

MINUTES



SANTA MONICA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

TUESDAY,
DECEMBER 8, 2009

Santa Monica College
Board Room (Business Building Room 117)
1900 Pico Boulevard
Santa Monica, California

*The complete minutes may be accessed on the
Santa Monica College website:*

<http://www.smc.edu/admin/trustees/meetings/>

Written requests for disability-related modifications or accommodations, including for auxiliary aids or services that are needed in order to participate in the Board meeting are to be directed to the Office of the Superintendent/President as soon in advance of the meeting as possible.

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

MINUTES

A meeting of the Board of Trustees of the Santa Monica Community College District was held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Tuesday, December 8, 2009.

The agenda included the following items: (Items for action - recommendations - are listed numerically; items for information are listed alphabetically).

I. ORGANIZATIONAL FUNCTIONS

- A Call to Order – 5:30 p.m.
- B Roll Call
- C Public Comments on Closed Session Items

II. CLOSED SESSION

- Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: Marcia Wade, Vice-President, Human Resources
Robert Myers, Campus Counsel
Employee Organization: CSEA Chapter 36
- Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: Marcia Wade, Vice-President, Human Resources
Robert Myers, Campus Counsel
Employee Organization: Santa Monica College Faculty Association
- Public Employee Discipline/Dismissal/Release (Government Code Section 54957)
- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)
Name of Case: PERB Case No. LA-SV-160-E
- Real Property (Government Code Section 54956.8)
Property Address: Santa Monica College Olympic Shuttle Lot/3400-3500 Airport Avenue
Under Negotiation: Terms and Conditions of Land Swap with City of Santa Monica
College Negotiators: Dr. Chui L. Tsang and Charlie Yen
City of Santa of Monica’s Representative: Lamont Ewell, City Manager

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

- D Pledge of Allegiance
- F Closed Session Report (if any)
- G Public Comments

IV. **SUPERINTENDENT'S REPORT**

- Management Association Update
- Updates:
 - Winter and Spring 2010 Enrollment
 - Budget Panel
 - Public Policy Institute

V. **ACADEMIC SENATE REPORT**

VI. **MAJOR ITEMS OF BUSINESS**

- #1 Consideration of Swap of SMC Olympic Shuttle Lot with City of Santa Monica Property
- H Discussion: Improved Public Funding Options for Higher Education
- #2 Acceptance of SMCCCD Accreditation Institutional Self-Study Report
- #3 Agreement for Program and Construction Management Services for District Bond Construction Program
- #4 Transfer of Management of the David Simon Trust Account from the SMCCCD Auxiliary Services to the Santa Monica College Foundation
- #5 First Reading – Board Policy 4135 – Compliance with Family Educational Rights and Privacy Act (FERPA)
- #6 First Reading – Board Policy Section 2480, Zero Waste Events

VII. **CONSENT AGENDA**

Any recommendation pulled from the Consent Agenda will be held and discussed in Section VIII, Consent Agenda – Pulled Recommendations

Approval of Minutes

- #7 Approval of Minutes: November 3, 2009 (Regular Meeting)

Grants and Contracts

- #8 Ratification of Contracts and Consultants

Human Resources

- #9 Academic Personnel
- #10 2010-2011 Sabbaticals
- #11 New Kaiser Permanente Plan I 156 Rate for 2010
- #12 Classified Personnel – Regular
- #13 Winter Intersession MOU with CSEA
- #14 Classified Personnel – Limited Duration
- #15 Classified Personnel – Non Merit

Facilities and Fiscal

- #16 Facilities
 - 16-A Change Order No. 6 – Student Services and Administration Building
 - 16-B Release of Partial Retention – Gym Bleacher Replacement
 - 16-C Project Close Out – Gym Bleacher Replacement
 - 16-D Project Close Out – Madison Theater (Broad Stage)
 - 16-E Project Close Out – Alternation to Madison Campus (Madison Renovation)
 - 16-F Amendment to Agreement for Consulting Services – Master Plan Traffic Analysis

Facilities and Fiscal (continued)

- #17 Budget Transfers
- #18 Budget Augmentations
- #19 Commercial Warrant Register
- #20 Payroll Warrant Register
- #21 Auxiliary Payments and Purchase Orders
- #22 Direct, Benefit and Student Grant Payments
- #23 Purchasing
 - 23-A Award of Purchase Orders

VIII. **CONSENT AGENDA – Pulled Recommendations**

Recommendations pulled from the Section VII. Consent Agenda to be discussed and voted on separately. Depending on time constraints, these items might be carried over to another meeting.

IX. **ORGANIZATIONAL FUNCTIONS**

- #24 Authorization of Signatures
- #25 Election of Officers of the Board of Trustees
 - I Seating of the Board of Trustees

X. **BOARD COMMENTS AND REQUESTS**

XI. **CLOSED SESSION**

XII. **ADJOURNMENT**

The next regular meeting of the Santa Monica Community College District Board of Trustees will be **Tuesday, January 12, 2010** at 7 p.m. (5:30 p.m. if there is a closed session) Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

APPENDICES

- Appendix A: SMC Foundation Investment Policy Statement
- Appendix B: Administrative Regulation 4135, Compliance with Family Educational Rights and Privacy Act (FERPA)
- Appendix C: Winter Intersession MOU with CSEA

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

I. ORGANIZATIONAL FUNCTIONS

A CALL TO ORDER

B ROLL CALL

- Louise Jaffe, Chair
- David Finkel, Superior Court Judge (Ret.), Vice-Chair
- Dr. Susan Aminoff
- Dr. Nancy Greenstein
- Dr. Margaret Quiñones-Perez
- Rob Rader
- Dr. Andrew Walzer
- Seth Smith, Student Trustee

C PUBLIC COMMENTS ON CLOSED SESSION ITEMS

II. CLOSED SESSION

Agency Designated Representatives: Marcia Wade, Vice-President, Human Resources
 Robert Myers, Campus Counsel

Employee Organization: CSEA Chapter 36

- Conference with Labor Negotiators (Government Code Section 54957.6)
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 College Negotiators: Dr. Chui L. Tsang and Charlie Yen
 City of Santa of Monica’s Representative: Lamont Ewell, City Manager

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

D PLEDGE OF ALLEGIANCE – Seth Smith, Student Trustee

F CLOSED SESSION REPORT

In accordance with Section 59338 of Title 5 of the California Code of Regulations, the Board considered an appeal of an Administrative Decision dated October 21, 2009, issued in response to an Unlawful Discrimination Complaint. The Board reviewed the original complaint, the investigative report, and the administrative determination. A motion was made by David Finkel, seconded by Susan Aminoff to affirm the Administrative Decision dated October 21, 2009.

The roll call vote was unanimous.

G PUBLIC COMMENTS

Wendy Hermosillo (on Recommendation No. 6)

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

IV. SUPERINTENDENT'S REPORT

- Management Association Update: SMC Management Association President Erica LeBlanc said that Associate Dean of Online Services & Support Julie Yarrish and her team are the winners of the "Applause Award" for November.
- Updates:
 - Winter and Spring 2010 Enrollment: Although SMC has scaled back its winter session class sections to 300 this year, the college is running the largest winter session in the state. The college has also imposed a 5-unit limit per student in winter to allow more students to enroll in classes. Winter classes, which are already virtually full, are being offered on the main campus only. Spring semester enrollment, meanwhile, is expected to hit SMC's target
 - Budget Panel: The college will hold early next year a Budget Panel to discuss the latest budget projections from Sacramento and how these projections may affect SMC's 2010-11 budget. The panel will be scheduled after January when Governor Arnold Schwarzenegger unveils his proposed 2010-11 state budget.
 - Public Policy Institute: Trustee Nancy Greenstein reported that she is working on a proposal to create a Public Policy Institute at SMC that would combine educational opportunities with service learning at a local level. The proposal is still very much in its embryonic stages but is envisioned to be a forum for public seminars on various current issues and educational offerings – with a social activism slant – involving students, employees and the community. She is working with former state Senator Sheila Kuehl and political science professor Richard Tahvildaran-Jesswein on formulating the plan and is seeking private funding to get the project off the ground.

V. ACADEMIC SENATE REPORT

Eric Oifer, Academic Senate President

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 1

SUBJECT: **CONSIDERATION OF SWAP OF SMC OLYMPIC SHUTTLE LOT WITH CITY OF SANTA MONICA PROPERTY**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the Superintendent/President to explore with the City of Santa Monica and the Exposition Construction Authority the practical and legal options for land and lease swaps to create a linear buffer as a mitigation to be implemented for the proposed Phase 2 Exposition Light Rail maintenance facility. The linear buffer will be in exchange for comparable property for the SMC Olympic Shuttle Lot, which will be relocated on City property on Airport Residual land; and to further refine the terms and conditions with SMC, the City, and Expo. This effort will coincide with an authority granted the City Manager by the City Council on November 24, 2009 to negotiate an agreement with Expo that includes the linear buffer and directs City staff to explore with SMC the above options and refinement of the terms and conditions.

COMMENT: The 2.35-acre Olympic Shuttle Lot at Stewart Street and Exposition Boulevard was acquired by the District in 2007 for use as an off-site shuttle parking lot. The site was acquired and improved with funds from Measure U. The site provides 209 parking spaces. The proposed property on Airport Residual land is adjacent to SMC's Bundy Campus and provides an acceptable replacement for off-site shuttle parking. SMC will require the use of the Olympic Shuttle Lot through Fall 2011 to accommodate the construction of the parking structure at the Academy of Entertainment and Technology campus. SMC has included the Olympic Shuttle Lot as a site for a future educational facility in its Facility Master Plan study now underway, and will continue to include the site in the Facility Master Plan until such time as the proposed land swap takes place.

BACKGROUND: In 2006, with construction underway on the Exposition Light Rail Line from downtown Los Angeles to Culver City, the Exposition Metro Line Construction Authority ("Expo") began the planning and environmental studies needed to extend the line to Santa Monica. In March 2007, in response to a Notice of Intent to prepare an Environmental Impact Statement for the Exposition Corridor Transit Project Phase 2, Santa Monica College asked Expo to study the addition of a transit station near 17th Street and Colorado Avenue in Santa Monica, to better serve the College and the two nearby hospitals. An analysis prepared by the City of Santa Monica's Big Blue Bus indicated that the rail line would be a good transportation option for SMC, with more than 6,700 SMC students and staff living within communities to be served by the line.

In November 2008, Los Angeles County's Measure R passed, providing an immediate source of funding for the Expo Phase 2 project. In January 2009, Expo released a Draft Environmental Impact Report (DEIR) on the phase 2 project. In very good news for the College, Expo had added the requested station as part of the basic plan for the rail line extension and had included the station in the study.

The DEIR also identified the Verizon site, adjacent to SMC's Olympic Shuttle Lot, as the only location under study for a light rail maintenance yard. In providing Expo with comments on the DEIR in a March 2009 letter, SMC spoke of its commitment to alternative transportation, its work in support of the Expo Light Rail Extension, and its thanks for adding the new station. SMC also expressed concerns regarding the selection of the maintenance site adjacent to a College property.

The City of Santa Monica began a series of workshops and meetings in February and March 2009 to study the DEIR. One outcome of these meetings was to mount a vigorous effort to find a replacement location for the maintenance yard. While the search was ultimately unsuccessful, the City on July 14 put forward a new concept for the maintenance yard that included a "buffer" between the maintenance yard and neighbors to the south of Exposition Boulevard, using SMC's Olympic Shuttle Lot as part of the configuration. SMC testified in support of the concept, with the condition that the plan include replacement parking for the College.

On August 14, 2009, the City put forward a modified plan that provided a buffer for most of the frontage along Exposition. The plan again included the use of the SMC Olympic Shuttle Lot but with the condition added that SMC be made whole or better with a replacement site acceptable to SMC. On October 27, 2009, the City, after slightly modifying the configuration of the proposed plan, directed staff to work with SMC on the identification of property on Airport residual land as replacement parking and the possible terms for a land swap.

On October 29, 2009, College staff informed Los Angeles Councilmember Bill Rosendahl's office about the proposed land swap and timing. Most recently, on November 24, 2009, the Santa Monica City Council voted unanimously to authorize the City Manager to negotiate an agreement with Expo for mitigations for the proposed light rail maintenance facility. Among the mitigations is the proposed Verizon and SMC hybrid site. Expo must still formally commit to the hybrid site; nonetheless, the Council directed staff to "explore with SMC and Expo practical and legal options for land and lease swaps to create the linear buffer in exchange for comparable property for the SMC parking lot, which will be relocated on City property on Airport Residual land."

According to the City's staff report, the City's appraiser has found the SMC parking lot, proposed buffer and Airport residual land to be of equivalent value on a per square foot basis.

MOTION MADE BY:	Susan Aminoff
SECONDED BY:	Rob Rader
STUDENT ADVISORY:	Aye
AYES:	7
NOES:	0

BOARD OF TRUSTEES	INFORMATION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

DISCUSSION ITEM H

SUBJECT: **IMPROVED PUBLIC FUNDING OPTIONS FOR HIGHER EDUCATION**

SUBMITTED BY: Superintendent/President

DISCUSSION: While the demand for higher education is at an all-time high, the inability of the State to fund public higher education consistently and adequately is forcing the three higher education systems in California, and their individual institutions, to consider alternative solutions and new initiatives to preserve the quality and scope of services required.

Broadly speaking, with regard to revenues, institutions are looking at

- (1) new ways to achieve public support;
- (2) increased fees for services;
- (3) partnership opportunities to share costs;
- (4) enhanced services and enterprise activities in which to distribute costs beneficially;
- (5) resource management activities; and
- (6) private charitable support.

Santa Monica College has opportunities in each of these areas. Tonight's discussion is focused on the first of these, improved public funding options for higher education.

SMC consultant Denny Zane provided several updates, including:

- Information on a number of State initiatives that are in circulation or pending for possible inclusion on state-wide ballots in 2010 that could lead to improved public funding options;
- Information on some County-wide transportation and job programs that potentially could provide some cost relief to the District; and
- An update on local efforts that may be on the ballot in 2010.

Staff provided information on:

- Various funding models that use sales tax to support public education; and
- A brief review of current efforts to secure Federal funding, including efforts included in tonight's agenda.

This discussion item provided an opportunity for the Board to engage in deliberation on various potential public funding options and proposals. In order to maintain current programs and levels of service, SMC will need additional public revenue. There are limited opportunities at present. To expand these opportunities or to make use of them as they exist will likely require Board leadership. This discussion will guide the District in developing future recommendations.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 2

SUBJECT: **ACCEPTANCE OF SMCCD 2010 ACCREDITATION INSTITUTIONAL SELF-STUDY REPORT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees accept the Santa Monica Community College District 2010 Accreditation Institutional Self-Study Report.

SUMMARY: On behalf of the many members of the college community who participated in and contributed to the accreditation process, the Accreditation Co-Chairs and Steering Committee are proud to present this Institutional Self-Study in preparation for submission to the Accrediting Commission by early January 2010. We believe it to be a true and accurate depiction of Santa Monica College at this time. The body of the report is now complete, but the co-editors continue to refine it, organize the supplementary sections, and deal with formatting and publication details. The self-study process has been reflective and rewarding, and the discussions that have occurred throughout the College during the development of the document have resulted in an opportunity to, “tell our story,” celebrate our many accomplishments over the last six years, acknowledge areas in need of improvement, and create an ambitious planning agenda to move the institution to the next level.

Motion was made with the understanding that Board members may provide additional observations and comments and with the expectation that additional evidence indexing and supporting sections are being added as the final reviews take place.

MOTION MADE BY: Nancy Greenstein
SECONDED BY: Margaret Quiñones-Perez
STUDENT ADVISORY: Aye
AYES: 7
NOES: 0

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 3

SUBJECT: **AGREEMENT FOR PROGRAM AND CONSTRUCTION MANAGEMENT SERVICES FOR DISTRICT BOND CONSTRUCTION PROGRAM**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve an agreement for Program and Construction Management Services with LPI, Inc. for a period of three years, from January 1, 2010 through December 31, 2012; for program management, construction management, project management, and labor compliance monitoring services; at the rate of \$75 to \$140 per hour, plus Project Management Software costs, not to exceed \$5,700,000 for three years, plus reimbursable expenses.

SUMMARY: This contract provides program and construction management services for the District’s bond construction program. Program management includes assisting District staff with budgeting and scheduling bond projects, managing the design process, and maintaining effective communications internally and externally. Construction management includes the bidding process, construction administration, and project closeout of bond projects.

LPI, Inc. is currently providing these services under a Board-approved contract that ends June 30, 2010. Under this contract, LPI, Inc. is also providing DSA (Division of State Architects) inspection services. The District will begin a selection process for DSA inspection services subsequent to this action on the selection of program management. LPI, Inc. will provide DSA inspection services in the interim under the terms of the existing agreement.

FUNDING SOURCE: Measures U, S, AA / District Capital Funds / State Construction Grants

STAFF REPORT:

State capital funding guidelines provides for an allowance of 7% of the construction cost for program management, project management, construction management, testing and inspections. In practice, many college districts exceed this amount, given the availability of local funding and individual circumstance. The Los Angeles Community College District provides an allowance of up to 18% of the construction cost for its bond program; the Foothill-DeAnza Community College District provides an allowance of up to 15.5%; and the El Camino College Community College District provides an allowance of about 10%. The City of Santa Monica provides an allowance of exactly 10% of the construction cost for construction management, materials testing, and continuous inspection.

Santa Monica College has provided exceptional cost control with regard to these services. The program management, project management, construction management, testing and inspections budget for the Board-approved KCRW/AET project is 5.6% of construction budget, and for the Student Services project is 5.8% of construction budget.

The above recommended contract enables SMC to remain within budget for its bond program. Additionally, the contract provides the College with the expertise needed to sustain a highly productive bond program, with six major projects currently in construction or in planning. The above contract also provides the District's Vice President, Business and Administration, with the additional program management services identified as beneficial for the District, and the additional post-construction training requested by the District's Director of Facilities.

Selection Process

On July 22, 2009, the District requested Statements of Qualifications for project and construction management for the District's bond construction program. The request for Statements of Qualifications was advertised on the District's website, in the local newspaper of record, and e-mailed to a distribution list of interested construction management firms. Over 30 firms expressed interest and received a copy of the RFP. Over 50 people attended an on-campus informational meeting on August 6. A total of 16 firms submitted the Statements of Qualifications. A committee of faculty, classified staff and managers screened the proposals from August 24 to September 3. Selection criteria included experience on similar projects, staffing efficiency, technical competence, understanding of the project's scope, approach to the work, contract dispute experience, qualification of proposed staff, and the ability to meet required time frames.

The top four firms were invited to interview with the District, in an interview process that included the Superintendent/President and other senior administrators. LPI, Inc. is the top ranked firm and the lowest cost proposer.

LPI, Inc. is recommended as the best proposer to provide program management and construction management services. LPI, Inc. has relevant experience working on over 110 capital improvement projects for the District. District staff contacted reference agencies and all respondents reported that the firm provided exceptional program and construction management services.

Project Background

With the passage of Measure AA the District has added \$295 million dollars in bond funds to its capital construction program. With current Measure U and Measure S funds and potential federal, state and local funding funds, the bond program under management for modernization and renovation of District facilities is approximately \$450 million.

The District has an excellent track record in initiating, managing, and completing capital improvement projects on time, within budget, and with exceptionally low administrative overhead. It is worth noting that the District acquired its expertise of capital project management in the mid-1990s, in the aftermath of the Northridge earthquake. This was a period of limited capital resources and great need. As a result, the District developed a highly refined and tightly integrated task management and document management system that was built around a core District staff and highly efficient outside construction administration. LPI, Inc. has been integral to the District program since 1993, and has worked on and completed more than 110 District projects, including such award-winning projects as the Science Building, Library, Bundy Campus, Broad Stage, and Campus Quad.

Cost Comparison

In addition to qualifications, costs were examined. Each firm submitted staff projections and hourly rates for key personnel. The cost comparison for all firms submitting is shown below:

<u>Company</u>	<u>Program Director</u>	<u>PM/CM</u>
Arcadis/Cumming	\$195.00	\$174.00
C.W. Driver		
Cordoba Corporation	\$193.80	\$169.10
Gateway Science & Engineering	\$197.58	\$148.10
gkkworks/Vanir*	\$195.00	\$150.00
Harris & Associates		
Heery International	\$198.70	\$153.68
LPI, Inc.*	\$140.00	\$135.00
Lundgren Management	\$158.00	\$142.00
Maas/Gilbane	\$177.00	\$149.00
Pacifica Services*	\$185.00	\$155.00
Parsons	\$170.00	\$145.00
Parsons Brinckerhoff/Yang	\$193.75	\$162.88
Seville Construction Services*	\$175.05	\$164.44
Swinerton	\$185.00	\$175.00
URS Corporation	\$165.00	\$152.00

The four finalists were Seville Construction Services, Pacifica Services, gkkworks/Vanir, and LPI, Inc. and are marked with an asterisk. The firms submitting included a range of small firms and large national corporations.

District Review

In conducting the selection for program and construction management, District administration identified the need to augment services in several areas, including the pre-planning of projects and the post-construction training needed to properly operate and maintain the built facilities. District administrative staff has met with LPI, Inc. and has reviewed LPI, Inc. staff capabilities in these areas. District staff has concluded that LPI, Inc. is well qualified and prepared to provide these augmented services.

DSA Inspection

The District will begin a selection process for DSA inspection services, subsequent to this Board action on the selection of program and construction management. Under existing practice, the District has integrated construction management with DSA inspection since many of the day-to-day reporting tasks are similar. This practice has provided significant cost savings to the District and has provided the District with overall quality control. The practice is also used by the City of Santa Monica. However, many agencies separate the two functions, especially when there are multiple complex projects. The District will provide the Board with cost and benefits comparisons of the two approaches prior to a Board decision.

Motion was made to accept the recommendation with the condition that the contract be terminable at will, in whole or part.

MOTION MADE BY: Rob Rader
SECONDED BY: Nancy Greenstein
STUDENT ADVISORY: Aye
AYES: 6
NOES: 1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 4

SUBJECT: **TRANSFER OF MANAGEMENT OF THE DAVID SIMON TRUST ACCOUNT FROM SMCCD AUXILIARY SERVICES TO THE SANTA MONICA COLLEGE FOUNDATION**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees transfer the management of the David Simon Trust Account from the District Auxiliary Services office to the Santa Monica College Foundation (SMCF), an auxiliary organization of the District. In coordination with this action, the SMC Foundation will transfer the maximum allowable monies to the Foundation for California Community Colleges (FCCC) to meet SMC's portion of The Bernard Osher Foundation's 100 Million Dollar Challenge to California Community Colleges. In return, The Bernard Osher Foundation will match the SMC commitment by 50 percent. This action will consolidate and increase the awarding of SMC student scholarships, with the intent that approximately 100 students, each year in perpetuity, will benefit from the David Simon Scholarship Fund.

SUMMARY: David Simon – a generous philanthropist and devoted Santa Monica College alumnus – was a very strong supporter of students at Santa Monica College. His scholarships, given over more than ten years prior to his death, eased the way for an extensive number of students hoping to enter the entertainment industry or continue with their education.

An attorney before his retirement, Mr. Simon made a very thoughtful planned gift to SMC, a sizable bequest to continue helping music, dance and theater majors and student diversity. Mr. Simon passed away in January 21, 1991. His bequest was at the time the largest gift in SMC history.

The College has preserved the funds in a trust account of the Santa Monica Community College District. District trust account funds are invested according to District investment guidelines under the direction of the Director, Auxiliary Services, reporting to the Vice-President, Business and Administration. At the time of the bequest, the Santa Monica College Foundation (SMCF) did not have full-time management and the value of the Simon estate exceeded the total holdings of the SMCF.

Presently, Auxiliary Services has administered the selection process and disbursement of funds in accordance with the intentions of the donor, which are "for scholarship purposes, to bear the name David Simon Scholarships" according to the handwritten Last Will and Testament of Mr. Simon dated January 3, 1991.

The fund balance of the David Simon Trust Account is \$2,541,883, as of October 31, 2009.

In May 2008, the Foundation for California Community Colleges (FCCC) – the official foundation to the California Community Colleges’ Board of Governors and Chancellor’s Office – announced a program made possible by a gift from the Bernard Osher Foundation. The Osher Foundation will provide up to \$25 million on a matching basis, \$1 for every \$2 raised, over the next three years. As the administrator of the program, the FCCC has determined the potential match for each community college district based on student enrollment.

For Santa Monica College, the amount is \$807,701 that may be matched by 50 percent from the Bernard Osher Foundation. The intent of the matching strategy is to raise the profile of community colleges as worthwhile recipients of gifts. The total in the SMC Foundation account remains an asset of SMCF, but SMCF cannot withdraw the funds or dictate how they are invested.

While district investment guidelines are appropriate for the preservation of capital, they are generally considered too restrictive for the growth necessary to endow and fund a program. The Santa Monica College Foundation has grown considerably since 1991, is now under full-time management and manages an investment portfolio that provides approximately 670 student scholarships annually.

Transferring the management of the David Simon Trust Account to the SMC Foundation will place the funds in an appropriate investment program, will increase the awareness and visibility of the David Simon Scholarships, will consolidate the scholarship award process, and will provide an immediate significant return on investment through the Bernard Osher Foundation match.

With a guaranteed 5% return, supported by the FCCC and the Osher Foundation, this single transaction will provide \$1,000 scholarships to 60 of our neediest students. Nowhere could there be such a significant return on investment.

The remaining portion of the gift will be invested according to the established SMCF guidelines, allocating a minimum of 2% of that balance from earned income for additional scholarships to Santa Monica College students. In the spirit of his previous gifts, at least one-half of those awards would be to students in the performing arts: music, dance and theatre.

In all, it is expected that nearly 100 students, each year in perpetuity, will benefit from the David Simon Scholarship Fund.

The Santa Monica College Foundation investment guidelines are attached as Appendix A.

MOTION MADE BY:	David Finkel
SECONDED BY:	Margaret Quiñones-Perez
STUDENT ADVISORY:	Aye
AYES:	7
NOES:	0

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 5

SUBJECT: **FIRST READING – BOARD POLICY SECTION 4135 – COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees conduct a first reading of Board Policy Section 4135 - Compliance with Family Educational Rights and Privacy Act (FERPA).

SUMMARY: The Family Educational Rights and Privacy Act affords students certain rights concerning their student educational records. It has two principal components: (1) safeguarding the privacy of student records and (2) providing students with access to their educational records. The law is also known as FERPA and failure to follow it can result in loss of all federal funding. California has adopted similar protections in the California Education Code.

To ensure compliance with FERPA and corresponding provisions of state law, new guidelines are required. First, a general policy on FERPA is set forth in Board Policy 4135. Existing Board Policy 4134 and 4135 are replaced with a simple statement requiring the college community to comply with the Administrative Regulation on FERPA: “Administrative Regulation 4135 sets forth the rules and regulations of the District for complying with the Family Educational Rights and Privacy Act and State law. All District officers, employees, and other agents of the District granted access to student education records shall comply with this Administrative Regulation.”

Administrative Regulation 4134 and 4135 have been replaced with Administrative Regulation 4135 (see Appendix B). This new administrative regulation sets forth detailed rules for compliance with FERPA and state law. Included is a training component. All College employees will be trained in the new FERPA guidelines by July 1, 2010.

The Board policy and administrative regulation have been approved by the Academic Senate.

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: Andrew Walzer
 STUDENT ADVISORY: Aye
 AYES: 5
 NOES: 0
 ABSENT: 2 (Quiñones-Perez, Rader)

~~BP 4134 Records: Definition and Student Access~~

~~The Santa Monica Community College District will clearly define those documents that must be maintained and classified as “Educational Records” as follows: scholastic records, test scores, registration card, admissions card, transfer transcripts, change of record notices, graduation petitions, general education certification, incomplete verification, high school forfeiture notices, verification attendance request, veteran folders, nursing department folders, employment office folders, college police department files, and trade and technical department files.~~

~~The District will follow a process as defined in Administrative Regulation 4133 by which presently or previously enrolled students have the right to inspect and challenge their educational records.~~

~~BP 4135 Release of Education Records Information~~

~~The Santa Monica Community College District may release copies of or otherwise divulge material in student education records only to the official agencies, groups, officials, or individuals specifically mentioned in the Family Educational Rights and Privacy Act (FERPA) of 1974, without the student’s written consent. Release of a student’s educational records, with the exception stated in Administrative Regulation 4135, must be with the student’s written consent.~~

BP 4135 Compliance with Family Educational Rights and Privacy Act (FERPA)

Administrative Regulation 4135 set forth the rules and regulations of the District for complying with the Family Educational Rights and Privacy Act and State law. All District officers, employees, and other agents of the District granted access to student education records shall comply with this Administrative Regulation.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 6

SUBJECT: **FIRST READING – BOARD POLICY SECTION 2480**
ZERO WASTE EVENTS

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees conduct a first reading of Board Policy Section 2480 – Zero Waste Events.

BP 2480 Zero Waste Events

The Board of Trustees recognizes and affirms the economic and environmental benefit of Zero Waste Practices in diverting food waste from landfill. Zero Waste includes recycling but goes beyond recycling by taking a whole system approach to the vast flow of resources and waste through human society. Zero Waste maximizes recycling, minimizes waste, reduces consumption and ensures that products are made to be reused, repaired or recycled back into nature or the marketplace. Industry standard for Zero Waste is 90 percent diversion of waste, allowing for minor waste generation at events.

In support of Santa Monica College’s institutional commitment to sustainability, Zero Waste practices will be integrated into all college events where food and related materials are present.

COMMENT: A Board policy and administrative regulation on Zero Waste were initiated by the Academic Senate Joint Environmental Affairs Committee, approved by the Academic Senate, and approved by DPAC on October 28, 2009.

PUBLIC COMMENT
Wendy Hermosillo

MOTION MADE BY: Nancy Greenstein
SECONDED BY: Andrew Walzer
STUDENT ADVISORY: Aye
AYES: 6
NOES: 1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

VII. CONSENT AGENDA

Any recommendation pulled from the Consent Agenda will be held and discussed in Section VIII, Consent Agenda – Pulled Recommendations

RECOMMENDATION:

The Board of Trustees take the action requested on Consent Agenda Recommendations #7#23.

Recommendations pulled for separate action and discussed in Section VIII, Consent Agenda – Pulled Recommendations: #8, #12, #13, #16 C, D, E, F, #18

MOTION MADE BY: Rob Rader
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

VIII. CONSENT AGENDA – Pulled Recommendations

Recommendations #8, #12, #13, #16 C, D, E, F, #18 pulled from the Section VII, Consent Agenda to be discussed and voted on separately.

Recommendation No. 8 – RATIFICATION OF CONTRACTS AND CONSULTANTS

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: David Finkel
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

Recommendation No. 12 – CLASSIFIED PERSONNEL – REGULAR

Public Comment

Bernie Rosenloecher

Motion to approve with the exception of “Position Restructure”

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

Motion was made to direct staff to prepare information to assist the Board in making an informed decision on the recommendation to restructure the positions.

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

Recommendation No. 13– WINTER INTERSESSION MOU WITH CSEA

Public Comment

Bernie Rosenloecher

MOTION MADE BY: Rob Rader
 SECONDED BY: Nancy Greenstein
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 8, 2009

VIII. CONSENT AGENDA – Pulled Recommendations (continued)

Recommendation No. 16-C, 16-D, 16-E, 16-F – FACILITIES

MOTION MADE BY: David Finkel
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

Recommendation No. 18 – BUDGET AUGMENTATION

MOTION MADE BY: David Finkel
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 7
 NOES: 0

RECOMMENDATION NO. 7 APPROVAL OF MINUTES

Approval of the minutes of the following meetings of the Santa Monica Community College District Board of Trustees:

November 3, 2009 (Regular Board of Trustees Meeting)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 8 RATIFICATION OF CONTRACTS AND CONSULTANTS

Approved by: *Chui L. Tsang, Superintendent/President*

Requested Action: *Ratification*

The following contracts for goods, services, equipment and rental of facilities, and acceptance of grants in the amount of \$50,000 or less have been entered into by the Superintendent/President and are presented to the Board of Trustees for ratification.

Authorization: Board Policy Section 6255, Delegation to Enter Into and Amend Contracts

Approved by Board of Trustees: 9/8/08

Reference: Education Code Sections 81655, 81656

Provider/Contract	Term/Amount	Service	Funding Source
Corona Pathology Services	July 1, 2009 – June 30, 2010 Not to exceed \$4,500	Provide fitness for duty pathology services to the District on an as-needed basis.	District Budget/ Human Resources
Westcliff Laboratories	July 1, 2009 – June 30, 2010 Not to exceed \$4,500	Provide fitness for duty pathology services to the District on an as-needed basis.	District Budget/ Human Resources
Southern California Higher Education Recruitment Consortium	December 1, 2009 – June 30, 2010 \$1,400	The Southern California HERC supports the efforts of each of member institutions to recruit and retain outstanding faculty, administrators and staff through the sharing of information and resources.	District Budget/ Human Resources
Keygent LLC	December 2009 – June 2010 The fee for services rendered under the agreement shall be 50 percent of identified first year savings in the District's health and welfare expenses resulting from the Recovery Max Review.	Keygents' RecoveryMax Benefit Review will provide the District with consulting services to identify health care cost and process savings.	District Budget/ Human Resources
Google	Four-year contract commencing December 9, 2009 No cost to District	To provide SMC students with email and other add-on Google services via the SMC portal. The target roll-out is in March 2010.	N/A

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 9 ACADEMIC PERSONNEL

Requested Action: Approval/Ratification

Reviewed by: Sherri Lee-Lewis, Dean, Human Resources

Approved by: Marcia Wade, Vice-President, Human Resources

ESTABLISH

EFFECTIVE DATE

Dean, Grants and Program Development

12/09/09

ELECTIONS

EXTENSION – Project Managers Contracts

Genevieve Bertone, Sustainability Coordination (75%)	1/01/2010 – 6/30/2010
Bonita Cooper, Upward Bound	1/01/2010 – 6/30/2010
Wendy Demorst, CAHSEE	1/01/2010 – 6/30/2010
Maral Hyeler, Dual Enrollment/Tech Prep	1/01/2010 – 6/30/2010
Regina Jennings, API Grand (AAPIA)	1/01/2010 – 6/30/2010
Maria Leon-Vasquez, Workforce Development	1/01/2010 – 6/30/2010
Cynthia Lopez, Supplemental Instruction	1/01/2010 – 6/30/2010
Dawn Murphy, Nursing Initiatives	1/01/2010 – 6/30/2010
Hazel Peters, Nursing Skills Lab	1/01/2010 – 6/30/2010
Sandra Sanchez, Workforce Development	1/01/2010 – 6/30/2010

Comment: Due to the uncertainty of the 2009-2010 funding level for state grants and categorical programs, the District initially limited contracts for project managers to six months. At this time, it is recommended that these contracts be extended for the remainder of the 2009-10 fiscal year.

Adjunct

Approval/ratification of the hiring of adjunct faculty.
(List on file in the Office of Human Resources)

SEPARATIONS

RETIREMENT

James E. Smith, Professor-Music (39 years, 9 months)

6/15/2010

The board hereby accepts immediately the retirement of the above listed personnel to be effected as indicated.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 10 2010-2011 SABBATICALS

Requested Action: *Approval/Ratification*

Approved by: *Jeff Shimizu, Vice-President, Academic Affairs*

Dorothy Chin (Fall 2010; Psychology). Professor Chin seeks to increase her knowledge in the area of cultural and clinical psychology through appointments as a Visiting Scholar at two major research institutions renowned for the study of these disciplines --the Center for Culture, Trauma, and Mental Health Disparities at UCLA and the Social Science Research Institute at the University of Hawaii. While a visiting scholar, she will engage in formal study and participate in cross-cultural empirical research, including child development and mental health. This experience will culminate in the development and integration of materials for her introductory, personality, and childhood psychology classes.

Judith Douglas (Fall 2010; Dance). Professor Douglas seeks to immerse herself through independent research and consultation with leading dance experts, in the study of traditional dance forms from Latin American (including dances of Argentina, Brazil and Cuba), Asia (including dances of China, Japan and Korea), and of 21st century dance in the USA (including hip hop and fusion). This will result in the writing of a course reader, which she will use in her Dance 2 course.

Amber Katherine (Fall 2010; Philosophy). Professor Katherine seeks to develop and launch a "Greening the Curriculum" website at SMC that will feature discipline specific tools and resources devoted to green professional development across the campus. She will produce an example of greening philosophy, showing how the ILOs on global citizenship and sustainability might be embedded in an introductory philosophy course. She will also complete a book (already in progress) entitled, *Greening Philosophy: A Fresh Introduction to the Field*, for use in Philosophy I courses.

Judith Remmes (Spring 2011; English). Professor Remmes seeks to improve her online teaching skills by researching current and emerging theories of online pedagogy and by learning software programs such as Captivate, Articulate, and Jing. Through this study, she will construct two innovative outreach modules: an online student orientation to online learning and an online newsletter for online faculty. Additionally, she will organize the new English Department online Homeroom in eCompanion, explore the use of widgets and social networking to increase interactivity between the student and the online classroom, and integrate these new programs into lesson modules stored in FAC 101 as models for other instructors.

Kathryn Sucher (Fall 2010; ESL). After conducting a faculty needs assessment and soliciting student writing samples from across the disciplines, Professor Sucher seeks to develop an interactive grammar website that will provide writing feedback to basic skills and ESL students. The website will be designed to facilitate student engagement in targeted and diagnostic independent study. The website may also be used by content-course faculty who would like specific help with language challenges faced by their students.

Comment: The sabbaticals for 2010-2011 were approved by the Academic Senate on November 24, 2009.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 11 NEW KAISER PERMANENTE PLAN 1156 RATE FOR 2010

Requested Action: Approval/Ratification

Reviewed by: Sherri Lee-Lewis, Dean, Human Resources

Approved by: Marcia Wade, Vice-President, Human Resources

As per Article 10.5 – Hourly Employees in the agreement between the SMCCD and the Faculty Association, the District shall contribute an amount equal to the single party Kaiser Health Maintenance Plan premium not under PERS. Effective January 1, 2010, the single party Kaiser Health Maintenance Plan premium will increase by 3.30%. The annual dollar change will be \$65,261. The District contribution shall be as follows:

\$393.87 per month (\$472.65 per month tenthly), effective January 1, 2010.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 12 CLASSIFIED PERSONNEL – REGULAR

Requested Action: *Approval/Ratification*
 Reviewed by: *Sherri Lee-Lewis, Dean, Human Resources*
 Approved by: *Marcia Wade, Vice-President, Human Resources*

Approval/ratification of the establishment of classified positions, and other actions involving classified personnel including hiring, promoting, changing work shifts, working out of classification, and advanced step placements. All personnel assigned into authorized positions will be elected to employment (Merit System) in accordance with District policies and salary schedules.

POSITION RESTRUCTURE EFFECTIVE DATE

ABOLISH
 Administrative Assistant I, (1 position) _____ 11/04/09
 ESL, 11 mos, 40hrs

ESTABLISH
 Administrative Assistant I, (1 position) _____ 11/04/09
 ESL, 11 mos, 20hrs

Administrative Assistant I, (1 position) _____ 11/04/09
 Dance, 11 mos, 20hrs

Comment: _____ The establishment of the two 20 hour positions does not create a vacancy.
 _____ The positions will be filled by the same individual.

ESTABLISH

Administrative Secretary, (1 position) _____ 12/09/09
 Student Affairs, 12 mos, 40 hrs
 (Categorical Funded – AANAPISI Program)

ELECTIONS

PROBATIONARY
 Silva, Juan C., Student Services Clerk, A & R _____ 12/01/09

PROMOTIONS
 Franco, Sandra _____ 12/01/09
 Fr: Student Services Assistant, A & R
 To: Student Services Specialist, A & R

Grigoryan, Larisa _____ 12/01/09
 Fr: Accounting Specialist II, Bookstore
 To: Accountant, Fiscal Services

REEMPLOYMENT

Castellane, Anthony Student Services Clerk, ISC 12/02/09

ADVANCE STEP PLACEMENT

Roberts, Michael, Journeyman Trade – Plumber, Maintenance Step C 08/10/09

PERMANENT EMPLOYEE WITH LIMITED TERM ASSIGNMENT – SUBSTITUTE

Monzon, Karen 11/16/09 – until incumbent returns
Assignment: Personnel Analyst, Personnel Commission
Percentage: 50%

SEPARATIONS

RESIGNATION

Drinot, Luz-Maria, Administrative Assistant I- Bilingual, Latino Center 01/01/10
Reynolds, Chloe, Administrative Assistant II, Madison Theatre 01/08/10
ShaBazz, Ishmael, Network Administrator, Network Services 12/10/09

RETIREMENT

Chao, Olga, Administrative Assistant III, Planning & Dev. (14yrs/2months) 12/31/09
Marchant, Kathleen, Student Services Assistant, International Ed. Center (23yrs) 12/31/09
Montes, John, CC Parking Enforcement Officer, Campus Police (11yrs/5months) 12/19/09
Seymour, Ruth, KCRW Radio Station Director, KCRW (32 years/1month) 02/27/10
Smith, Shirley, Student Services Assistant, International Ed. Center (13yrs/10 months) 12/31/09

DECEASED

Harris, James, Custodian/NS-II, Operations 11/16/09

RECOMMENDATION NO. 13 WINTER INTERSESSION MOU WITH CSEA

Requested Action: Approval/Ratification
Reviewed by: Robert Myers, Campus Counsel
Approved by: Marcia Wade, Vice-President, Human Resources

It is recommended that the Board of Trustees approve and ratify the Memorandum of Understanding (see Appendix C) between the District and CSEA Chapter 36, adjusting the hours of certain classified employees necessary because of the scaled-back offerings during the Winter Session.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 14 CLASSIFIED PERSONNEL – LIMITED DURATION

Requested Action: Approval/Ratification
Reviewed by: Sherri Lee-Lewis, Dean, Human Resources
Approved by: Marcia Wade, Vice-President, Human Resources

All personnel assigned to limited term employment (Merit System) will be elected in accordance with District policies and salary schedules. No limited term assignment shall exceed 120 working days per fiscal year.

PROVISIONAL: Temporary personnel who meet minimum qualifications and are assigned to work 90 working days; who have not come from an eligibility list.

Daza-Whitfield, Martha, Student Services Clk, Psychological Services	11/02/09-02/10/10
Greenberg, Andrew, Theatre Technical Specialist, SMC Perf. Arts	11/23/09-04/13/10
Llerenas, Liset, Student Services Clerk, Academic Affairs	11/16/09-04/06/10
Mascarenas, Robert, Athletic Equipment Specialist, Athletics	11/23/09-04/13/10
Murray, Shanita K, Administrative Secretary, Student Services	11/16/09-04/06/10
Powell, Gerald, Student Services Clerk, Pico Partnership	11/30/09-04/16/10
Root, Jerrold, Theatre Technical Specialist, SMC Performing Arts	11/23/09-04/13/10
Tyler, Lauren, Theatre Technical Specialist, SMC Performing Arts	11/23/09-04/13/10

LIMITED TERM: Positions established to perform duties not expected to exceed 6 months in one Fiscal Year or positions established to replace temporarily absent employees; all appointments are made from eligibility lists or former employees in good standing.

Haning, Nicole, Instructional Assistant – ESL	11/16/09-05/16/10
Haydl, Colleen, Administrative Clerk, Cosmetology	11/03/09-05/03/10
Talbot, Emily, Sign Language Interpreter III, DSC	11/03/09-05/03/10

RECOMMENDATION NO. 15 CLASSIFIED PERSONNEL - NON MERIT

Requested Action: Approval/Ratification
Reviewed by: Sherri Lee-Lewis, Dean, Human Resources
Approved by: Marcia Wade, Vice-President, Human Resources

All personnel assigned will be elected on a temporary basis to be used as needed in accordance with District policies and salary schedules.

STUDENT EMPLOYEES

CalWORKS, \$8.00/hr	02
College Student Assistant, \$8.00/hr (STHP)	26
College Work-Study Student Assistant, \$8.00/hr (FWS)	71

SPECIAL SERVICE

Art Model, \$18.00/hr	20
Community Services Specialist II, \$50.00/hr	02

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 16 FACILITIES

Requested Action: Approval/Ratification
 Requested by: Greg Brown, Director, Facilities and Planning
 Approved by: Robert Isomoto, Vice-President, Business/Administration

16-A CHANGE ORDER NO. 6 – STUDENT SERVICES & ADMINISTRATION BUILDING – PHASE I

Change Order No. 6 – MINCO CONSTRUCTION, INC on the Student Services & Administration Building - Phase I project in the amount of \$5,001:

Original Contract Amount	\$7,977,000
Previously Approved Change Orders	67,273
Change Order No. 6	<u>5,001</u>
Revised Contract Amount	\$8,049,274
Original Contract Time	406 days
Previous Time Extensions	<u>0 days</u>
Revised Contract Time	406 days
Time Extension this Change Order	<u>0 days</u>
Current Revised Contract Time	406 days

Funding Source: Measure U

Comment: Change Order No. 6 provides for the abatement and disposal of 100 linear feet of 4" to 6" underground piping, containing asbestos and encased in concrete. This was an unforeseen condition that was discovered during excavation.

16-B RELEASE OF PARTIAL RETENTION – GYM BLEACHER REPLACEMENT

Reduce the retention amount held from AJ STEVENS CONSTRUCTION, INC for the Gym Bleacher Replacement Project from 10 percent to 5 percent.

Funding Source: Measure S

Comments: The project is more than 50 percent completed. The Public Contract Code allows local agencies to withhold retention from construction contracts. The money withheld is used to pay any outstanding claims (usually from sub-contractors). The District's standard contract withholds 10 percent of the contract amount. As the project is almost complete and there are no outstanding claims, the District may reduce the retention to 5 percent. Once the project is completely closed out, the remaining retention is paid to the contractor.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 16 **FACILITIES** *(continued)*

16-C PROJECT CLOSE OUT – GYM BLEACHER REPLACEMENT

Subject to completion of punch list items by AJ STEVENS CONSTRUCTION, INC. authorize the Executive Vice President, without further action of the Board of Trustees, to accept the project described as GYM BLEACHER REPLACEMENT as being complete upon completion of punch list items by AJ STEVENS CONSTRUCTION, INC. The Vice President of Business and Administration shall determine the date of Final Completion and Final Acceptance. Subject to the foregoing and in strict accordance with all applicable provisions and requirements of the contract documents relating thereto, upon determination of Final Completion and Final Acceptance disbursement of the final payment is authorized.

16-D PROJECT CLOSE OUT – MADISON THEATER (BROAD STAGE)

Subject to completion of punch list items by FTR INTERNATIONAL, INC. authorize the Executive Vice President, without further action of the Board of Trustees, to accept the project described as MADISON THEATER (BROAD STAGE) as being complete upon completion of punch list items by FTR INTERNATIONAL, INC. The Vice President of Business and Administration shall determine the date of Final Completion and Final Acceptance. Subject to the foregoing and in strict accordance with all applicable provisions and requirements of the contract documents relating thereto, upon determination of Final Completion and Final Acceptance disbursement of the final payment is authorized.

16-E PROJECT CLOSE OUT – ALTERATION TO MADISON CAMPUS (MADISON RENOVATION)

Subject to completion of punch list items by FTR INTERNATIONAL, INC authorize the Executive Vice President, without further action of the Board of Trustees, to accept the project described as ALTERATION TO MADISON CAMPUS (MADISON RENOVATION) as being complete upon completion of punch list items by FTR INTERNATIONAL, INC. The Vice President of Business and Administration shall determine the date of Final Completion and Final Acceptance. Subject to the foregoing and in strict accordance with all applicable provisions and requirements of the contract documents relating thereto, upon determination of Final Completion and Final Acceptance disbursement of the final payment is authorized.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 16 FACILITIES (continued)

16-F AMENDMENTS #2 AND #3 TO AGREEMENT FOR CONSULTING SERVICES – MASTER PLAN TRAFFIC ANALYSIS

Amendments #2 and #3 to the agreement with LINSOTT, LAW & GREENSPAN for the Master Plan Traffic Analysis for \$159,800 plus reimbursable expenses.

Original Contract (Part A)	\$334,000
Amendment #1	\$ 79,700
Amendment #2	\$ 70,500
Amendment #3 (Part B)	<u>\$ 89,300</u>
Total to Date	\$573,500

Funding Source: Measure S

Comment: The work to prepare the traffic analysis component of the environmental documents for the Master Plan Update is being conducted in two phases. Part A, approved July 7, 2008, included scoping-related tasks, baseline surveys, and analyses for up to 100 intersections and 50 street segments.

Amendment #1, approved September 8, 2008, expanded the scope of the analysis to include the study of 30 additional intersections and eleven additional street segments, primarily in the vicinity of the Performing Arts Campus, for a range of potential future educational uses including classroom and office use.

Amendment #2, submitted for approval above, additionally expands the scope of the analysis to four additional intersections and five additional street segments in the vicinity of the Olympic Shuttle Lot, also for a range of potential future educational uses. This traffic and parking analysis will be useful either for the future development of the site, or, in the event that the property is traded with equivalent property at the Santa Monica Airport, will be useful in establishing the baseline conditions needed for the environmental assessment of the future use of the new property. Amendment #2 also includes a detailed video and hand count of the bus stops surrounding the main campus, for purposes of incorporating the effects of the SMC's transportation management into current traffic analysis. Amendment #2 also includes an alternative analysis of the use of Pennsylvania Avenue as a two-way street in conjunction with the new facilities at the Academy of Entertainment and Technology Campus; the analysis of the addition of any new related projects in Santa Monica and Los Angeles coinciding with the release of the Draft EIR Notice of Preparation as required by CEQA; and follow-up analysis of Pico Boulevard based on scoping comments received during the public comment process.

Amendment #3, submitted for approval above, provides for Part B of the preparation of the traffic analysis, including the analyses of construction and alternatives; preparation of responses to comments to the Draft EIR; meeting representation during this phase; and Final EIR support.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 17 BUDGET TRANSFERS

Requested by: Chris Bonvenuto, Director, Fiscal Services
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

17-A FUND 01.0 – GENERAL FUND - UNRESTRICTED

Period: October 1 through November 20, 2009

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	3,850
3000	Benefits	0
4000	Supplies	-361
5000	Contract Services/Operating Exp	-4,654
6000	Sites/Buildings/Equipment	1,165
7000	Other Outgo/Student Payments	0
Net Total:		0

17-B FUND 01.3 – GENERAL FUND - RESTRICTED

Period: October 1 through November 20, 2009

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	-15,203
2000	Classified/Student Salaries	-215
3000	Benefits	108
4000	Supplies	9,300
5000	Contract Services/Operating Exp	882
6000	Sites/Buildings/Equipment	5,128
7000	Other Outgo/Student Payments	0
Net Total:		0

Comment: The Adopted Budget needs to be amended to reflect the totals of the departmental budgets. The current system of the Los Angeles County Office of Education requires Board approvals each month for budget adjustments. Only the net amount of the transfers in or out of the object codes is shown. In addition to the budget adjustments, transfers result from requests by managers to adjust budgets to meet changing needs during the course of the year.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 18 BUDGET AUGMENTATION

The California Community Colleges Chancellor's Office released a November 5, 2009 revision of the Advance Apportionment. The 2009-2010 Adopted Budget will be amended to reflect the budget increase/(decrease) to the following categorical programs:

Categorical Programs	Increase/ (Decrease)
Basic Skills	(110,238)
S.F.A.A.	53,441
E.O.P.S.	(324,831)
C.A.R.E.	(23,475)
D.S.P.S.	(535,684)
Calworks	(99,328)
Matriculation (Credit)	(310,678)
Matriculation (Non-Credit)	(23,696)
Equal Employment Opportunity	(7,221)
TANF	(22,226)
Economic Development (JDIF)	(55,213)
Economic Development (SBDC)	(9,202)
Transfer and Articulation	(2,720)
Nursing Grant	121,731
Totals	(1,349,340)

Revenue:

8000 State Revenue (\$1,349,340)

Expenditures:

1000 Academic Salaries (\$372,874)
2000 Classified/Student Salaries (\$491,202)
3000 Benefits (\$177,668)
4000 Supplies (\$3,408)
5000 Contract Services/Operating Exp (\$200,720)
6000 Site/Buildings/Equipment (2,500)
7000 Other Outgo/Student Payments (\$100,968)
Total (\$1,349,340)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 19 COMMERCIAL WARRANT REGISTER

Requested by: Robin Quaile, Accounts Payable Supervisor
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

October 1 – October 31, 2009 3764 – 3800 \$ 8,284,202.77

Comment: The detailed Commercial Warrant documents are on file in the Accounting Department.

RECOMMENDATION NO. 20 PAYROLL WARRANT REGISTER

Requested by: Ian Fraser, Payroll Manager
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

October 1 – October 31, 2009 CIC – C2D \$9,865,949.11

Comment: The detailed payroll register documents are on file in the Accounting Department.

RECOMMENDATION NO. 21 AUXILIARY PAYMENTS & PURCHASE ORDERS

Requested by: George Prather, Director of Auxiliary Services
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

It is recommended that the following Auxiliary Operations payments and Purchase Orders be ratified. All purchases and payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore, Trust and Other Auxiliary Funds.

October 1 – October 31, 2009	Payments \$1,490,333.23	Purchase Orders \$4,672.73
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Comment: The detailed Auxiliary payment documents are on file in the Auxiliary Operations Office.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 22 DIRECT, BENEFIT & STUDENT GRANT PAYMENTS

Requested by: Robin Quaile, Accounts Payable Supervisor
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All payments were made in accordance with Education Code requirements and allocated to approved budgets. List on file in Business Office.

October 1 – October 31, 2009	
D000517 – D000716	\$ 397,002.09
B000184 – B000247	\$ 1,208,486.66
ST00053 – ST00064	\$ 431.00

D – Direct Payments
 B – Benefit Payments (health insurance, retirement, etc.)
 ST – Student Grant Payments

RECOMMENDATION NO. 23 PURCHASING

Requested by: Charlie Yen, Acting Director, Purchasing
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

23-A AWARD OF PURCHASE ORDERS

Establish purchase orders and authorize payments to all vendors upon delivery and acceptance of services or goods ordered. All purchases and payments are made in accordance with Education Code requirements and allocated to approved budgets. Lists of vendors on file in the Purchasing Department

October 1 – October 31, 2009	\$1,959,218.33
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BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 8, 2009

ORGANIZATIONAL FUNCTIONS

RECOMMENDATION NO. 24

SUBJECT: AUTHORIZED SIGNATURE RESOLUTIONS

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the following Santa Monica College administrators to sign District documents as indicated.

Name/Title	Warrants	Orders for Salary Payment	Notices of Employment	Contracts	Auxiliary Warrants	Purchase Orders
Dr. Chui L. Tsang Superintendent/President	X	X	X	X	X	X
Randal Lawson Executive Vice-President	X	X	X	X	X	X
Robert Isomoto Vice-President, Business and Administration	X	X		X	X	X
Marcia Wade Vice-President, Human Resources			X	X		
Christopher Bonvenuto Director, Fiscal Services	X	X		X	X	X
George Prather Director of Auxiliary Services				X	X	X

It is further recommended that the "Certification of Signatures" be completed and filed with the County Superintendent of Schools. The signatures shall be considered valid for the period of December 8, 2008 through December 31, 2010.

COMMENT: The County Superintendent of Schools requires that the Certification of Signatures be approved at the annual organizational meeting of the Board of Trustees which is held within a 15-day period that commences with the date upon which a governing board member elected takes office.

MOTION MADE BY: Nancy Greenstein
SECONDED BY: Rob Rader
STUDENT ADVISORY: Aye
AYES: 7
NOES: 0

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 8, 2009

IX. ORGANIZATIONAL FUNCTIONS

RECOMMENDATION NO. 25

SUBJECT: ELECTION OF OFFICERS OF THE BOARD OF TRUSTEES

25-A/B REQUESTED ACTION: It is recommended that David Finkel be elected Chair and Andrew Walzer be elected Vice-Chair of the Board of Trustees of the Santa Monica Community College District.

MOTION MADE BY: Margaret Quiñones-Perez
 SECONDED BY: Nancy Greenstein
 STUDENT ADVISORY: Abstain
 AYES: 7
 NOES: 0

25-C REQUESTED ACTION: It is recommended that Superintendent/President Chui L. Tsang be elected Secretary to the Board of Trustees; Executive Vice-President Randal Lawson, be elected Assistant Secretary to the Board of Trustees; and Coordinator, District/Board of Trustees Office Lisa Rose, be elected Recording Secretary to the Board of Trustees.

MOTION MADE BY: Rob Rader
 SECONDED BY: Margaret Quiñones-Perez
 STUDENT ADVISORY: Abstain
 AYES: 7
 NOES: 0

COMMENT: In accordance with Board Policy 1170, the officers and auxiliary personnel of the Board of Trustees of the Santa Monica Community College District shall consist of a chair, vice-chair, secretary, assistant secretary and recording secretary.

INFORMATION ITEM I

SUBJECT: SEATING OF THE BOARD OF TRUSTEES

The Board of Trustees was seated according to Board Policy 1260 with the Board Chair in the middle, the Vice-Chair to the left of the Chair, the Superintendent to the right of the Chair, and the Student Trustee in the designated Student Trustee position. Seating of other trustees will be determined by the drawing of numbers.

BOARD OF TRUSTEES SANTA MONICA COMMUNITY COLLEGE DISTRICT	REGULAR MEETING December 8, 2009
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XI. **BOARD COMMENTS AND REQUESTS**

XI. **CLOSED SESSION** – 12:15 a.m.

- Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

XII. **ADJOURNMENT** – 12:45 a.m.

The meeting was adjourned in memory of **James Harris**, SMC custodian for the past eight years.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on **Tuesday, January 12, 2010** at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

The agenda for the next meeting will include the following:

- Accreditation 2010 Update
- Facilities Master Plan Update
- 2010-2011 Non Resident Tuition Rate
- Organizational Memberships

Santa Monica Community College District
Board of Trustees Meeting
December 8, 2009

Appendix A

SANTA MONICA CITY COLLEGE FOUNDATION
INVESTMENT POLICY STATEMENT
Updated July/August 2007

1) INTRODUCTION

- a) This Investment Policy Statement (the "Statement") is issued by the Investment Committee (the "Committee") of the Santa Monica College Foundation (the "Foundation") on behalf of the Board of Directors (the "Board") of the Foundation.
- b) The purpose of this Statement is to establish the investment objectives, policies and guidelines of the Foundation.
- c) All of the investment assets of the Foundation are to be governed by this Statement, which includes the Endowment/Emeritus Fund and all sub-accounts thereunder (collectively, the "Funds").
- d) The Committee will regularly review this Statement and the adherence to it of the investment manager of the Foundation (the "Manager"). It is the intent of this Statement to be both sufficiently specific to be meaningful and flexible enough to be practical.

2) GENERAL INFORMATION

- a) The Foundation is a nonprofit organization dedicated to the educational mission of Santa Monica College (the "College"), which it advances by generating and administering funds to be used for the benefit of the College. While the Funds hold investments for both short-term operating spending and long-term strategic spending purposes, the primary investment philosophy of the Foundation is to treat the assets in the Funds as an endowment and keep them invested to accomplish long-term objectives and purposes.
- b) The Committee may choose a corporate custodian, trustee and/or investment counselor to provide services as it deems necessary to perform its obligations as set forth in this Statement.

3) INVESTMENT MANAGEMENT OBJECTIVES

- a) The primary long-term investment objective of the Funds is to preserve and grow the real (i.e., inflation-adjusted) purchasing power of the assets. This objective should be achieved over rolling five- to ten-year periods on a total return basis. A secondary investment objective is to provide a relatively predictable, stable and, in real terms, constant stream of current income for annual operating needs.
- b) The Funds will have a moderate risk tolerance to achieve the long-term investment objective over the horizon described in paragraph 3a.
- c) The return on investment objectives for the Funds should outperform their respective benchmarks over five- to ten- year rolling periods. The benchmark for the domestic equity portfolios will be the S&P 500 stock index, the benchmark for the international equity portfolio will be the EAFE (Europe, Australia and Far East) index, and the benchmark for the fixed income portfolio will be the Lehman Intermediate Government/Credit Index.

SANTA MONICA CITY COLLEGE FOUNDATION
INVESTMENT POLICY STATEMENT
Updated July/August 2007

- d) It is recognized that the return on investment objectives and spending needs for the Funds may at times exceed the current expected returns, which include both current income and capital gains of the capital markets. During these times, a portion of the corpus of the Funds may be spent to fund current activities while the Funds continue to be invested in asset allocation designed to optimize long-term risk adjusted returns.
- e) The Funds will be invested with the care, skill and diligence, under the circumstances prevailing from time-to-time, that a prudent expert acting in a like capacity and familiar with such matters would use in the investment of the funds of like characteristics and with similar objectives.

4) INVESTMENT SECURITIES

- a) **Approved Equity Securities:** Equity securities approved for investment are diversified equity mutual funds, common stocks, convertible and nonconvertible preferred stocks, Exchange Traded Funds (ETFs) and American Depository Receipts on foreign securities. Equities will be diversified by industry, sector, and company, and individual equity issues will not exceed 5% of the total equity portfolio.
- b) **Approved Fixed Income Securities:** Fixed income securities approved for investment are diversified fixed income mutual funds, U.S. government obligations, federally sponsored credit agency securities, collateralized mortgage obligations (CMOs), corporate bonds, money market funds, short-term investment funds, commercial paper or any other short-term securities rated investment grade. High yield bonds may not exceed 12% of the total portfolio. Fixed income securities will be diversified by industry, sector, and company, and individual bonds issues will not exceed 10% of the total portfolio.
- c) **Alternative Investments:** Diversified hedge funds and Private Equity Funds may be invested in with the prior approval of the Committee. Investments in undiversified hedge funds and individual securities which would produce leverage in the Funds are prohibited. Other alternatives investments, such as global real estate, commodities and other similar products, may be invested in with the prior approval of the Committee.

5) TAX CONSIDERATIONS AND LEGAL CONSIDERATIONS

- a) The Foundation is a tax-exempt entity.
- b) The Funds are governed by the Prudent Expert Rule, as described in paragraph 3e. No additional specific legal restrictions or other considerations apply to the Funds.

6) GUIDELINES FOR TRANSACTIONS

- a) Except under unusual circumstances, all transactions should be entered into on the basis of best execution, which, for purposes of this Statement, means best realized net price.

Santa Monica Community College District
Board of Trustees Meeting
December 8, 2009

Appendix B

Administrative Regulation 4135
Compliance with the Family Educational Rights and Privacy Act (FERPA)

Repeal existing AR 4134 and 4135 and replace with a new AR 4135:

~~AR 4134 Records; Definition and Students Access~~

~~1. Definition of Education Records~~

~~The following files, records, and documents will be maintained by the college and classified as "Education Records": scholastic records, test scores, registration appointment, admissions appointment, transfer transcripts, change of record notices, graduation petitions, general education certification, incomplete verification, high school forfeiture notices, verification attendance request, veteran folders, nursing department folders, employment office folders, college police department files, and trade and technical department files.~~

~~2. Access to Education Records~~

~~Pursuant to the Family Educational Rights and Privacy Act (FERPA) students, either presently or previously enrolled, have the right to inspect and review their education records. Such students who follow the established procedure of the records office shall be granted access to their records within forty five days of the request. Expressly exempted from the right of review and inspection are the following materials:~~

~~a. Financial records of the parents of the students.~~

~~b. Confidential letters and statements of recommendation which were placed in the education records prior to January 1, 1975. After January 1, 1975, confidential recommendations and other materials regarding admission to special departmental programs or honorary recognition for students may be acquired and remain confidential if the student has signed a waiver of his/her right to review and inspect said documents. In the event a student does not sign a waiver, such student must be given access to these records.~~

~~c. Records of instructional, supervisory, counseling, and administrative personnel which are in their sole possession and are not accessible or revealed to any except a substitute.~~

~~d. Records of employees at the college, who are not in attendance at the college, made and maintained in the normal course of college business.~~

~~e. Records of students made and maintained by the college health office and college psychologist which are used in the treatment of students.~~

~~3. Procedures shall be developed by the Santa Monica College administrative staff providing for access to records by students. These procedures will include:~~

~~a. A written request.~~

~~b. A description of what records the college has kept and what is available for the students to review.~~

~~c. A review and inspection process by the students under the supervision of the Dean of Enrollment Services or designee. The Dean of Enrollment Services shall have the~~

~~authority to make changes to a student's records at his/her request, where it does not interfere with the integrity of professional entries.~~

- ~~4. Procedures shall be developed by the Santa Monica College administrative staff providing for student challenges of any information contained in education records.~~

~~Reviewed and/or Updated: 4/29/2003~~

AR 4135 Release of Education Records Information

- ~~1. Educational records are maintained in the SMC Admissions and Records Office, which is supervised by the Dean of Enrollment Services or designee.~~
- ~~2. Any release of a student's education records, with the exceptions listed below, must be with the student's written consent.~~
- ~~3. The college may release copies of or otherwise divulge material in student education records only to the official agencies, groups, officials, or individuals specifically mentioned in the Family Educational Rights and Privacy Act of 1974, without the student's written consent. These agencies and individuals are expressly forbidden from permitting access of said education records to third parties. Those exceptions specifically mentioned are:
 - ~~a. College and District staff.~~
 - ~~b. Representatives of the Comptroller General of the United States and of the Secretary of Health, Education, and Welfare.~~
 - ~~c. The Commissioner, Director, or the Secretary of the National Institute of Education and/or the Assistant Secretary for Education.~~
 - ~~d. State and Federal educational authorities conducting official audits or program evaluation.~~
 - ~~e. Officials of other colleges and college systems in which the student seeks or intends to enroll, provided the student is notified by mail of the transfer of the records.~~
 - ~~f. Accrediting organizations.~~
 - ~~g. Organizations conducting studies for, or on behalf of, districts or colleges for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations, and such information will be destroyed when no longer needed.~~
 - ~~h. Various agencies which coordinate their activities through the college financial aids office for the purpose of processing a student's application for, or receipt of, financial aid. Such agencies will have access to student records for purposes of collection on a student's financial obligations made through the college financial aids office.~~
 - ~~i. Appropriate persons in connection with an emergency provided that knowledge of such information is necessary to protect the health or safety of the student or other persons.~~
 - ~~j. Those who have obtained subpoena or judicial order. However, the student is to be given prior notice by mail regarding the college's compliance with the order.~~~~
- ~~4. The college may release limited information to the public as defined under "Directory Information." Directory information is limited to the following categories: names of students who participate in officially recognized activities and sports; height and weight of members of athletic teams; previous dates of attendance, and colleges or universities of previous attendance for purposes of determining athletic eligibility; and degrees and awards received. Directory information may be made public provided that public notice is given as to the categories of information which the college plans to release. Such notice will specify a designated time in~~

~~which the student must notify the college in writing that such information should not be released.~~

- ~~5. The college will maintain an access list with each student's education record, which includes the identity of persons who have requested and have been denied, or who have had access to the student records, the dates of said requests, and the reasons for such access. The access list will exclude college officials, teachers, and counselors.~~
- ~~6. Personal information may be transferred to a third party only on the condition that such party will not permit access by any other party without the written consent of the student. (As an example, information released to agencies for auditing purposes or for improving instruction.) In such cases, Santa Monica College will issue the following statement to accompany records released: "All student education records will be destroyed when they are no longer needed for implementation of the study. Student education records may not be released without the written consent of the student."~~
- ~~7. Students will be informed annually by Santa Monica College of their rights under the act. Such information will be disseminated by a variety of methods designed to inform all students.~~

~~Reference: Education Code Sections 76240-76243~~

~~U.S. Privacy Act of 1974~~

~~Title 5, Section 54626~~

~~Reviewed and/or Updated: 12/11/2001~~

AR 4135 Compliance with the Family Educational Rights and Privacy Act (FERPA)

This regulation implements the federal Family Education Rights and Privacy Act of 1974 (FERPA) and State law.

A. Student Privacy Rights

Current and former students have the following rights regarding their student education records:

1. The right to be informed about their education records.
2. The right to inspect their education records.
3. The right to request amendment to their education records.
4. The right to have a formal hearing if the request for amendment is denied.
5. The right to prevent unauthorized disclosure of any or all of the information in their education records, subject to specific exceptions identified in FERPA and State law.
6. The right to lodge a complaint to the U.S. Department of Education about a violation of FERPA regarding their education record.
7. The right to waive these rights in writing, including the right to give written authorization to a third party to obtain a copy of their education records.

B. Definitions

For the purposes of this policy, Santa Monica Community College District (hereinafter “Santa Monica College” or “College”) has used the following definitions of terms:

1. “*Student*” means any person who attends or has attended Santa Monica College. The word “attend” includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom.
2. “*Record*” means any information recorded in any way, including, but not limited to, hand writing, print, computer media, video or audio tape, film, microfilm, and microfiche.
3. “*Education records*” means any record maintained by Santa Monica College or an agent of the College which contains personally identifiable information related to a student. The following are not education records:
 - i. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
 - ii. Records relating to an individual who is employed by an educational agency or institution, that are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose. Records relating to an individual in attendance at Santa Monica College who is employed as a result of his or her status as a student are education records and not excepted under paragraph of this definition.
 - iii. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity which are made, maintained, or used only in connection with treatment of the student and disclosed only to

individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution;

- iv. Records maintained by Santa Monica College if (a) the records are maintained solely for law enforcement purposes, (b) are revealed only to law enforcement agencies of the same jurisdiction, and (c) the office holding these records does not have access to education records maintained by the College.
 - v. Alumni records which contain information about a student after he or she is no longer in attendance at the College and which do not relate to the person as a student.
 - vi. Grades on peer-graded papers before they are collected and recorded by a teacher.
4. "*School Official*" means:
- i. A person employed by the District in an administrative, supervisory, academic, research or support staff position.
 - ii. A person elected to the Board of Trustees.
 - iii. A person such as an attorney or auditor employed by or under contract to the District to perform a special task.
5. "*Legitimate education interest*" means an official need to review or access a student education record by an official or employee of the College in order to fulfill a professional responsibility; to perform appropriate tasks that are specified in his or her position description or by a contractual agreement; to perform a task related to the student's education; to perform a task related to the discipline of a student; or to provide a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

School officials who use student education record information to serve their own personal needs or for purposes which are not related to their job responsibilities do not have a legitimate education interest in the information being used.

6. "*Personally Identifiable Information*" includes, but is not limited to--
- i. the student's name;
 - ii. the name of the student's parent or other family members;
 - iii. the address of the student or student's family;
 - iv. a personal identifier, such as the student's social security number, student number, or biometric record;
 - v. other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
 - vi. other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty;
 - vii. information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates; or
 - viii. email address.

C. Annual Notification

Students will be notified of their rights under FERPA and State law annually by publication in the Santa Monica College Catalog. The catalog is available on the College's website.

D. Procedure to Inspect Educational Records

1. Students may inspect and review their education records upon request to the appropriate record custodian. Students should submit to the record custodian or an appropriate College staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect. (Forms for this request are available in the Admissions and Records Office.)
2. The record custodian or an appropriate College staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 15 work days or less from the receipt of the request. [Note: FERPA requires that access be provided with 45 days; however, state law requires that access be provided within 15 days.]
3. When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.

E. Right to Refuse Access

Santa Monica College reserves the right to refuse to permit a student to inspect the following records:

1. The financial state of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access or which were placed in file before January 1, 1975.
3. Records connected with an application to attend Santa Monica College if the application was denied.
4. Those records which are excluded from the FERPA definition of education records. The records will be made available if required by State law.

F. Refusal to Provide Copies

Santa Monica College reserves the right to deny copies of records not required to be made available by the FERPA or State law in any of the following situations:

1. The student has an unpaid financial obligation to the College.
2. There is an unresolved disciplinary action against the student.

G. Fee for Copies of Records

The fee for copies will be \$0.20 per page.

The fees charged to students for transcripts are:

1. \$5 for an official transcript, with the first two free for currently enrolled students
2. \$10 service charge in addition to the transcript fee for a "Rush" transcript.
3. A student may obtain an unofficial copy of his/her transcript at no charge from the SMC Website.

H. Disclosure of Education Records

Santa Monica College will disclose information from a student's education records only with the written consent of the student, except as set forth below. The College may disclose information without student consent as follows:

1. To officials and employees of Santa Monica College, if that person has a legitimate educational interest to inspect a record.
2. To authorized representatives of the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, except that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements.
3. To other state and local officials or authorities to the extent that information is specifically required to be reported pursuant to state law adopted prior to November 19, 1974.
4. To officials of other public or private schools or school systems, including local, county, or state correctional facilities where educational programs are provided, where the student seeks or intends to enroll, or is directed to enroll.
5. To agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of students may be disclosed only as may be necessary for those purposes as to determine the eligibility of the student for financial aid, to determine the amount of the financial aid, to determine the conditions that will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
6. To accrediting organizations in order to carry out their accrediting functions.
7. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted.

8. To appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, or subject to any regulations issued by the Secretary of Health, Education, and Welfare.
9. To the alleged victim of any sexual assault or physical abuse, including rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat or assault, or any conduct that threatens the health and safety of the alleged victim, which is the basis of any disciplinary action taken by a community college, shall be permitted access to that information. Access to student record information shall be in the form of notice of the results of any disciplinary action by the community college and the results of any appeal, which shall be provided to the alleged victim within three days following that disciplinary action or appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.
10. In compliance with a court order or a lawfully issued subpoena. The College shall make a reasonable effort to notify the student in advance of compliance with a lawfully issued subpoena and, in the case of compliance with a court order, if lawfully possible within the requirements of the order. This notification shall take place using a standard form approved by the FERPA Compliance Officer.

I. Record of Requests for Disclosure

Santa Monica College will maintain a record of all requests for and/or disclosure of information from a student's education records for the appropriate record retention period. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

Personal information may be transferred to a third party only on the condition that such party will not permit access by any other party without the written consent of the student. (As an example, information released to agencies for auditing purposes or for improving instruction.) In such cases, Santa Monica College will issue the following statement to accompany records released: "All student education records will be destroyed when they are no longer needed for implementation of the study. Student education records may not be released without the written consent of the student."

J. Directory Information

Santa Monica College designated the following items as Directory Information:

- Student name
- City of Residence
- Age
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Degrees and awards received and most recent previous school attended
- Student's photograph

The College may disclose any of those items without prior written consent unless notified in writing to the contrary by the student.

Students have the following options in connection with the release of directory information:

1. Do NOT permit SMC to release Directory Information to anyone.
2. Do NOT permit the release of information to the Military

K. Correction of Education Records

1. Any student may file a written request with the Superintendent/President to correct or remove information recorded in his or her student records which the student alleges to be: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; or (4) not based on the personal observation of a named person with the time and place of the observation noted.
2. Within 30 days of receipt of the request, the Superintendent/President, or his or her designee, shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the community college district. The Superintendent/President or his or her designee shall then sustain or deny the allegations.
3. If the Superintendent/President, or his or her designee, sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information.
4. If the Superintendent/President, or his or her designee, denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the Board of Trustees.
5. Within 30 days of receipt of an appeal, the Board of Trustees shall, in closed session with the student and the employee who recorded the information in question, if any, and if that employee is presently employed by the community college district, determine whether to sustain or deny the allegations.
6. If the governing board sustains any or all of the allegations, it shall order the chief administrative officer, or his or her designee, to immediately correct or remove and destroy the information.
7. The decision of the governing board shall be final.
8. Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the governing board unless the student initiates legal proceedings relative to the disputed information within the prescribed period.
9. If the final decision of the governing board is unfavorable to the student or if the student accepts an unfavorable decision by the chief administrative officer, the student shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

L. Subpoenas.

Each office that routinely receives subpoenas for student records shall have a written policy on compliance with subpoenas. The written policy shall be approved by the FERPA Compliance Office. Any out of the ordinary subpoenas for student records shall be referred to Campus Counsel for review prior to release of the records.

M. Deceased Students

The privacy rights of an individual expire with that individual's death. Records held by an institution for a deceased person do not raise a FERPA issue but are a matter of institutional policy. The College will exercise its own discretion in deciding whether, and under what conditions, information should be disclosed to survivors or third parties.

N. Training for Employees.

All faculty and staff, as well as any other agents of the college who request access to student academic records, must complete the FERPA tutorial and submit a signed acknowledgment form. Access to student records, including the academic records database, will be denied until the tutorial has been completed and the form submitted. The tutorial is intended to insure that anyone accessing student records understands the obligations under FERPA for proper use and protection of student records. All questions in the tutorial are supported by information found on the College's FERPA website. This requirement shall become effective on July 1, 2010, to allow faculty, staff, and other agents of the college a reasonable time to complete the FERPA tutorial. The training shall include answers to common questions concerning FERPA compliance issues, including, but not limited to, issues related to (a) use of student email addresses, (b) distance education classes; (c) online discussion groups; (d) rights of parents, if any, when student is a minor; and (e) procedures and forms for responding to requests for records.

O. Compliance Officer.

The Associate Dean of Enrollment Services is designated as the FERPA Compliance Officer.

P. Types, Locations and Custodians of Education Records

The following is a list of the types of records that Santa Monica College maintains, their locations and their custodians:

Type	Location	Custodian	Retention Period
Admission Records	Webextender system, Vault, Attic	Associate Dean, Enrollment Services	See below
Add/Drop Slips	Attic	Associate Dean, Enrollment Services	3 years
Faculty Drop Rosters	Now done online & kept permanently in ISIS Previous documents kept in attic.	Associate Dean, Enrollment Services	Permanently in ISIS Paper documents kept permanently.

Positive Attendance Rosters	Admissions Office	Associate Dean, Enrollment Services	Permanently
Grade Rosters	Attic until imaged into webextender system	Associate Dean, Enrollment Services	Permanently
Applications	Paper apps kept in attic to be imaged into webextender system. Online application information is kept in ISIS.	Associate Dean, Enrollment Services	Permanently
Enrollment Verification Forms	Attic	Associate Dean, Enrollment Services	3 years
Signature Pages	Imaged into webextender. Now, no longer required because of electronic signature process.	Associate Dean, Enrollment Services	Permanently
Time Conflict Forms	Attic	Associate Dean, Enrollment Services	3 years
Grade Change Forms	Webextender	Associate Dean, Enrollment Services	Permanently
Program and Academic Renewal Forms	Webextender	Associate Dean, Enrollment Services	Permanently
Petitions for Special Consideration	Admissions office to be imaged into Webextender	Associate Dean, Enrollment Services	Permanently
Grade Appeals	Admissions office.	Associate Dean, Enrollment Services	Permanently
Graduation Petitions/Evaluations	Admissions office	Associate Dean, Enrollment Services	Permanently
Other College Transcripts	Webextender/Attic to be imaged	Associate Dean, Enrollment Services	Permanently
Requests for transcripts (forms)	Attic	Associate Dean, Enrollment Services	3 years
Incompletes (prior to online submission)	ISIS/Webextender	Associate Dean, Enrollment Services	Permanently
AB540 documentation	Webextender	Associate Dean, Enrollment Services	Permanently
Name Change Forms	Admissions Office/Vault	Associate Dean, Enrollment Services	3 years
Pass/No Pass Forms	Webextender	Associate Dean, Enrollment Services	Permanently

Bursar's Office			
Payroll and Other Financial Records	Storage Pod	Bursar's Lead Staff member	3 years
Registration Billing Records	Storage Pod	Bursar's Lead Staff member	3 years
Auxiliary Services			
Payroll and Other Financial Records	Auxiliary Services	Auxiliary Services Staff	7 years
Registration Billing Records	Auxiliary Services	Auxiliary Services Staff	7 years
Financial Aid Records	In Fin Aid Office/ Attic	Financial Aid Office	3 to 5 years
Assessment Center			
Placement Records	Assessment scores are kept electronically in ISIS	Associate Dean, Enrollment Services	Permanently
Counseling			
CalWORKs Program Eligibility Information from DPSS	CalWORKs Program Office	SMC CalWORKs counselors	5 years
Mental Health Records	Psych Services	Coordinator of Psych Services Program	7 years
Veteran's Affairs eligibility paperwork	Veteran's Program Office	Veteran's counselor	Permanently
Medical verification of diagnosed disabilities	DSPS	Coordinator of DSPS	Permanently
Campus Disciplinary			
Disciplinary Records	Student Judicial Affairs Office	Dean, Student Services/Campus Disciplinary	3 years for ordinary cases; indefinite period of time for suspension cases
International Education Center			
Applications	Paper apps kept in IEC office and in the shed behind Outreach Office. Future documents to be imaged into webextender.	Dean, International Education Center	Permanently
Financial Information	Hard copies kept in IEC office and in the shed behind the Outreach office. Moving toward imaging documents into webextender.	Dean, International Education Center	3 years

Immigration Documents	Hard copies kept in IEC office and in the shed behind the Outreach office. Moving toward imaging documents into webextender.	Dean, International Education Center	3 years
Transcripts from other institutions	Hard copies kept in IEC office and in the shed behind the Outreach office. Moving toward imaging documents into webextender.	Dean, International Education Center	Permanently
Enrollment Verification Letters	Hard copies kept in IEC office and in the shed behind the Outreach office. Moving toward imaging documents into webextender.	Dean, International Education Center	3 years
Advising and Counseling Notes	Hard copies kept in IEC office and in the shed behind the Outreach office. Moving toward imaging documents into webextender.	Dean, International Education Center	Permanently
Library Services			
Student user records	ISIS and Library automation system	Dean, Learning Resources	3 years after privileges have expired if no fees owed; otherwise permanently
District Employee user records	ISIS and Library Unicorn automation system	Dean, Learning Resources	3 years after privileges have expired if no fees owed; otherwise permanently
Community user records	ISIS and Library automation system	Dean, Learning Resources	3 years after privileges have expired if no fees owed; otherwise permanently
User Activity Archival logs	Library automation system	Dean, Learning Resources	365 days

Other Records			
Occasional Records (Student education records not included in the types above such as minutes of faculty committee meetings, copies of correspondence in offices not listed, etc.)	The appropriate office will collect such records, direct the student to their location, or otherwise make them available for inspection and review.	The college staff person who maintains such occasional systems records.	

Santa Monica Community College District
Board of Trustees Meeting
December 8, 2009

Appendix C

Memorandum of Understanding

This Memorandum of Understanding ("MOU") is entered into by and between the Santa Monica Community College District (the "District") and the California School Employees Association Chapter 36 ("CSEA") as of this 6th day of November, 2009.

WHEREAS, the California Community College system faces extraordinary budget cuts;
and

WHEREAS, many educational institutions in California have implemented job furloughs and layoffs in response to the reduction in funding; and

WHEREAS, Santa Monica College is attempting to confront the significant shortfall in funding through approaches that do not result in reductions in hours or loss of jobs for its permanent workforce; and

WHEREAS, to reduce expenditures, Santa Monica College has reduced its Winter session by reducing the number of classes offered, holding all classes at the Main Campus, and eliminating evening classes;

WHEREAS, the reduced Winter session schedule requires that the hours and locations of certain classified employees be changed to accommodate this reduced schedule since no work would exist for certain employees if current schedules and locations were maintained;

WHEREAS, CSEA and the District have met and conferred concerning this matter and have reached an agreement to implement schedule changes for the Winter session so that no classified employee suffers a loss of wages,

NOW, THEREFORE, the District and CSEA agree as follows:

1. CSEA agrees that the hours and locations of the employees listed in Exhibit "A" attached hereto may be changed as set forth therein during the period from January 4, 2010, to February 11, 2010 ("Winter Session"). The hours and locations for these employees shall return to the schedule in effect prior to the change at the beginning of the Spring Semester on February 16, 2010. In the event that such a schedule change results in an unfair hardship to an employee, District and CSEA shall meet and confer to try to find a mutually agreed alternative to the change in schedule.
2. Any stipend that an employee is receiving pursuant to the collective bargaining agreement between CSEA and the District shall continue to be paid during the Winter Session notwithstanding the temporary change in working hours. It is the intent of the parties that any employee who works the revised schedule shall not suffer a loss of pay as result of this Agreement.
3. During the Winter Session, Parking Enforcement Officers shall be provided with communication equipment when working by themselves and, if working together, at least one of them shall have communication equipment.



4. Upon request, the District agrees to approve an Unpaid Leave of Absence during Winter Session for any employee whose hours are being changed from an evening shift to a daytime shift as set forth in Exhibit A. Notwithstanding Section 7.10.2 of the collective bargaining agreement, the District will pay the full premium for health insurance benefits during such unpaid leave. Notwithstanding any other provision of the collective bargaining agreement, any employee who takes such an Unpaid Leave of Absence during the Winter Session shall be deemed in paid status for purpose of calculating seniority and longevity.
5. Upon request, the District will consider approving an Unpaid Leave of Absence for all or part of the Winter Session for any employee not set forth in Exhibit A. Notwithstanding Section 7.10.2 of the collective bargaining agreement, the District will pay the full premium for health insurance benefits during such unpaid leave. Notwithstanding any other provision of the collective bargaining agreement, any employee who takes such an Unpaid Leave of Absence during the Winter Session shall be deemed in paid status for purpose of calculating seniority and longevity.
6. In the event there is insufficient work within the Shuttle Driver job classification during the Winter Session, any such employee shall be reassigned to job duties that are consistent with his or her abilities as determined by the Vice President of Human Resources after consultation with CSEA. If there is insufficient shuttle work available, any shuttle work shall be assigned on a seniority basis.
7. In the event the District makes a request to change the schedule of any employee who is not set forth in Exhibit "A," such schedule change shall require the approval of CSEA and the employee. In the event that either CSEA or the employee do not agree to the schedule change, the employee shall perform work during his or her normal schedule.
8. This Memorandum of Understanding shall be subject to ratification by both parties. It updates and replaces a Memorandum of Understanding dated October 20, 2009.

Santa Monica Community College District

By 

Chapter 36/CSEA

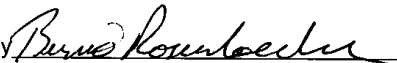
By 

EXHIBIT A TO MOU
WINTER 2010

Employee Name	Employee Classification	Current Work Location	Current Work Days	Current Work Hours	Winter Work Location	Winter Work Days	Winter Work Hours
Romano Vasquez	Academic Computing Instructional Specialist	A1119	Mon-Fri	Normal: Mon-Fri 1:30 PM to 4:00 PM Temporary: Mon-Fri 7:30 AM to 4:00 PM	Normal: A1119, DH 203, PM, Temporary: Pac & Staff Lab, A1119	Mon-Fri	Mon-Fri 7:30 AM to 4:00 PM
Maja Korzenkowska	Academic Computing Instructional Specialist	B231	Mon-Fri	Mon-Thur 4:00 PM to 11:15 PM, Fri 1:30 PM to 10:00 PM	B231	Mon-Fri	Mon-Fri 7:00 AM to 2:30 PM
Larry Padilla	Academic Computing Instructional Specialist	B231	Mon-Fri	Mon-Thur 2:45 PM to 11:15 PM, Fri 1:30 PM to 10 PM	B231	Mon-Fri	Mon-Fri 8:30 AM to 5:00 PM
Agnus Griskevicius	Academic Computing Instructional Specialist	B131	Mon-Fri	Mon-Fri 1:30 PM to 10:00 PM	B131	Mon-Fri	Mon-Fri 8:30 AM to 5:00 PM
Ramon Saucedo	Academic Computing Instructional Specialist	Cayton 203	Mon-Thur, Sat	Mon-Thur 2:45 PM to 10:00 PM Sat 7:45 AM to 4:15 PM	Cayton 203	Mon-Thur	Mon-Thur 9:45 AM to 5:00 PM Fri 7:45 AM to 4:15 PM
Mohamad Fakih	Academic Computing Instructional Specialist	Bundy Campus, B231	Sat-Wed	Sat-Wed 7:45 AM to 4:15 PM	Bundy Campus, B231	Mon-Fri	Mon-Fri 7:45 AM to 4:15 PM
ACADEMIC AFFAIRS							
Burke, Madeline	Dance Production Specialist	Dance	varies	25	Dance Dept	M-Th	TBA - before 5pm
Cancilla, Warren	Reprographics Technician	Reprographics	M-F	M-Th 1:00pm-10:00pm	Reprographics	M-Th	6:00am-4:30pm
Contreras, Rigoberto	Reprographics Technician	Reprographics	M-Th	8:30am-5:00pm 3:00am-1:30pm	Reprographics	M-Th	3:00am-1:30pm
Fredrickson, Donald	Accompanist	PAC Classrooms and PAC 202A	M-Th	25 hours	PAC 202A	M-Th	10:30am-5:15pm (25 total)
Gray, Gary	Accompanist	PAC Classrooms and PAC 202A, TA Suite Stage	M-Th	32 hours	PAC 202B	M-Th	9:30am-6:00pm (32 total)
Hershon, Bob	Multimedia Computer Lab Specialist - AET	AET	Tu - F Sat	11:00am - 8:00pm 8:00am - 5:00pm	AET	M-F 8am - 5pm	40 hours
Ishimaru, Randall	Lab tech-Chemistry	Physical Science	M-F	2:00PM-10:30PM (40hours)	SCI	M-F	8:30am-5:00pm
Looney, Brant	Systems Analyst	AET	M-F	variable	AET	M-F 8am - 5pm	40 hours
Courtney, Margurite	Photo Lab Technician	Main Campus	Mon, Fri	5:30-9:30	Photo Lab	M-Th	11:00pm-4:30pm
Mirsky, Ann	Media Resource Assistant	Modern Language LRC	M, Th and Sat	4:00pm - 10:00pm, M-Th and 11:00am - 3:00pm on Saturday	Modern Language LRC	M-Th	10:00am - 5:00pm
Monroe, Nicole	Admin Clerk	Science LRC	M, Th and Sat	4:00pm - 10:00, M-Th and 11:00am - 3:00pm on Saturday	Modern Language LRC	M-Th, F	M-Th 11:30am - 5:00pm 10:30 - 5:00 p.m.
Nakamura, LeRoy	Media Services Technician	Media Services	M-F	M-Th 1:00pm-10:00pm F 8:30am-5:00pm	Media Services	M-Th	5:30am-4:30pm
Ozaeta, Miguel	Reprographics Technician	Reprographics	M-F	M-Th 1:00pm-10:00pm	Reprographics	M-Th	6:00am-4:30pm
Prong, Ben	Multimedia Computer Lab Specialist - AET	AET	M-F	1pm - 10pm	AET	M-F 8am - 5pm	40 hours
Sealana, Aurora	Library Lead Assistant	Library	M, Th and Sat	Works until 1pm - 10pm, M-Th, Friday 8am - 3pm	Library	M-F	8:30am - 5:00pm
Smith, Peter	Technical Assistant	PAC Broad, Edye 2nd Space & 109	M-Th	20 hours	PAC 109	M-Th	10:00am-3:00pm (20 total)
Windish, Marge	Admin Assistant	PAC 211	M-F	40 Hours	PAC 211	M-F	8:00am-4:30pm (40 total)

EXHIBIT A TO MOU
WINTER 2010

Genzaio Cabrea POLICE	Lab tech-Biology	Main Campus	M-F	2:00 p.m. - 10:30 p.m.	Main Campus	M-F	8:30 a.m. - 5:00 p.m.
Adshade, Thomas	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Cineros, Ed	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Dindial, Berose	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Henry, Ashward	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Hernandez, Linda	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Hudson, Gayle	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Kagan, William	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Mitchell, Michal	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Vicen, Juan	PEO	Police Dept	Jan Off		Police Dept	February schedule as above	
Walter, Craig	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
Williams, Joel	PEO	Police Dept	Mon - Fri	1400 - 2230	Police Dept	Mon - Thurs, Alternating Fridays	0830 - 1800; 0830-1700 Alternating Fridays
These employees receive the 5% stipend Alternating Fridays hrs. would be used for training 0800 - 1830 Hrs							
TRANSPORTATION							
Brown, Tim	Van Driver	Madison/Bundy	Mon-Thurs	7:00am - 6:00pm	Bookstore	Mon - Fri	7:30am - 4:30pm
Burke, Ron	Van Driver	Madison/Bundy	Mon - Fri	7:30am - 4:30pm	Bookstore	Mon - Fri	7:30am - 4:30pm
Zimmerman, Adrienne	Van Driver	Madison/Bundy	Mon - Fri	8:00am - 6:00pm	Bookstore	Mon - Fri	7:30am - 4:30pm
BURSAR'S OFFICE							
Romo, Veronica	Cash Receipts Coordinator	Main Campus	Mon - Th, Fri	12:00pm - 8:30pm; 8:00 - 5:00	Main Campus	Mon - Fri	8:00am - 5:00pm
Fisher, Mahe	Cash Receipts Clerk	Main Campus	Mon - Th, Fri	12:00pm - 8:30pm; 8:00 - 5:00	Main Campus	Mon - Fri	8:00am - 5:00pm
Marajon, Michael	Cash Receipts Clerk	Main Campus	Mon - Th	3:30pm - 8:30pm	Main Campus	Mon - Th	12:00pm - 5:00pm

WINTER INTERSESSION
2010

Employee Name	Employee Classification	Current Work Location	Current Work Days	Current Work Hours	Winter Work Location	Winter Work Days	Winter Work Hours
Paul Williams	Tutoring Coordinator	Math Lab	Monday-Friday	10-6:30 p.m.	Math Lab	Monday-Friday	8-5:00 p.m.
Jeff Kolby	Instructional Aide	Math Lab	Monday-Thursday	5:15-10:15 p.m.	Math Lab	Monday-Thursday	Leave of Absence
Judith Mosher	Instructional Aide	Math Lab	Monday-Thursday	2:00 p.m.	Math Lab	Monday-Thursday	12-5:00 p.m.
Randy Smith	Instructional Aide	Math Lab	Monday-Thursday	2:30-7:30 p.m.	Math Lab	Monday-Thursday	2:30-5:00 p.m.
Greg Rutledge	Stage Construction Tech-Sound	Theater	Monday-Friday	Flexible (20 hours)	Theater	Monday-Friday	1-5 p.m.
Kristie Rutledge	Costume Designer	Theater	Monday-Friday	Flexible (20 hours)	Theater	Monday-Friday	1-5 p.m.
Samantha Wright	Costume Designer	Theater	Monday-Friday	Flexible (20 hours)	Theater	Monday-Friday	1-5 p.m.
Sean Conlin	Stage Construction Tech-Lighting	Theater	Monday-Friday	Flexible (20 hours)	Theater	Monday-Friday	1-5 p.m.
Brennan Wheeler	Lab Tech	AET	T,W,Th,F,Sat	8:00a m-5:00p.m.	AET	Monday-Friday	8:00a-5:00p
Kham Ha	Lab Tech	Phy Sc	Monday-Thursday	10:30a.m.-8:00p.m.	Phy Sc	Monday-Thursday	7:30a m.-5:00p.m.
Nicolas Barcliff	Instructional Assit	English	Monday-Wednesday	Flexible (20 hours)	Drescher Hall	Monday-Thursday	10-3p.m.
Barbara Shelbert	Instructional Assit	English	Monday-Thursday	Flexible (20 hours)	Drescher Hall	Monday-Thursday	10-3p.m.
Sheila Walsh	Instructional Assit	English	Tuesday-Friday	Flexible (20 hours)	Drescher Hall	Monday-Thursday	10-3p.m.
Janice Yudell	Instructional Assit	English	Monday-Thursday	Flexible (20 hours)	Drescher Hall	Monday-Thursday	10-3p.m.