Resolution to Propose to
the Fresno County
Committee on School
District Organization a
Revision to Its Trustee
Area Boundaries
[10-02]
Action

Dr. Crow introduced Item 10-02 stating that at the last meeting of December 8, 2009, the Board of Trustees directed administration to prepare draft trustee areas boundary plans consistent with the requirements of state and federal law and set January 12, 2010, as the date of the public hearing to which input on proposed trustee areas could be accepted. Working with election law and demographic expert firms, the administration has provided trustee areas plans with the requirements of the law in mind. Dr. Crow introduced Marguerite Leoni with the Nielsen, Merksamer law firm; and demographer Jean Gobalet with Lapkoff & Gobalet Demographic Research.

Dr. Crow gave a slide presentation on the five draft trustee area plans with related demographic data, which were made available to the public on the SCCC website prior to the meeting. The January 10, 2010, Board of Trustees meeting is the noticed public hearing for the proposed plans. Three of the plans meet all of the specified legal criteria, and the other two were presented for comparison purposes.

Dr. Crow discussed the timeline for the Board to see the requirements and the steps to complete the process in time for the November 2010 election. Dr. Crow presented the trustee area plans, discussed the boundaries, and how each plan meets, or does not meet, the established criteria presented at the December 8, 2009, Board of Trustees meeting. The criteria used for drawing the new trustee areas are as follows:

- Single member trustee areas (divide current TA5 into new TA5 and TA7) would result in expansion from six trustee areas to seven.
- Trustee areas of approximately equal population
- Trustee area boundaries drawn along recognizable geographical and topological features (e.g. roads, streets, freeways, railroad right-of-way, jurisdictional boundaries)

Public Hearing and
Consideration to Adopt
Resolution to Propose to
the Fresno County
Committee on School
District Organization a
Revision to Its Trustee
Area Boundaries
[10-02] (continued)
Action

- To extent possible, preserve cores of existing trustee area configurations
- One, and only one, incumbent in each trustee area
- Given SCCCD's large Hispanic population, trustee area boundaries should recognize concentrations of Hispanic voting strength to create two Hispanic-majority trustee areas (measured by voter registration) consistent with the above criteria.
- Hispanic-majority trustee areas would be up for election in November 2010.

At the conclusion of his presentation, Dr. Crow stated the administration's recommendation is to adopt Trustee Area Plan 5 by approving Resolution 2010-2. He added that Plans 1 and 4 are also legally adequate, but Plans 2 and 3 are unsatisfactory and should not be adopted.

Public Hearing:

Mr. Patterson opened the public hearing on the proposed trustee area plans at 5:26 p.m.

Two individuals from the public submitted requests to Mr. Patterson to address the Board for the public hearing.

Mr. Jose Luis Barraso, El Concilio de Fresno, addressed the Board. He said his concern is with Area 5. Others on the committee who reviewed the plans were also concerned about the northern portion of Area 5 that had the same identical pattern in Plans 1, 4 and 5. He asked for an explanation on how they came up with this configuration when looking at percentage of people in that district. He said it is crucial to how they felt about what is being proposed at this meeting.

Mr. Venancio Gaona, El Concilio de Fresno, thanked those who came to the meeting from the Chicano Latino community to see democracy in action and thanked the demographers, Dr. Crow, and Mr. Taylor, for making the proposed trustee area maps available. Mr. Gaona provided copies of his prepared remarks to the Board of Trustees. He stated the following:

Redistricting is the process of establishing district boundaries to ensure democratic representation that is fair and equitable. Democratic representation through the establishment of boundaries that follow legal requirements should be the primary goal of any

Public Hearing and
Consideration to Adopt
Resolution to Propose to
the Fresno County
Committee on School
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Area Boundaries
[10-02] (continued)
Action

redistricting process. The creation of boundaries that are politically motivated or are self-serving should not be the guide. As educational leaders in our community, we trust that you will pursue a redistricting process that is fair and open with the good of the entire district in mind while following legal requirements and established principles.

The redistricting proposal presented identified five plans using the "trustee area plan criteria compliance" chart. Plans 1, 4, and 5 are heralded as having met all the legal criteria. It is evident that a preference has already been placed on only three plans. A closer look at the process demonstrates that the chosen criteria contain a combination of both legal and operational requirements. Some of the standard established redistricting principles have been excluded: compactness, community of interest and constitutional consideration.

Compactness: An established traditional principle and next to equal populations, compactness has played the important role of indicating unfair or unlawful gerrymandering practices. The proposed Plans 1, 4, and 5 all have the same irregular configuration for Trustee Area 5 that Mr. Barraso pointed out. A simple glance clearly indicates District 5 is not compact. It is evident that extraordinary efforts have been used to tie a miniscule part of north Fresno to other established neighborhoods. From the body of the proposed area 5, a tentacle streams upward from the long established communities of southeast and west Fresno to north Fresno. The irregular shape does not conform to the critical criteria of "compactness." Thus, these plans fail to meet this important and legal consideration.

Communities of Interest: Another standard principle is "communities of interest." Again, District 5 screams out to a critical eye. By streaming upward to north Fresno, Area 5 cuts across southeast and west Fresno through the Tower District to north of Shaw Avenue. The incumbent's house resides in an area that is worlds apart from the social, cultural, and economic realities that make up these established and identifiable communities. Thus, a gerrymandering scheme is plainly observable in an attempt to create a district that sweeps northward solely to include a miniscule area. In this manner, the requirement that communities of interest be honored is violated by District 5's odd configuration.

Public Hearing and
Consideration to Adopt
Resolution to Propose to
the Fresno County
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Area Boundaries
[10-02] (continued)
Action

Constitutional Considerations: There is also the concern that the plans in question fail to address section 2 of the Federal Voting Rights Act. If the issue of race predominated over traditional race-neutral redistricting principles, a district is presumptively unconstitutional. The use of incumbency as primary criteria for developing a proposed trustee area may be inconsistent with the standard established by the Citizens' Redistricting Commission.

For the record, El Concilio de Fresno believes that it is essential that these critical deficiencies be brought to light in advance of the final redistricting decision. Consequently, we object to the adoption of the proposed district plans. However, we also recognize your time limitation and remember that we pointed out previously this law adopted 2001, the California Voter Rights Act, and it is now 2010. There has been adequate time for its implementation. We also recognize the time limitation in order to have a plan adopted for the 2010 election. Proposed Trustee Area 5 is not ideal. It needs improvement in geographic compactness as well as other deficiencies we have mentioned. We urge the Board of Trustees to correct this once the census data is available for the next election. We request to be informed, advised, and included in the redistricting process required by the 2010 census. For these reasons we favor adoption of either Plan 1, or 5, with the understanding that our concerns of compactness, communities of interest, and constitutional considerations will be corrected in 2011. Redistricting is neither a popularity contest nor a political exercise in incumbent survival. Rather, it lies at the core of representative democracy. We implore you to utilize a fair and open process that incorporates legally sound principles designed to withstand state, federal and constitutional scrutiny. The proposed plans and process fail in this regard.

Board President Patterson confirmed with Mr. Gaona that he had stated his support of Plans 1 and 5.

Close of Public Hearing:

Hearing no more comments from the public, Mr. Patterson closed the public hearing at 5:30 p.m.

Dr. Crow thanked Mr. Gaona for his involvement and said Mr. Gaona and those he brought with him have been very

Public Hearing and
Consideration to Adopt
Resolution to Propose to
the Fresno County
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Area Boundaries
[10-02] (continued)
Action

timely in submitting questions in this process. He has made some very good points and the input is appreciated.

Dr. Crow addressed the Board regarding the inquiries made by the public at the hearing. As had been discussed briefly before, the trustee boundary configuration being recommended now is for the 2010 election, and when the 2010 census is certified in 2011, this process will be conducted again based on the new demographics that the 2010 census shows. He expressed his appreciation for the spirit and effort in which this group worked cooperatively. He also appreciates Mr. Gaona's support of two of the recommended plans for this 2010 election cycle with the understanding that for the next cycle there will be another review of all of the demographics districtwide.

Ms. Leoni responded to a request from Mr. Patterson to explain the drawing of boundary lines in order to not exclude an existing board member from serving.

In part, Ms. Leoni said residences and continuity of service of trustees is a classic consideration in redistricting, and there are numerous courts, including the United States Supreme Court, that have recognized it as legitimate. It does have its limits, but those limits were not anywhere reached in this case. Trustee areas in Plans 1 and 5 recognize the equal population requirement well within legal acceptability.

Mr. Patterson asked Ms. Leoni to clarify for the Board who prepared the demographic boundaries. Ms. Leoni responded that her firm did not, but were assisted by a true professional in that area, Jean Gobalet of Lapkoff & Gobalet Demographics. They have been in business twenty years and are well versed in the legalities and the technicalities of creating trustee areas.

Mr. Patterson then asked Ms. Leoni to publicly state whether or not the SCCCD Board of Trustees gave them any direction on how those boundary lines should be drawn.

Ms. Leoni said that she had not heard from any of the trustees and that it was not a board-driven plan. "You adopted your criteria at your meeting, and we drew according to the criteria and brought forth to you five plans weighted against your criteria."

Public Hearing and
Consideration to Adopt
Resolution to Propose to
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Area Boundaries
[10-02] (continued)
Action

Mr. Patterson said he wanted to address a comment regarding gerrymandering, stating that quite often gerrymandering does occur, but usually that is a political deal between the Democrats and Republicans to gerrymander a district and is a political decision rather than what he thinks the intention is in this case. The Board had no part in it. Ms. Leoni said there was none whatsoever.

For his clarification, Mr. Caglia asked Mr. Gaona about whether or not he had stated his agreement with Plans 1 and 5.

Mr. Gaono responded that although they had concerns with the plans, because of the deadlines the District is facing, they do not oppose the adoption of either Plan 1 or 5. However, he said the facts are that there is gerrymandering in the area that extends north between areas 2 and 6. He said they do want to be a part of the corrective mode for next year, and do not want to be excluded in any way.

Action:

Mr. Caglia made the motion and was seconded by Ms. Barreras that the Board of Trustees propose a revision of its trustee area boundaries to the Fresno County Committee on School District Organization by adopting Resolution 2010-2, adopting Plan 5 and recommending Plan 5.

Ms. Barreras said thank you to everyone who was involved in getting this ready, and she is looking forward to working with the community and staff when the new census comes out to continue to be in compliance.

Ms. Smith said that she thinks everyone on the Board of Trustees has the district at heart, the community at heart, and wants to do what is right and in good faith. She said that means not only one segment of the community. "We need to talk about the 2010 census; we need to also bring in other components of the community to make sure that everybody has a face and a voice in making sure that we keep the community in community college."

The motion carried by the following vote:

Ayes	- 6
Noes	- 0
Absent	- 1 (Mr. Smith)

Public Hearing and
Consideration to Adopt
Resolution on Seeking
Waivers from State Board
of Education of Election
Requirement to Establish
New Electoral System and
Deadline to Have Trustee
Areas in Place 120 Days
Prior to Election
[10-03]
Action

Dr. Crow introduced Item 10-03 for the Board's consideration to adopt Resolution 2010-3, which seeks a waiver from the State Board of Education of election requirements to establish a new by-trustee electoral system, and from the deadline to have trustee areas in place 120 days prior to the November 2010 election. To be able to use the by-trustee area system to elect governing board members in 2010, it is necessary to obtain this waiver of the election process of Education Code §§ 5019, 5020 and 5030, and the 120-day deadline of Education Code §5019(d), from the State Board of Education.

Public Hearing:

This waiver provision of the Education Code requires the District hold a public hearing prior to requesting a waiver from the State Board of Education. The District has noticed January 12, 2010, as the public hearing date on these waivers.

Mr. Patterson opened the public hearing at 5:50 p.m. There were no comments from the public. Mr. Patterson closed the hearing at 5:51 p.m.

Action:

A motion was made by Ms. Smith and seconded by Ms. Barreras that the Board of Trustees adopt Resolution 2010-3 requesting that the State Board of Education waive the election process of Education Code §§ 5019, 5020 and 5030, and the 120-day deadline of Education Code § 5019(d).

Mr. Patterson asked what happens if the State Board of Education says "no," or if they are not timely.

Ms. Leoni explained the law requires that there be an election, and briefly touched on issues and considerations, but said the State Board of Education has been very generous in granting these waivers and have granted many similar waivers so this will not be new. The waiver is scheduled for their May meeting, but if it bounces over the May meeting, the waiver would be on their July meeting agenda.

The motion carried by the following vote:

Ayes - 6
Noes - 0
Absent - 1 (Mr. Smith)

Public Hearing and
Consideration to Adopt
Resolution on Seeking
Waivers from State Board
of Education of Election
Requirement to Establish
New Electoral System and
Deadline to Have Trustee
Areas in Place 120 Days
Prior to Election
[10-03]
Action

Dr. Crow thanked Marguerite Leoni and Jean Gobalet for their good work in putting together the area plans. Their responsiveness and competence made it possible to have the trustee area plans on the Board's agenda for this meeting.

Mr. Patterson thanked those who participated in this process and thought Mr. Venancio Gaona, community members, demographers, and staff all appreciated the cooperative spirit that made it possible to have the trustee area plans ready for the Board's consideration.

Consideration to Approve
Legal Services
[10-04]
Action

Ms. Barreras inquired about postponing the item until the next meeting. Ms. Barreras moved to table Item 10-04 until the next regular meeting. The motion was seconded by Mr. Caglia and carried by the following roll call vote:

Ayes - 5
Noes - 1 (Mr. Patterson)
Absent - 1 (Mr. Smith)

Budget Update
[10-05]
No Action

Mr. Brinkley reported that SCCCD received \$751,675 in stimulus funding, which is designated as "general purpose" for the system, districts and colleges. State funding allocation methodology was based upon categorical program funding, and the district allocated funds to the colleges and centers on the same basis. College and centers, through the constituency processes at each campus, determined the most appropriate budget priorities using student access to services and instruction as the basis for the allocation. Mr. Brinkley provided a 2009-10 state budget update, and some of the changes for community colleges expected with the 2010-11 budget proposal.

Public Hearing on
Transfer of Funds for
Flexible Categorical
Programs as Provided for
by Assembly Bill X4 2
which Added Section
84043 to the Education
Code
[10-06]
Action

Mr. Patterson opened the public hearing for Item 10-06 at 6:13 p.m. Hearing no comment from the public, the hearing was closed at 6:14 p.m.

A motion was made by Ms. Smith and seconded by Ms. Barreras that the Board of Trustees authorize the administration to redirect \$1 from the Apprenticeship Program to the Equal Employment Opportunity Program. The motion carried by the following vote:

Ayes - 6
Noes - 0
Absent - 1 (Mr. Smith)

Reports of Board
Members

FCC Student Trustee Erika Gutierrez reported the following:

- At the end of fall semester, ASG distributed 200 holiday gift bags to underprivileged Fresno City College students. Each was given a \$50 gift card for groceries. Thanks to Toys for Tots they were also able to distribute toys and books for students' children.
- Last Wednesday, 160 freshmen attended orientation.
- January 11-15 is welcome week, and booths have been set up to assist students.
- The volunteer fair is January 20.
- The first club rush of the semester is January 27.
- On February 1, opening ceremonies will be held for the African American History Month.

Ms. Smith had opportunity to attend Fresno City College's Centennial Ball and it was a wonderful affair. The program was well done. Honorees were definitely well deserving.

Old Business

None.

Future Agenda Items

None.

Delegations, Petitions, and
Communications

None.

Closed Session

Mr. Patterson announced the following would not be discussed: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Pursuant to Government Code Section 54957

Mr. Patterson announced the following items would be discussed in closed session:

CONFERENCE WITH LABOR NEGOTIATOR [SCFT Full-Time Bargaining Unit; SCFT Part-Time Bargaining Unit and California School Employees Association Bargaining Unit]; Randy Rowe, Pursuant to Government Code Section 54957.6

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT, Pursuant to Government Code Section 54957:
Title: Interim Dean of Student Services, Fresno City College

Mr. Patterson called a recess of open session at 6:16 p.m.

Open Session

The Board moved into open session at 7:02 p.m.

Report of Closed Session

Mr. Patterson reported that the Board took no action in closed session

Consideration to Appoint
Interim Dean of Student
Services Fresno City
College
[10-07]
Action

A motion was made by Ms. Smith and seconded by Ms. Barreras that the Board of Trustees appoint Leticia Canales as the Interim Dean of Student Services, Fresno City College, with placement on the management salary schedule at Range 62, Step 5 (\$10,247.50/month) effective February 1, 2010. The motion carried by the following vote:

Ayes - 6

Noes - 0

Absent - 1

Adjournment

The meeting was adjourned at 7:04 p.m. by the unanimous consent of the Board.

Isabel Barreras /s/

Isabel Barreras
Secretary, Board of Trustees
State Center Community College District

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