

EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001 Telephone (310) 532-3670 or 1-866-ELCAMINO www.elcamino.edu

February 17, 2011

Board of Trustees El Camino Community College District

Dear Members of the Board:

The next meeting of the El Camino Community College District Board of Trustees will be held on Tuesday, February 22, 2011.

As indicated in the January 31, 2011, letter from Dr. Barbara Beno, President of the Accrediting Commission for Community and Junior Colleges, El Camino College has resolved Recommendations 1, 2, 5 and 6. Of particular significance is the resolution of Recommendation 1 which has been noted by the Commission since 1990. El Camino College also received approval of its Substantive Change Proposal for Distance Education (Commission Concern 1). Resting on our laurels will be short-lived as the work on accreditation continues with the preparation of the mid-term progress report. Dr. Jean Shankweiler, Dean of Natural Sciences, and Ms. Evelyn Uyemura, ESL faculty, will co-chair a new District Accreditation Committee to begin the preparation of this report. The list of recommendations and their date of resolution and a timeline for the mid-term progress report is included for your reference. I will make a presentation regarding Accreditation at Tuesday's meeting.

The agenda presents routine items of business necessary for the start of the spring semester. Administrative Services includes declaring more than 300 out-dated computers surplus property. These computers, averaging 8 years of age, have been replaced in the student labs in the Library.

The Superintendent/President's section includes a recommendation that the Board authorize staff to begin the process to review El Camino Community College District Trustee Areas as requested at your January meeting.

New on the agenda is a section to present information regarding the Compton Community Educational Center. You will note the Compton Accreditation Update, February 6, 2011, giving the history and an Accreditation Action Plan along with a timeline paced to submit an eligibility application to the Accrediting Commission during spring 2012.

The non-consent agenda includes an Interfund Transfer Resolution and Payment Authorization and Designation of Irrevocable Reserve Fund for Post Employment Benefits to establish an irrevocable reserve fund for post employment benefits. Once established and funded, this irrevocable fund will satisfy our fiscal responsibilities for our retiree health benefits.

A Resolution in Support of California Community Colleges Budget Priorities and Principles is presented at Trustee Gen's request.

The meeting will conclude with a closed session to address legal matters and the President's evaluation.

At your January Board meeting, members asked to see copies of materials that were part of the Board letter but sent electronically only. Hard copies of the following are enclosed with this letter.

- 1. Memo from Mr. Bob Gann to Ms. Jo Ann Higdon, January 7, 2011, regarding the Soils Change Order-Math, Business, Health Sciences Building project;
- 2. Memo from me to President Fallo, January 12, 2011, giving more details on the Greenside LLC Contract on the January 18, 2011, Board agenda;
- 3. Outline for orientation meeting with Trustee Ken Brown, Dr. Arce, Ms. Higdon, Dr. Nishime, Ms. Solomita, Ms. Perez and Ms. Garten on January 7, 2011.

The following items are sent for your perusal:

- 1. Letter from Scott Lay, President and CEO, Community College League of California, February 1, 2011, regarding Trustee Area Redistricting;
- 2. Higher Education Funding Overview, Legislative Analyst's Office, January 26, 2011;
- 3. Capitol Update, The Budget, Campbell Governmental Access, February 9, 2011;
- 4. Memo from Ms. Jo Ann Higdon to President Fallo, February 16, 2011, explaining a Labor Compliance Matter Carpenters/Contractors Cooperation Committee, Inc and Silverline Construction along with related documents;
- 5. Sample of letters Compton Community College District, Special Trustee Genethia Hudley-Hayes, is sending to various community leaders in the Compton District;

- 6. California Community Colleges Scholarship Endowment fundraising efforts by colleges as of January 21, 2011;
- 7. Memo from me to President Fallo regarding International Recruitment, Tokyo, Japan, January 14, 2011;
- 8. Slides from the Basic Skills Initiative presentation at the last Board meeting.

President Fallo will be on campus on Tuesday, February 22, 2011 and in his office at 3 p.m. for those who wish to visit. In the meantime, please call Kathy or me with any questions, comments or concerns.

Sincerely,

Jeanie Nishime

Vice President, Student and Community Advancement

Cc: Vice Presidents, Director, Community Relations



ACCREDITING COMMISSION for COMMUNITY and JUNIOR COLLEGES

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Associate Vice President LILY OWYANG January 31, 2011

RECEIVED

FEB - 8 2011

Dr. Thomas M. Fallo Superintendent/President El Camino College 16007 Crenshaw Boulevard Torrance, CA 90506

Dear President Fallo:

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting January 11-13, 2011, reviewed the Follow-Up Report submitted by El Camino College and the report of the evaluation team which visited Monday, November 22, 2010. The Commission notes that the College has resolved Recommendations 1, 2, 5 and 6, and Commission Concerns 1 and 2, as identified in the Commission's action letter of January 29, 2010.

The Follow-Up Report will become part of the accreditation history of the College and should be used in preparing for the next comprehensive evaluation. I have previously sent you a copy of the Evaluation Team Report. Additional copies may now be duplicated. The Commission requires that you give the report and this letter appropriate dissemination to your college staff and to those who were signatories of your college report. This group should include the campus leadership and the Board of Trustees. The Commission also requires that all reports be made available to students and the public. Placing copies in the college library can accomplish this. Should you want an electronic copy of the report, please contact Commission staff.

All colleges are required to file a Midterm Report in the third year after each comprehensive evaluation. El Camino College should submit the Midterm Report by October 15, 2011.

Commission Reminder: The Commission expects that institutions meet standards that require the identification and assessment of student learning outcomes, and the use of assessment data to plan and implement improvements to educational quality, by fall 2012. The Commission reminds El Camino College that it must be prepared to demonstrate that it meets these standards by fall 2012 (Standards I.B.1, II.A.2.e, II.A.2.f, II.B.4, and II.C.2).

CC: VP's

Dr. Thomas M. Fallo El Camino College January 31, 2011 Page Two

On behalf of the Commission, I wish to express continuing interest in the institution's educational quality and students' success. Professional self-regulation is the most effective means of assuring institutional integrity, effectiveness, and quality.

Sincerely,

Barbara A. Beno, Ph.D.

President

BAB/tl

ce: Dr. Jeanie Nishime, Accreditation Liaison Officer

Board President, El Camino Community College District

Dr. William Scroggins, Team Chair

Berbaro a Berry

Recommendations resolved January 2010: 3, 4, 7, 8, 9 Recommendations resolved February 2011: 1, 2, 5, 6, Commission Concerns 1 & 2

Recommendation 1. As cited in previous (1990, 1996, and 2002) accreditation recommendations the college should complete the full implementation of its process for tracking planning, program review, budgeting, and evaluation process and complete the cycle to assure that all the departments and sites (including the ECC Compton Center) of the college participate in the program review process, and that the results of program review clearly link to institutional planning and the allocation of resources. (I.B.3; I.B.3; II.A.2.e; II.A.2.f; III.B.1; III.B.1.a; III.B.2.a; III.B.2.a; III.B.2.b)

Recommendation 2. The college should immediately define and publish a timeline in respect to how it will develop and implement student learning outcomes at the course, program and degree levels, establish systems to assess student learning outcomes and use the results of such assessments to make improvements in the delivery of student learning, to ensure the College shall attain, by 2012, the level of Proficiency in the *ACCJC Rubric for Evaluating Instructional Effectiveness—Part III: Student Learning Outcomes.* The college should immediately implement processes to communicate to students expected student learning outcomes in course outlines, course syllabi, college catalog and/or other effective channels (II.A.1.a; II.A.1.c; II.A.2.a-b; II.A.2.f; II.A.6)

Recommendation 3. The college should revise its curriculum review processes and cycles so that all curriculum across the college is reviewed consistently, that the cycle of review assures the currency of the curriculum, and that the curriculum review and program review processes are integrated so that an important element of program review (the determination that program curriculum needs revision, addition or deletion to remain current) will be part of the actual program review process. (II.A.2; II.A.2.a; II.A.2.b; II.2.A.2.c; II.2.A.2.d; II.A.2.e)

Recommendation 4: The college needs to assure that online courses and programs are consistent in meeting the same level of rigor as on campus programs, that all services available on campus are available online, that student learning outcomes are incorporated into these offerings and that this information is clearly communicated to students taking these courses. (II.A.1.b; II.A.2; II.A.2; II.A.6; II.A.7)

Recommendation 5. El Camino College and the ECC Compton Center need to fully integrate SLO assessment into the faculty evaluation process. The ECC Compton Center must implement its faculty evaluations and use the results of these evaluations to encourage instructional improvements and faculty development plans. (III.A.1.c)

Recommendation 6. El Camino College must develop a fiscal management plan at all sites, matched to its revenues, to assure the fiscal soundness of the institution. (III.D.2.c, III.D.2.d, III.D.2.g; III.D.3)

Recommendation 7. El Camino College should develop a staffing plan for all sites which assures the effectiveness of human resources, includes written criteria for all personnel, and assigns individuals to duties appropriate to their expertise and the needs of the

institution (III.A.1.a, III.A.1.b).

Recommendation 8: El Camino College must develop a facilities master plan for all sites, linked to educational planning, and integrate this plan with the institution's overall planning process (III.B.I.a, III.B.2.a, III.B.2.b).

Recommendation 9: The El Camino College Board of Trustees must include in its code of ethics a clearly defined policy for dealing with behavior that violates this code. (IV.B.h)

Commission Concern 1: El Camino College should reevaluate its online course offerings and submit substantive change proposals where 50% or more of a program can be achieved online. (ER 21, Substantive Change Policy) The College may risk losing federal financial aid for programs that have not received substantive change approval.

Commission Concern 2: El Camino College should shorten its timeline for program review so there is a mechanism to support a closer integration of the program review, planning and resource allocation processes. (II.B.3, II.B.4, II.B.6)

	ACCREDITATION TIMELINES 2011	
Date	Activity	Person Responsible
January	Complete addendum to Subchange for Distance Education	1. Jeanie
	2. Cabinet review of addendum to subchange	2. Jeanie
	3. Recommend team members for the ECC Accreditation Committee	3. Jeanie/Arvid
February	 Anticipated receipt of ACCJC letter Send Subchange addendum to Susan Clifford 	2. Mattie
	3. Newsletter on ACCJC Letter and Recommendations	3. Ann/Arvid
	4. Accreditation presentation to the Board of Trustees	4. Jeanie
	5. Meet with Jean Shankweiler and Evelyn Uyemura to review ACCJC letter	5. Jeanie/Arvid
	6. Convene Accreditation Committee and create timeline and assignments for the 59 planning agenda items from the 2007 Self Study.	6. Jean/Evelyn
March	1. Accreditation Committee begins work on responding to planning agenda items.	1. Jean/Evelyn
	2. Begin responding to the nine recommendations, two concerns, and any other item(s) that need to be addressed in	2. Jeanie/Arvid/ Jean/Evelyn
	the Commission's letter to ECC.	
April	1. Information forums on Accreditation Progress Report	1. Jean/Evelyn
	2. First Draft of Mid-Term Progress Report	2. Jean/Evelyn
May	Meeting of Accreditation Committee to review progress	Jean/Evelyn
June	Final draft of Mid-Term Progress Report	Jean/Evelyn
June/July	Editing of Mid-Term Progress Report	Evelyn
August	Cabinet review of Mid-Term Progress Report	Jeanie
September	Board reading of Mid-Term Progress Report	



EL CAMINO COLLEGE

Facilities Planning and Services

Inter-Office Memorandum

To:

Jo Ann Higdon

From:

Bob Gann

Date:

January 7, 2011

Subject:

Soils Change Order - Math Business Health Sciences Building Project

The purpose of this report is twofold, (1) provide information contained in a peer review report on of the accuracy of the geotechnical services performed, and (2) examine the potential of the College to recover any additional cost associated with the change order.

The peer review report was prepared by MACTEC Engineering and Consulting, Inc.

BACKGROUND - The four-level Math Business Health Sciences Building is being constructed on the site of the old Business Building. The design of the foundation system was based in part on a soils report prepared by Koury Engineering in June 2008. During excavation, testing indicated the soil's expansion potential differed substantially from the low to medium description in Koury's report. Rather the soil was found to be highly expansive. Additional work was necessary to provide soil meeting the specified requirements, leading to a change order in the amount of \$410,801, and an extension of the contract time of ten days.

PEER REVIEW REPORT FINDINGS – The peer review found the Koury report data indicates the upper soils were likely to have a high expansion potential but were incorrectly reported to be low to medium.

COST RECOVERY – The potential to recover a portion of the change order cost from Koury involves, (1) determining the additional cost the College paid to have the work performed by change order versus the cost if the work had been included in the bid documents, and (2) Koury's contractual liability limitation.

ADDITIONAL COST - The construction contract contains a provision defining calculation of change order cost. Contractor direct costs are allowable along with a 15% subcontractor mark-up and 5% general contractor mark-up. The College's Program Manager, Bovis Lend Lease, closely monitored the quantity and cost of the additional work. This oversight effort lends credibility that the College received fair value from the contractor.

The cost of the work, if included in the bid documents, can only be estimated. The contract does not contain a unit cost for soil import or export. It is important to note, at the time of bidding, a contractor

likely will include a specific dollar amount to cover the risk associated with the possibility of higher costs at the time of actual work performance. Again, this amount can only be estimated.

CONTRACTUAL LIABILITY LIMITATION - The College's contract with Koury contains a provision limiting Koury's liability to the contract fee of \$9,950.

CONCLUSION – Koury's report contained an inaccurate description of the building site soils expansion potential. Based upon the inaccurate description, the scope of work included in the bid documents was insufficient to provide suitable conditions for the designed foundation system necessitating the need for the additional change order work.

Key to recovering money from Koury will be the College's ability to demonstrate the cost it incurred by acquiring the additional work by change order versus the bid process. This would be a subjective process and subject to numerous interpretations. Additional costs will be incurred to advance this process.

Based upon the above information, it may well be the College's best alternative is to seek recovery in the amount of \$9,950, which is Koury's original fee for the work.

Bob Gann Director Facilities Planning and Services



engineering and constructing a better tomorrow

December 15, 2010

Mr. Bob Gann, Director Facilities Planning & Services El Camino Community College District 16007 Crenshaw Boulevard Torrance, California 90506

Subject:

Report of Geotechnical Consultation Third-Party Review of Geotechnical Documents Proposed Math Business Allied Health Building El Camino College 16007 Crenshaw Boulevard Torrance, California MACTEC Project 4953-10-1571

Dear Mr. Gann:

As requested, we have reviewed the documents listed below to evaluate the geotechnical recommendations presented by Koury Geotechnical Services, Inc. (Koury) and Converse Consultants (Converse) for the subject project:

- Revised Preliminary Geotechnical Engineering and Engineering Geology Investigation, dated June 24, 2008, prepared by Koury (Koury Report).
- Supplemental Geotechnical Engineering and Engineering Geology Investigation Report, dated November 7, 2008, prepared by Koury.
- Supplemental Geotechnical Engineering Report, dated April 14, 2009, prepared by Koury.
- Supplemental Geotechnical Engineering Recommendations, dated November 24, 2009, prepared by Koury.
- Summary of Geotechnical Recommendations, dated September 24, 2010, prepared by Converse.

Using the data presented in the above listed documents, we have performed independent analyses to provide comments regarding the geotechnical recommendations given by both Koury and Converse. Although we have reviewed the above documents, our comments and findings

presented herein are focused primarily on the foundation and grading recommendations provided in the above documents, based on our understanding of your needs for this project. Our services were provided in general accordance with our proposal dated September 27, 2010, which was authorized on November 4, 2010.

The professional opinions presented in this letter have been developed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable geotechnical consultants practicing in this or similar localities. No other warranty, express or implied, is made as to the professional advice included in this letter.

BACKGROUND

The proposed project, which is currently under construction, consists of a new Math Business Allied Health Building which is approximately 20,000 square feet in plan area, four stories high, with no subterranean construction. The original geotechnical investigation for the project was performed by Koury; geotechnical inspection and testing services during construction were provided by Converse, with Converse therefore having taken over the project as geotechnical engineer of record. We understand that the grading and foundation construction portion of the project has been substantially completed.

FINDINGS AND COMMENTS

GRADING RECOMMENDATIONS

The Koury Report recommended that all engineered fill, including the engineered fill that was recommended to be placed up to 8 feet below foundations, have an Expansion Index (EI) of less than 35. On Page 21 of the Koury Report, it is reported that EI testing was performed (although results are not presented) and the upper on-site soils were determined to have a low to medium expansion potential. Therefore, Koury recommended that the on-site soils be mixed with sandy soil to bring the EI below 35 prior to being allowed as engineered fill material. However, subsequent testing by the Converse during the construction phase of the project indicated that the on-site soils were highly expansive (Expansion Indices of 91 and 112) and mixing to bring the EI below 35 was deemed not feasible due in part to the lack of sufficient space available to conduct the mixing operation and the relatively high EIs of the on-site material, which would have

necessitated the importing of large quantities of sandy soil for mixing and the exporting of large quantities of the on-site soils in order to lower the EI of the mixture.

Based on the data presented in the Koury Report, it is apparent that the upper soils are likely to have a high expansion potential. The description of the soil types and consistency shown on the borings logs and the swelling observed after water was added during the consolidation tests (which would not likely have been impacted by any sample disturbance) indicate that there could be a high expansion potential for the upper on-site soils. The EI tests that reportedly indicated low to medium expansion potential could have been performed on samples that were disproportionately sandy and were therefore not representative of the upper natural soils.

While the data contained in the Koury Report indicates that the upper soils are likely to have a high expansion potential and the EI testing performed by Converse confirms this, in our opinion, the on-site soils could have been used in the lower portion of the engineered fill layer recommended beneath foundations without detrimental effects on the building. In our opinion, only approximately the upper 2 feet beneath floor slabs and exterior slabs on grade would need to consist of soil with an EI of less than 35. This 2-foot thick layer combined with adequate site grading and surface drainage surrounding the building would be considered to provide adequate protection against adverse effects from expansive soils. Furthermore, the foundations of the four-story Math Business Allied Health Building will be less impacted by expansive soils than those of the previously existing one-story building at the site because of the heavier loads of the new building.

SEISMIC DESIGN PARAMETERS

The Koury Report provided both code-mapped and site-specific seismic design parameters, as required by the 2007 California Building Code (CBC) for a school site located within 10 kilometers of a known active fault. However, based on the faults described on Pages 6 and 8 and the faults and parameters presented in Appendix G, it appears that Koury relied upon an older fault database for their analyses, which has been updated. The Compton Blind Thrust Fault, which the Koury Report states is the closest fault to the site, was last included in the statewide fault database in 1996 and was removed in a 2002 update. The statewide fault database was again updated in 2007.

Koury's use of the 1996 fault database does not reflect the current understanding of the seismic setting of the site. Furthermore, our independent probabilistic and deterministic seismic hazard analyses for the site indicate spectral accelerations significantly lower than those reported by Koury, most likely primarily due to their inclusion of the Compton Blind Thrust Fault in their analyses, which is reported to be at a distance of approximately 1 kilometer from the site. Additionally, the maximum magnitudes and slip rates of the faults in the database have been modified (significantly in some cases) since the 1996 version, which would further change the results of the seismic analyses.

Our independent analyses using methods similar to those described by Koury indicate an S_{DS} value (the parameter most likely to have controlled the seismic design forces in the building) approximately 75% of the S_{DS} value reported by Koury. We attribute this difference primarily to Koury's use of an out-dated fault database.

LIQUEFACTION EVALUATION

The Koury Report indicates that liquefaction is not a potential hazard at the site since the site does not lie within a State of California designated Liquefaction Hazard Zone and the subsurface soils consist of fine grained deposits with more than about 20% clay. While, based on our experience in the generally vicinity of the project site, Koury's conclusion regarding the liquefaction potential at the site is likely to be correct, their report does not contain sufficient site-specific soil data to arrive at such a conclusion, as described below.

The boring logs contained in the Koury Report indicate that the soils below the historic-high ground-water level of 20 feet below the existing grade consist of silt with "little to some" clay. Grain-size analyses (including some hydrometer testing) were performed on selected samples from this silt layer; however, no Atterberg Limits tests were performed. Based on the testing performed, Koury appears to have relied upon the percent clay fines portion of the "Modified Chinese Criteria" to determine the susceptibility of the silt layer to liquefaction. However, the percent clay fines portion of the Modified Chinese Criteria has been found to be flawed and unconservative (Bray et al. 2001; Sancio et al., 2002, 2003; Seed et al. 2003) and there are numerous cases of liquefaction of soils with more than 10 to 15% clay-sized fines (Seed et al.

2003). Therefore, the relatively large number of grain-size analyses performed by Koury were not useful in determining the liquefaction susceptibility of the silt layer below the historic-high ground-water level. Furthermore, based on the data presented in the Koury Report, which included low Standard Penetration Test (SPT) blowcounts below the historic-high ground-water level (which would be indicative of liquefaction potential given a susceptible soil type), the liquefaction potential evaluation of the soils beneath the site is considered incomplete, and a conclusion cannot be drawn based on the data presented.

FOUNDATION RECOMMENDATIONS

The Koury Report recommends that the proposed Math Business Allied Health Building be supported on conventional spread footings, at least 2 feet deep and underlain by 5 feet of engineered fill compacted to 92% of the maximum dry density obtainable by ASTM Designation D1557. A bearing value of 2,500 pounds per square foot was recommended with an estimated settlement of about 1½ inches for footings at least 2 feet wide based on assumed column and wall loads of 200 kips and 8 kips per linear foot, respectively. However, in their November 7, 2008 supplemental report, based on actual maximum column and wall loads of approximately 500 kips and 30 kips per linear foot, respectively, Koury revised their recommendations to include 8 feet of engineered fill compacted to 95% underlying conventional footings or 5 feet of engineered fill compacted to 95% underlying a mat foundation. The recommended bearing values were revised to 2,000 pounds per square foot for spread footings, 2,400 pounds per square foot for strip footings, and 1,500 pounds per square foot for a mat foundation. These revised bearing values were associated with estimated settlements of about 1½ inches for the spread and strip footings and about 2½ to 3 inches for the mat foundation.

The foundation recommendations were made by Koury, in part, based on three consolidation tests performed to determine the compressibility of the natural soils. The results of two of these tests (Boring 1 at 6 feet and Boring 2 at 8 feet) are not consistent with our knowledge of the compressibility of the upper soils in the general vicinity of the site. The anomalous results of these two consolidation tests could be due to the presence of locally saturated soil conditions or due to the testing of disturbed soil samples. In either case, we do not believe that these test results are representative of the overall natural soil profile beneath the site. Thus, while the above-summarized bearing values appear to be reasonable, in our opinion, the natural soils would

provide adequate support for the building on conventional footings and over-excavation beneath the footings would not be necessary. If locally saturated soil conditions were encountered during construction, footings in these areas may have needed to be deepened slightly to reach satisfactory soils. In addition, some footings would have needed to be deepened in order for all of the footings to extend into the natural soils, which were found by Koury to be up to 6 feet deep.



It has been a pleasure to be of professional service to you. Please contact us if you have any questions or if we can be of further assistance.

Sincerely,

MACTEC Engineering and Consulting, Inc.

Mark A. Murphy Senior Engineer

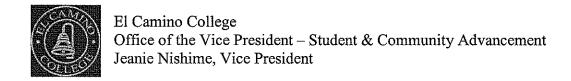
Project Manager

Lauvet Chacen Martin B. Hudson, Ph.D.

for Chief Engineer

with permission

PN4953 GeneciN2010-proM01571 El Comino College Math BildgN.0 Project DeliverableM.1 Reports\Final Report\1953-10-1571102.doc\MM:mm (2 copies submitted)



January 12, 2011

TO: President Thomas M. Fallo

SUBJECT: Board Agenda – January 18, 2011

GREENSIDE LLC CONTRACT

The Workplace Learning Resource Center at El Camino College received a grant from the Chancellor's Office to act as the Career and Technical Education Hub for the Statewide Workplace Learning Resource Center Initiative. One of the activities as the CTE Hub, centered on developing a not-for-credit, modular "Introduction to Sustainability" curriculum. The curriculum teaches the core principles of sustainability with separate modules on energy, water, the built environment, transportation, waste management, agriculture and land use. Karen Hess, Coordinator of the El Camino College Tech Prep program, communicated with Catherine Klein who coordinates the Environmental Careers Academy at Leuzinger High School. They were interested in piloting the sustainability curriculum with high school students at Leuzinger as part of the Academy's offerings and integrating the sustainability modules into the core subjects of English, Math, Social Studies and Science during Spring term 2011. Forty-four hours of instruction will be provided to sophomores and juniors in the Environmental Careers Academy in preparation for the credit bearing Environmental Tech I course that is being offered by the ECC Industry and Technology Division as a co-enrollment option for Leuzinger seniors.

Robert Gileskie and Barbara Fanning, authors of the "Introduction to Sustainability" curriculum, recommended Greenside LLC to deliver the Introduction to Sustainability curriculum. The program will be offered during the normal school day. Greenside LLC is a member of the Los Angeles chapter of the U.S. Green Building Council and provides Leadership in Energy and Environmental Design (LEED) training to contractors and real-estate developers. Greenside LLC recently provided training for Long Beach City College in support of a Clean Energy and Workforce Training Partnership program. They were chosen because of their experience, green industry contacts in the area, and their ability to connect with students.

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Meeting with Trustee Brown

Ken Brown orientation list of topics

- 1. VP/AA Talking Points
 - Organization structure
 - · Overview of academic and occupational programs
 - 8 divisions + CCenter + library + LRC
 - FTES projections/sections report
 - Certificates & Degrees
 - # of FT faculty 339; # of PT faculty 500
 - Compton 83 FT faculty & 200 PT faculty; 1600 sections / year
 - MESA newsletter

2. VP/SCA Talking Points

- Organization structure
- Online student services
- Title V Grant graduation initiative
- Fact book overview
- BTC/Inglewood Center
- Planning
- Accreditation

3. VP/AS Talking Points – both sites

- Fiscal/budget
- Facilities Bond Program
- Technology
- Police Services

4. VP/CC Talking Points

- Relationship between Center & Campus
- Special Trustee role
- Board role
- Other issues AB 318; MOU; status
- Accreditation Timeline (process paper)
- BRIC

5. VP/HR Talking Points

- Overall HR Programs
- Bargaining units
- Negotiations status
- Board role in negotiations

6. Community Relations Director Talking Points – both sites

- Community Relations
- Public Relations and Marketing
- Media Relations
- Government Relations

Date: February 1, 2011

To: Chief Executive Officers

Community College Trustees

Interested Parties

From: Scott Lay, President and CEO
Re: Important Redistricting Update

Last year, the U.S. Department of Commerce's Census Bureau conducted the decennial census of the country's population. In addition to congressional and state legislative redistricting, the census marks the time for certain local government entities to redistrict, including community college districts. The following information is provided for guidance as local districts determine which actions they need to take related to redistricting, and highlights significant changes to the law since the last redistricting in 2001.

The following should not be construed as legal advice, but rather an introduction to major issues facing community college districts in redistricting.

California Education Code

Mandatory Redistricting. Any district in which governing board members are elected by trustee area (ward) is subject to mandatory redistricting, pursuant to Education Code 5019.5. Lines must be redrawn to adjust for population changes that have occurred since the last redistricting to ensure that each ward has equal population to maintain "one-person, one-vote." While the Supreme Court has allowed for a deviation of up to 10% of the population for other compelling reasons, it is generally safest to aim for as little deviation as possible.

In redrawing lines, each governing board² is required, by March 1, 2012, to adjust the boundaries of any or all of the trustee areas by using census population figures validated by the Population Research Unit of the California Department of Finance. Validated data will be available from the Department of Finance on April 1, 2011. However, many public agencies are getting a head-start and using widely available population databases, which will then be adjusted when the final official data is available.

If any district required to redistrict fails to do so before March 1, 2012, the county committee on school reorganization is required to conduct the redistricting by April 30, 2012. (Ed. Code § 5019.5)

Optional Redistricting. Any district in which governing board members are elected at large, but has trustees assigned to (or required to be residents of) a particular ward, may adjust the boundaries of the wards with the new census data. (Ed. Code § 72022)

This optional procedure may be superceded by the new California Voting Rights Act, described below.

¹ Although Ed. Code 5019.7 exempts multi-campus community college districts located in multiple counties from the provisions of 5019.5, such districts are still required to redistrict according to a "reasonable plan for periodic revision" based on the Fourteenth Amendment to the U.S. Constitution. (Reynolds v. Sims, 377 U.S. at 583.) The exemption from 5019.5 therefore exempts districts only from the timeline and penalty provision, since no one county committee on school reorganization has jurisdiction over the district.

California Voting Rights Act

Signed by Governor Gray Davis in 2002, the California Voting Rights Act (CVRA) generally provides that "an at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class. . ." After the CVRA was upheld by the Fifth District of the California Court of Appeal, the City of Modesto settled by paying \$3 million to the plaintiffs' attorneys. The Community College League of California advises districts to follow the provisions of the CVRA to avoid significant legal costs and further litigation.

CVRA creates a new <u>ongoing</u> obligation for agencies that conduct at-large elections, including community colleges, to evaluate whether racially polarized voting has the possibility of preventing a protected class (race, color or language minority group) from electing a governing board member to the agency conducting an election, or prevents a protected class from influencing the outcome of an election, even if it is not clear that a majority-minority district can be drawn. Unlike the federal Voting Rights Act, CVRA does not require intent to discriminate to be shown.

CVRA augments the Federal Voting Rights Act, which primarily looks at whether district lines are drawn in a manner that prevents a protected class from being elected, and instead looks at the <u>system</u> being used to conduct elections and creates an <u>affirmative</u> obligation to change election systems to enable protected classes to elect representatives.

The law applies to all community college districts that conduct any election where the candidates are elected by all voters in the district. This includes those elections systems that may require a member to be resident of a specific ward, but allow voters of the entire district to cast ballots for that member. Further, elections systems where more than one trustee are elected from a ward could violate the CVRA if the wards could otherwise be drawn to enable a protected class to influence the election.

While the law is evolving, many lawyers believe that CVRA will require most public agencies in California to change to electing representatives by trustee areas.

In summary, the law requires an agency to switch to trustee-area elections and draw trustee-areas if it was likely to enable a protected class to elect a member of that class, or for the protected class to influence the outcome of a trustee-area election.

Federal Voting Rights Act

California community college district governing boards are subject to the federal Voting Rights Act and the one person, one vote principle of the Fourteenth Amendment of the U.S. Constitution. The Voting Rights Act prohibits electoral systems that deny or abridge the voting rights of protected racial and language minority groups. The one person, one vote principle requires that governing board member districts be as equal in population as possible. Election systems that are at-large meet the one person, one vote test, but if trustees in a district are assigned to or required to be residents of a particular ward, their districts must meet the requirements of the Voting Rights Act.

The Voting Rights Act is concerned with the effect of electoral systems regardless of the method of election. Therefore districts that elect trustees at large, whether or not the trustees represent a particular ward, must periodically evaluate whether their election system denies or abridges the voting rights of a particular group residing in the district. Because the implications of the Voting Rights Act

³ Elections Code 14025 et seq.

are specific to each district, officials should consult with legal counsel to determine the method of review. In addition, community college districts that cover Kings, Merced, Monterey, or Yuba counties may have additional requirements under the preclearance provisions of the Voting Rights Act. These districts should consult with their legal counsel for more information and specific requirements. More information on the Voting Rights Act is available through the Civil Rights Division of the U.S. Department of Justice at http://www.usdoj.gov/crt/voting/index.htm.

Procedure For Changing To By-Trustee Area Election Method

Three relevant processes can be utilized to change from an at-large election method to a by-trustee area election method:⁴

- 1. Initiated by petition of the electorate;
- 2. Initiated by the county committee on school district organization; and
- 3. Initiated by the district.

Each option requires a vote of the electorate approving of the transition, prior to its implementation, unless a waiver of this election requirement can be obtained.

The Education Code prescribes detailed processes that govern everything from adopting a specific election method to rearranging existing trustee areas.

The first process for changing election methods is initiated by petition. Under Education Code section 5019(c)(1), a proposal to change to a by-trustee area election method can be initiated by the filing of a petition signed by a specified percentage of qualified registered voters of the district. For example, in a district that has between 100,001 to 250,000 qualified registered voters, a petition must be signed by at least 750 of the voters.

If the petition contains sufficient signatures, it is then submitted to the County Committee on School District Organization ("County Committee"). The County Committee must hold at least one public hearing within the district's boundaries. Following the public hearing, the County Committee must either approve or reject the proposal.

If approved, the proposal must be submitted to the district's voters not later than the next succeeding election for members of the governing board.⁵

The second process for changing the method of electing trustees is initiated by the County Committee. (Education Code § 5019(a).) Under this method, no petition is required; however, like the other processes, the proposal is submitted to the electorate for approval.

The third process is referred to as a district-initiated process. Under this process, the district proposes a change in election methodology. As with each of the other methodologies, if the voters approve of the change, the district creates and considers by-trustee area plans and submits a specific plan for consideration and approval by the County Committee. To accomplish this, the district retains the services of a consultant to create the trustee areas in such a way as to avoid liability under the Federal Voting Rights Act ("FVRA") and California Voting Rights Act ("CVRA").

⁴ Education Code section 5019

⁵ In some cases, Community College Districts have successfully obtained a waiver of the election requirement by having the County Office of Education submit a waiver request under Education Code section 33050 to the State Board of Education on behalf of the district. Districts should consult their legal counsel to determine whether this would be a viable option for their district.

The district then conducts one or more public hearings to discuss the proposal. Once a final plan is selected, it is submitted to the County Committee for a public hearing in the district.

The timeline for completing a district-initiated process would run from four to six months and consist of a minimum of two school board meetings, one County Committee meeting, and one State Board of Education meeting (if a waiver of the election requirement is sought by the County Office on behalf of the district). The costs consist of consultant services (estimated at \$30,000-\$40,000, depending upon the level of services desired) and associated legal services.

Regardless of the method utilized to implement the transition, there is no immediate impact on the term of any current member of the district's governing board. (Education Code § 5021). Instead, all *future* elections would occur in the trustee areas in which the board members whose terms are expiring currently reside.

The Waiver Process

In order to avoid the expense and uncertain outcome of an election on whether to change its election process, the district may file with the State Board of Education ("SBE") through the County Office of Education, a request to waive the election requirement. In order to obtain a waiver, a proper application must be completed and submitted to the SBE. The application needs to reflect whether the exclusive representatives of the district's employees have been involved in the preparation of the waiver request, and their position thereon. A public hearing must be held on the waiver request prior to submitting the request to the SBE. (Education Code Section 33050(a),(d)(1) and (2).)

Factors Considered in Creating (or Revising) Trustee Areas

A consultant can assist the district with dividing the district into Trustee Areas based upon a number of factors:

- 1. Constitutional "one person, one vote" factor
- 2. Communities of Interest
- 3. Natural and man-made boundaries
- 4. Federal Voting Rights Act Compliance
 - » Citizen Voting Age Population
 - » "Packing" and "Cracking"
- 5. Respecting Incumbency
- 6. Other Factors

In the enactment of the California Voting Rights Act, the Legislature did not address the conflict of laws under which districts may be compelled to switch from at-large to by-trustee area elections while also under the obligation to seek voter approval before making the switch. For example, if it is clearly possible to create a majority-minority trustee area thus suggesting an agency must switch to by-trustee area elections under CVRA, the agency is still required to seek voter approval to make the switch. It is unclear what happens if the voters reject switching to by-trustee area elections.

Some lawyers advise repeatedly trying to get voter approval, and others believe that a judicial mandate to change elections systems through a consent decree would be the only way to enforce the CVRA.

If your election system is provided for in the charter of a city, or a city and county, there is an additional conflict with the Education Code, and you should consult with legal counsel.

In Summary

Unlike previous redistricting cycles, the California Voting Rights Act, combined with the Education Code's provisions for redrawing trustee area lines, <u>requires all districts</u> to evaluate their election systems

in conjunction with the decennial census. Subsequent to this examination, there is an ongoing obligation for those districts that maintain at-large election systems to evaluate whether demographic changes trigger non-compliance with the California Voting Rights Act.

The next page includes a chart that summarizes district obligations based on their existing election procedures.

Reviewing your district's obligations
The following chart highlights what is required for the various approaches to electing trustees. Because each district has its own characteristics, you are encouraged to consult local counsel regarding specific requirements for your district.

District Election Procedure	Education Code	Federal Voting Rights Act	California Voting Rights Act
Trustees must live in a specific area and are elected only by voters residing in that area.	Must adjust the boundaries of trustee areas. (Ed. Code 5019.5)	Must ensure that redistricting scheme does not deny or abridge the voting rights of a protected racial or language minority.	No new obligation.
Trustee must live in a specific area; however, the trustee is elected at large.	May adjust the boundaries of trustee areas. (Ed. Code 72022) May be required to adjust the boundaries of trustee areas according to local policies.	Must ensure that redistricting scheme does not deny or abridge the voting rights of a protected racial or language minority.	Must evaluate whether switching to a "by-trustee area" election system would enable a protected class to elect a member of that protected class.
Trustee may live anywhere in the district and is elected at large.		Must ensure that redistricting scheme does not deny or abridge the voting rights of a protected racial or language minority.	Must evaluate whether switching to a "by-trustee area" election system would enable a protected class to elect a member of that protected class.
Trustee runs at large for a designated non-geographic seat.		Must ensure that redistricting scheme does not deny or abridge the voting rights of a protected racial or language minority.	Must evaluate whether switching to a "by-trustee area" election system would enable a protected class to elect a member of that protected class.
Trustee runs at large for a designated seat in a primary and a general.		Must ensure that redistricting scheme does not deny or abridge the voting rights of a protected racial or language minority.	Must evaluate whether switching to a "by-trustee area" election system would enable a protected class to elect a member of that protected class.

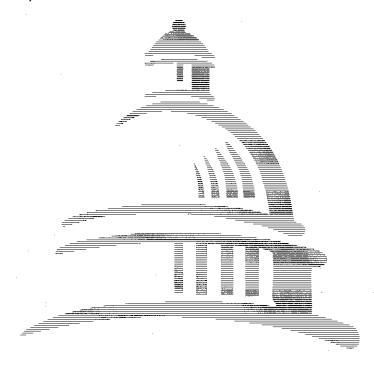


Higher Education Funding Overview

LEGISLATIVE ANALYST'S OFFICE

Presented to:
Assembly Budget Subcommittee No. 2
On Education Finance

Hon. Susan Bonilla, Chair







Governor proposes net \$1.8 billion General Fund reduction for higher education.

Components of Net \$1.8 Billion General Fund Reduction For Higher Education

Decreases

\$500 million unallocated reduction for UC.

\$500 million unallocated reduction for CSU.

\$400 million unallocated reduction for CCC.

\$129 million "deferral" of some CCC apportionment funding from 2011-12 to 2012-13.

\$947 million reduction in General Fund support for the California Student Aid Commission (CSAC), replaced with the same amount of federal funding.

Increases

\$371 million augmentation to cover increased Cal Grant costs.

\$212 million augmentation to backfill one-time federal funding in the universities' 2010-11 budget.

\$70 million augmentation to backfill one-time Student Loan Operating Fund support in CSAC's 2010-11 budget.

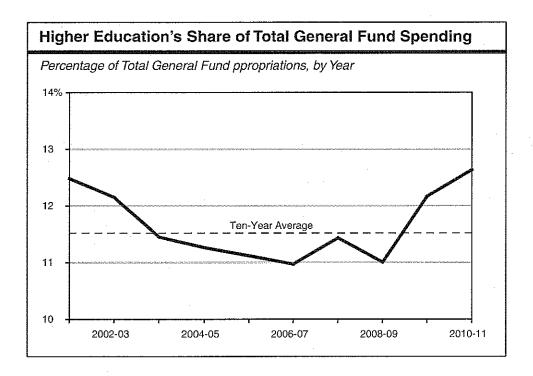


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Higher education's share of total General Fund spending has been volatile.

- Over the past decade, funding ranged from less than
 11 percent to 12.6 percent.
- Ten-year average is 11.6 percent.
- Governor's proposal would return higher education's share to 11.6 percent.



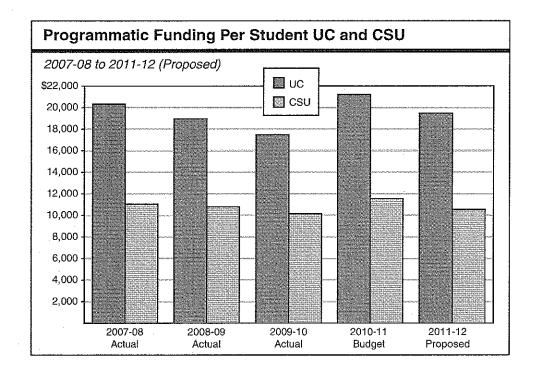


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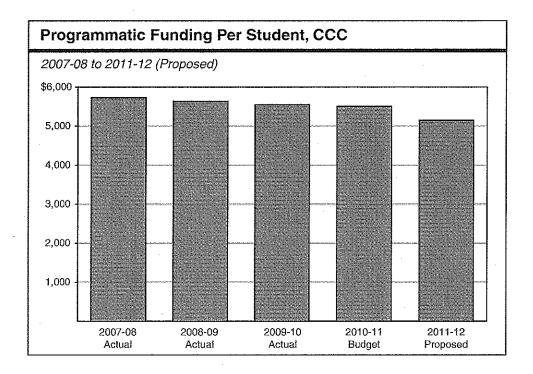
Core higher education funding is up slightly from pre-recession levels.

- Increased tuition has more than backfilled universities' General Fund reductions.
- Community college funding is down about 4 percent.





(Continued)



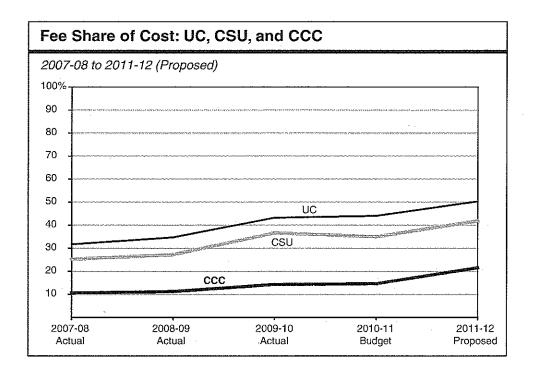


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Students paying a larger share of cost than in 2007-08.

■ Cal Grants and institutional aid programs have been spared budget cuts; total General Fund support has increased about \$900 million.





UC and CSU Budget Reductions



The University of California (UC) and the California State University (CSU) escaped budget reductions in the current year.

- In fact, they received augmentations of about \$350 million each.
- Per-student funding is about 4.5 percent higher than in 2007-08.



Governor proposes \$500 million in unallocated reductions for UC and CSU in 2011-12.

- Net General Fund reductions would be less than this, due to backfill of federal stimulus funds (\$106 million) and other base adjustments.
- Approved tuition increases at UC and CSU would backfill \$116 million and \$147 million, respectively, of the proposed General Fund reductions.
- Assuming no further tuition increases and no reduction to budgeted enrollment levels, the universities would have to absorb year-to-year reductions in per-student funding of about 8 percent.

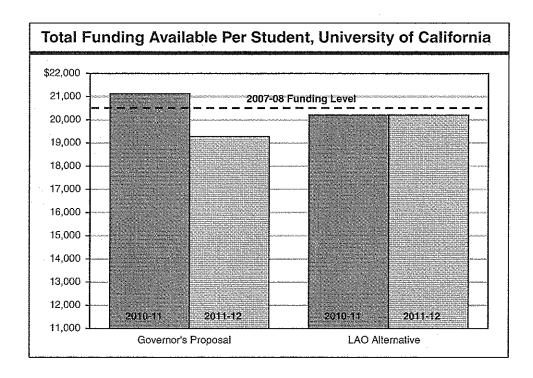


UC and CSU Budget Reductions (Continued)



LAO assessment: proposed General Fund savings are reasonable.

- Given the magnitude of the state's budget shortfall and the universities' current-year augmentations, we believe the magnitude of the proposed cuts is reasonable.
- However, we recommend achieving some of the General Fund savings by reducing the universities' current-year augmentations.





UC and CSU Budget Reductions (Continued)



Key Issue: How should universities absorb proposed cuts?

- Governor calls for "minimiz[ing] fee and enrollment impacts on students by targeting actions that lower the cost of instruction." Should the Legislature express its expectations in this regard?
- What should budgeted enrollment levels be?
- Should further tuition increases backfill more of the General Fund reductions?
- Should noninstructional costs be reduced?



California Community Colleges

- Governor proposes \$529 million in Proposition 98 General Fund savings.
 - \$400 million reduction to apportionments.
 - \$129 million new deferral (no programmatic impact).
- Proposed \$10 per unit fee increase.
 - From \$26 per unit to \$36 per unit.
 - Colleges would keep the resulting \$110 million in new revenue.
 - Fee waivers estimated at over 50 percent of full-time equivalent students.
- Unclear how colleges would accommodate net reduction of \$290 million.
 - Administration calls for increased efficiency.
 - Another option: reduce and prioritize enrollment.
 - Another option: somewhat higher fee increase.



California Student Aid Commission

- $\sqrt{}$
- Governor proposes to fully fund state financial aid programs.
- \$372 million augmentation to cover increased participation and UC and CSU tuition increases.
- V

Almost \$1 billion in Cal Grant funding would be in the form of federal funds redirected from the California Work Opportunity and Responsibility to Kids (CalWORKs).

- Governor proposes steep reductions in CalWORKs, which uses federal Temporary Assistance for Needy Families (TANF) funds. He proposes to redirect that funding to replace \$947 million in General Fund support for Cal Grants.
- If Legislature rejects Governor's proposal to cut CalWORKs, TANF funding would not be available to swap out with Cal Grant General Fund support. This would require the Legislature to instead find \$947 million of General Fund solutions elsewhere.

510.236.5823 FAX 510.236.9260 CAPITOL 916.442.9243 FAX 916.442.1492 CMGOVACS@PACBELL.NET

February 9, 2011

To:

Dr. Thomas Fallo, Pres &

Ms. Ann Garten

From: Campbell

Re:

Report # 3.11

Capitol Update, the Budget.

I thought that it was about time to give you an update on the State Budget. Things are finally starting to take shape and after attending the second set of hearings on Higher Education, as well as other issue items, it looks like the Legislature will be going along with the bulk of Governor Jerry Brown's plans.

I wanted to wait until I got a sense of what the Legislature might do and in particular what the Republicans were thinking and while nothing is yet set in stone, it looks like the train is slowly leaving the station.

The one thing that is certain is that the Governor's proposals aren't totally set in stone as he has proclaimed on several occasions, "he is open to suggestions and if the legislature and others have a more equitable and less onerous way of doing things and they won't cost more, he will listen."

The other thing that is happening in Governor Brown's proposed budget is longer term planning. That is to say that the Brown Plan is contemplating some longer term solutions to the budget. The budget is contemplating returning several state functions to local government and is attempting to find funding to accompany the transfer. This morning in a Press Conference, the Governor explained that he wants to do away with Redevelopment Agencies because he wants the roughly 12% of the local property tax base, which now goes to Redevelopment agencies, to go to schools and local jurisdictions to give the locals more options and latitude.

He also stated that he wasn't going to sell state buildings because over twenty years it would save the state some \$5-6 billion dollars; he said they were going to borrow internally for three years and would pay the state back within that same time frame. His reason for doing this was because the previous Governor had used the sale of the buildings to balance the budget. Since the buildings haven't been sold, as of this date, Governor Brown had to find some funds to replace that portion of the budget that was supposed to be coved by the sale. Since the building sales were only a one time fix and thereafter the state would be paying rent on the buildings, it was much wiser to keep the buildings.

I am attaching a copy of the Legislative Analyst's take on the higher Education Budget, which gives you a more complete analysis of how this year's budget affects Higher Education, so my take on the budget will be more on the politics of what I believe, is happening.

As I listened to the heads of the Higher Education Segments, it was evident that they weren't going to rock the boat; their only real plea was to allow the cuts to be unallocated (let them choose where to make the cuts). They gave their usual warnings that these cuts were going to affect student access and outreach and student tuition. CSU stated that they weren't going to raise student fees unless the voters didn't approve the June ballot measures that the governor wants to use to extend the previously approved tax measures and the suspension of tax credits (the proposal would be to extend them for five more years).

UC (Yudoff) made similar comments and like his CSU counterpart, Charlie Reid, made no demands, only reminded the committee members that UC couldn't continue down the road as they have these past ten years.

Chancellor Scott's presentation was similar with a heavy emphasis on deferring many of the policy changes to the SB 1443 process where all of the stakeholders could have some input and hopefully better solutions could be developed. He too told the committee(s) that this and past budget cuts have caused the Community College Community to begin to ration available seats, which will place a lot of emphasis on continuing to prioritize who gets the first call on those available seats. He went on to say that as many as 130,000 students were turned away last year.

It was quite evident, by the lack of tough questions from the committee members that they were on board with the Governor's Plan. In fact I was told by several of the Lobbyists that the Committee Chair and others that they won't meet with anyone until after the committee hearing is finished, which will be next week.

What does all of this mean? The bottom line is that finally everyone in the Capitol seems to get the fact that things are terribly broken and that if not fixed quickly, will be facing a much longer term disaster. I am told by some Republican friends (yes, I have Republican friends) that they believe their caucuses will put up enough votes to get some measures on the June Ballot. I believe that the fact that entities like the Anderson School of

Business at UCLA and other prominent financial institutions are saying that the economy won't be well until the third quarter of 2014, is finally sinking in.

Now the big task will be for those in Government to sell this reality to the general public, not an easy task. The one good test so far is that the polls are showing that the public is becoming aware and are concerned, the recent polls have shown that close to 60% of the voters would support some sort tax/ credit suspensions. Many of you will recall that the Billionaire, Warren Buffett, chastised the California Business community by saying they would have to modify Prop 13 and pay a larger part of the taxes (today 81% of all taxes are made up of income and sales). The question is will we be able to sell a large enough segment of the Business/Industrial base to help pass the measures?

Many labor, child care, health care, education and other community based organizations are coming together to support the Governor's Plan, most of them realizing that there isn't much they can do to stop the proposed cuts. They realize that if the Ballot measures don't pass in June there will be additional cuts of between \$10-\$13 billion. Governor Brown was asked at today's press conference would he really make the cuts if the measures didn't pass, his answer: "what options do I have, I told the public that I would balance the state budget and there are only two way to do it and I won't use the gimmicks that were used by previous administrations."

There is a lot riding on the next five months. I believe that in time California will be restored to fiscal health, the question, in how much time? We who work in government knew how underfunded things have been for a long, long time; the problem the public wasn't going to listen to those like us who knew what was going on' sometimes it takes things to just fall apart before they realize how bad things are... We have arrived at that terrible place; let's hope the public finally gets it.

The one major problem that Community Colleges face, more than the other two segments of higher education, is in the area of prioritization of who gets first call on the limited available spaces open to new enrollment. While this is certainly an issue for UC and CSU, it is much more onerous for Community Colleges, whose mission has been to take "everyone" who doesn't fit into the UC-CSU models (the Master Plan).

The Community colleges will have to sort through the varying disciplines of the academic (transfer), remediation, vocational-technical plus all of the other areas for which the community colleges were originally intended. This process began back in 1982 when Caps on growth were placed on community colleges and continued with charging student fees for the first time etc.

Almost every debate since has revolved around "available seats." The whole issue of credit v noncredit, concurrent enrollment, physical education, intercollege transfers (free flow) between community college campuses (the whole debate between LA Community College and Santa Monica of the 80's), duplication of disciplines by neighboring districts plus a hundred other issues has dominated the debate on growth in community colleges. Suffice it to say that we are now at the precipice of this issue. If this issue isn't dealt with

properly during these debates there is no telling what will become of the ability of Community Colleges to carry out the mission of the Master Plan, "to take all students."

As I indicated above the debate on "who gets the first call on available seats" began back in the early 80's and it was determined that the first call would go to those graduating, or leaving, a high school. This was even the prime directive to CSU and UC, to allow those transferring from community college to have the first shot at open seats in their systems. SB 1443, while far from perfect is attempting to address this issue; I hope they are more successful than previous attempts to do the same.

Finally, I believe it safe to say that all of society, not just higher education, will be faced with prioritizing every aspect of what government funds. I never thought I would be saying the things I have been saying because I always felt that education should be free to everyone who pays taxes in California (the return is about eight times the expenditure). But the simple reality is that the public has decided, for some good and bad reasons that they are only willing to fund certain aspects of government, which leaves those who are elected or appointed to run things limited choices; we are now in the "ability to pay era."

This transition, which began in 1982, will be and has been a daunting task for those in leadership positions; I only hope that we deal with it in a most delicate and considerate manner.



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard Torrance, California 90506-0001 Telephone (310)532-3670 or 1-877-ECAMINO

February 16, 2011

TO:

President Fallo

SUBJECT: Labor Compliance Matter—Carpenters/Contractors

Cooperation Committee, Inc. (Carpenters) and Silverline

Construction (Silverline)

The Carpenters filed a formal complaint alleging that employees of Silverline were paid incorrect wages for two days (July 5 and September 6). The matter was referred to a labor compliance officer of School Construction Compliance. LLC (compliance officer).

The compliance officer investigated and determined that the certified payroll that had been submitted by Silverline was in error. Silverline had indicated those two days as work days in order to pay the employees for holiday pay. However, no work was actually performed on those days.

The compliance officer independently confirmed with our DSA Project Inspector that no work was performed on those two days.

The compliance officer required Silverline to resubmit a corrected certified payroll. The compliance officer then communicated the results of their investigation (along with Silverline's corrected documents and the DSA Project Inspector's letter) to the Carpenters.

Copies of relevant correspondence is attached.

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Jo Ann Higdon Vice President

Administrative Services

Attachments: Feb. 11 letter from School Compliance, LLC to Carpenters

Feb. 10 letter from Silverline to School Compliance

Feb. 9 letter from Sandy Pringle Associates (DSA Inspector)

Feb. 1 letter from Carpenters Jan. 18 letter from Carpenters



February 11, 2011

Mr. Pete Rodriguez
Carpenters/Contractors Cooperation Comm.
533 South Fremont Ave., Suite 510
Los Angeles, CA 90071

Re: Completion of Investigation - Silverline Construction - MBAH Building

Dear Mr. Rodriguez:

The intent of this letter is to document that School Construction Compliance, LLC ("SCC"), the labor compliance consultant to the El Camino Community College District ("District") has completed its investigation of Silverline Construction on the MBAH Building project ("Project").

After a thorough review of the formal complaint filed by your office on February 1, 2011 it was found that Silverline Construction did not pay the incorrect wage rates for the days in question. The employees were not on site July 5, 2010 and September 6, 2010 and were inaccurately reported on the original payroll records.

Please find attached for your records revised certified payroll records with the correct time listed for the days in question, as well as a signed statement by the employees stating they did not work on July 5, 2010 and September 6, 2010. Also attached for your records is a letter from the DSA Inspector stating that his daily records indicate no work performed for the days in question.

Mr. Rodriguez, do not hesitate to contact me at (949) 752-9722 for any questions regarding this letter.

Sincerely,

Chris Icamen

Labor Compliance Officer

cc:

Rocky Bonura, El Camino CCD Rick Yatman, El Camino CCD Tess da Silva, Bovis Lend Lease



February 10, 2011

Mr. Chris Icamen Labor Compliance Officer School Construction Compliance, LLC 20 Pacifica, Suite 960 Irvine, CA 92618

RE: Math, Business & Allied Health Building - El Camino College

Mr. Icamen,

Per your request, Silverline Construction Inc. investigated the complaint filed by the Carpenters/Contractors Cooperation Committee dated February 1, 2011. Upon review, no construction activity by Silverline Construction nor its' employees worked on July 5th 2010 and September 6, 2010 on the above mentioned project. It is determined that an error on Holiday Wage Determination was made by our office. Discussion with Matt Menning of your office determined employees were paid for recognized holidays that did not work. Silverline Construction Inc. recognizing its' error and decided not to deduct the wages from the employees.

The certified public works payroll reporting form has been corrected and employee signatures herein will verify that employees did not work on the days in question, yet were compensated.

Please let me know if you have any further information or questions,

- f fray t

Sinceré

Randy Gray Vice President

Silverline Construction, Inc.

ee: Mr. Michael Murphy. Silverline Construction Inc.

ce; Mr. Richard Aman, Paisei Construction Inc.

ce: Mr. Matt Menning, School Construction Compliance, LLC

ce; Mr. Rick Yatman, El Camino College District

ee: Ms. Susan Nakaganta, Division Of Labor Standards Enforcement

ec: Board of Trustees, El Camino College District



February 9, 2011

Dear Sirs,

I am the DSA Project Inspector for the El Camino College Math Business Allied Health Project.

I have checked my daily records for the following days and they indicate no work was performed on the following days.

Monday July 5, 2010 Legal Independence Day Holiday.

Monday Sept. 6, 2010 Labor Day.

Regards,

Jim Cohn
Sandy Pringle Associates Inspection Consultants
310-850-1832



Carpenters / Contractors Cooperation Committee, Inc.

February 1, 2011

<u>DELIVERED</u> U.S. CERTIFIED MAIL

Mr. Chris Icamen Labor Compliance Officer School Construction Compliance, LLC 20 Pacifica, Suite 960 Irvine, California 92618

RE: <u>Math, Business & Allied Health Building – El Camino College</u> Silverline Construction, Inc. (License No. 772652)

Dear Mr. Icamen:

On behalf of the Carpenters/Contractors Cooperation Committee, please accept this letter as a formal complaint against Silverline Construction, Inc., (Silverline) for failing to pay its workers the prevailing wage rate on the Math, Business & Allied Health Building – El Camino College project. Specifically, Silverline failed to pay its workers the required double time holiday rate for work performed on July 5, 2010 and September 6, 2010 (Labor Day) as per State of California Prevailing Wage Determinations. The attached audits and certified payroll records for July 5th and September 6th indicate a total of \$12,238.24 in wages owed. Please note this does not include the applicable penalties that need to be assessed for non-compliance with the law.

As this is a fairly straight-forward violation of the law that does not require extensive investigation, we urge School Construction Compliance to promptly contact Silverline so that its workers can be restituted the wages they are owed.

Sincerely,

Pete Rodriguez

Team Coordinator

Pete Rodigues

PR/ed

Enclosures (13)

cc: Mr. Rick Yatman, El Camino Community College District

cc: Ms. Tess da Silva, Bovis Lend Lease – El Camino Community College District

cc. Board of Trustees, El Camino Community College District

cc: Ms. Susan Nakagama, Division of Labor Standards Enforcement



Carpenters / Contractors Cooperation Committee, Inc.

January 18, 2011

<u>DELIVERED</u> VIA FACSIMILE: 949-250-817 U.S. CERTIFIED MAIL

Mr. Chris Icamen
Labor Compliance Officer
School Construction Compliance, LLC
20 Pacifica, Suite 960
Irvine, California 92618

Re: Math, Business & Allied Health Building – El Camino College Taisei Construction Corporation (General Contractor) License No. 574837 Silverline Construction, Inc. (Subcontractor) License No. 772652

Dear Mr. Icamen:

Under the provisions of the California Public Records Act, Government Code Section 6250 et seq., I am requesting the following information pertaining to the above-referenced project:

1) Copies of the School Construction Compliance, LLC letters to <u>Silverline</u> Construction requesting certified payroll records (CPRS) in response to C/CCC requests, and the correspondence from <u>Silverline</u> to School Construction Compliance, LLC forwarding the CPRS.

Please note this information is to confirm if <u>Silverline</u> has violated Labor Code 1776 and the California Code of Regulations by failing to comply with the requirement to forward the CPRS within 10 days, and if penalties of \$25/day per worker are to be assessed.

If you have any questions regarding this request, please contact me at 213-738-9071.

Pete Rochiques E.D.

Pete Rodriguez Team Coordinator

PR/ed

Cc: Mr. Rick Yatman, El Camino Community College District

Cc: Ms. Tess da Silva, Bovis Lend Lease - El Camino Community College District

Cc: Board of Trustees El Camino Community College District



Serving the Communities of Carson, Compton, Lynwood North Long Beach, Paramount and Willowbrook

1111 East Artesia Boulevard Compton, CA 90221-5393 Phone: (310) 900-1600 Fax: (310) 900-1696 www.compton.edu

LAWRENCE M. COX, PhD Chief Executive Officer

DR. GENETHIA HUDLEY-HAYESSpecial Trustee

LORRAINE CERVANTES
Trustee – Compton, Area 1

CHARLES DAVIS
Trustee – Compton, Area 1

JOHN P. HAMILTON, Ed.D Trustee – Carson, Area 2

ANDRES RAMOS Trustee – Lynwood, Area 3

DEBORAH SIMS LEBLANC, DPA Trustee – Paramount, Area 4

OPAL WILLIAMS
Student Trustee

January 31, 2011

Councilwoman Peggy Lemons Paramount City Council 16400 Colorado Boulevard Paramount, CA. 90723

Dear Councilwoman Lemons:

I am writing to request an opportunity to bring brief greetings to you and the City Council at your next regularly scheduled Council meeting. As you may know, on January 1, 2011, I assumed my new role as the Special Trustee of the Compton Community College District. In accepting the appointment by State Chancellor Jack Scott, I did so with one goal; the full return of the Compton Community College District.

In my new capacity, I believe it is critical that the elected representatives of your city have the opportunity to hear directly from me and be afforded an opportunity to ask questions of me as well as begin a new level of dialogue, which is so desperately needed at this time.

In my previous roles in education and government I have always placed a strong commitment to social and economic justice at the forefront of my work. I passionately believe that public institutions belong to and should be accountable to the constituents they represent.

I hope your calendar will permit me to make brief remarks and take any questions your colleagues may have. Thank you in advance for your consideration and please contact Phyllis Louie, Assistant to the Special Trustee at 323-605-8776 to confirm a date and time which is convenient to you and your colleagues.

With infinite hope and joy,

Dr. Genethia Hudley-Hayes Special Trustee



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JOHN P. HAMILTON, Ed.D Trustee – Carson, Area 2

ANDRES RAMOS
Trustee – Lynwood, Area 3

DEBORAH SIMS LEBLANC, DPA Trustee – Paramount, Area 4

OPAL WILLIAMS Student Trustee February 2, 2011

Zion Baptist Evangelistic Temple 600 W. Rosecrans Avenue Compton, CA 90222

Dear Pastor:

Greetings to you and your congregation! I am writing to introduce myself to you in my new capacity as the Special Trustee for the Compton Community College District. As you may know, on January 1, 2011, I assumed my new role and accepted the appointment by State Chancellor Jack Scott with one goal; the full return of the Compton Community College District.

In my new capacity, I believe it is critical that community and religious leaders have the opportunity to hear directly from me and know that we here at the District are committed to a new level of dialogue, which is so desperately needed at this time.

In my previous roles in education and government I have always placed a strong commitment to social and economic justice at the forefront of my work. I passionately believe that public institutions belong to and should be accountable to the constituents they represent.

I hope and pray that 2011 is a prosperous year for you and your congregation. Please know that the doors of the Compton Community College District, as well as the El Camino College Compton Center, are open to the community. Please know that the road to Accreditation and Recovery of this historic institution will not be brief, but it is a road I am committed to walking until victory is ours.

Thank you in advance for your prayers and support. Please feel free to contact my assistant, Phyllis Louie, at 323-605-8776, if I can be of any assistance to you.

With infinite hope and joy,

Dr. Genethia Hudley-Hayes Special Trustee

CALIFORNIA COMMUNITY COLLEGES SCHOLARSHIP ENDOWMENT

Fundraising by Colleges (as of January 21, 2011)

COLLEGE NAME	Original Fundraising Target	Funds Raised To Date	FUNDRAISING PROGRESS %
Alameda, College of	\$160,661	\$0	= 0%
Allan Hancock College	\$422,750	\$100,000	24%
American River College	\$949,933	\$16,512	1.74%
Antelope Valley College	\$475,006	\$0	0%
Bakersheld College	\$567,092	\$567,092	100%
Barstow College	\$98,379	\$30,600	31%
Berkeley City College	\$125,774	\$0	0%
Butte College	\$455,602	\$23,500	5%
Cabrillo College	\$486,099	\$0	0%
Canada College	\$172,988	\$0	0%
Canyons, College of the	\$613,188	\$224,903	37%
Cerritos College	\$722,548	\$200,000	28%
Cerro Cosa Community College Chabot College	\$131,227 \$431,698	\$100,000	76% 0.1%
Chaffey College	\$619,246	\$500 \$0	0.178
Citrus College	\$513,388	\$25,000	5%
Coastline Community College	\$263,756	\$277,090 \$277,090	105%
Columbia College	\$94,786	\$166,834	176%
Contra Costa College	\$247,151	\$0	0%
Copper Mountain College	\$63,525	\$16,925	27%
Cosumues River College	\$380,990	\$8,403	2%
Crafton Hills College	\$175,911	\$20,554	12%
Cuesta College	\$396,825	\$600	0.15%
Cuyamaca College	\$239,291	\$93,338	39%
Cypress College	\$460,866	\$207,295	45%
De Anza College	\$840,979	\$23,000	3%
Desert, College of the	\$336,549	\$336,549	100%
Diablo Valley College	\$663,960	\$0	0%
Fast Los Angeles College	\$944,537	\$944,537	100%
El Camino College**	\$973,717	\$1,013,268	104%
Evergreen Valley College	\$300, 4 38	\$7,403	2%
Feather River College	\$61,120	\$245	0.40%
Folsom Fake College	\$225,863	\$0	0%
Foothill College Fresno Ciry College	\$577,676	\$14,000	2%
Fullerton College***	\$756,753	\$56,034	7% 15%
Gavilan College	\$1,082,335 \$225,596	\$163,994 \$0.	00/
Glendale Community College	\$687,50G	\$25,000	170 4%
Golden West College	\$472,720	\$100,000	21%
Grossmont College	\$548,530	\$328,839	60%
Harmell College	\$279,134	\$208,000	75%
Imperial Valley College	\$297,859	\$25,000	8%
Irvine Valley College	\$336,422	\$167,690	50%
Lake Tahoe Community College	\$75,962	\$0	0%
- Laney College	\$339,310	\$100	0.03%
Las Positas College	\$300,373	\$54,500	18%
Lassen College	\$65,284	\$0	0%
Long Beach City College	\$928,107	\$593,017	64%
Los Angeles City College	\$656,503	\$100,000	15%
Los Angeles Harbor College	\$285,947	\$0	0%
Los Angeles Mission College	\$268,096	\$0	0%
Los Angeles Pierce College	\$620,391	\$0	0%.
Los Angeles Southwest College	\$207,427	\$100,000	48%

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COLLEGE NAME I	ORIGINAL UNDRAISING TARGET	FUNDS RAISED TO DATE	Fundraising Progress %
Los Angeles Trade-Tech College	\$503,577	\$25,000	5%
Los Angeles Valley College	\$ 548,545	\$0	0%
Eos Medavos College Marin, College of	\$317,578 - \$193,781	\$0 \$193,781	0% 100%
Mendocino College	\$116,384	\$10,006	9%
Merced College	\$416,777	\$0	0%
Merriti College Mira Costa College	\$193,660 \$361,394	\$0 \$254,893	0% 71%
Mission College	\$286,804	\$32,431	F196
Modesto Junior College	\$621,008	\$0	0%
Monterey Peninsula: College Moorpark College	\$339,728 \$475,460	\$339, 728 \$17,460	100% 4%
Mr. San Antonio College	\$473,460 \$1,302,960	\$17,400 \$581,124	45%
Mt. San Jacinto College	\$450,225	\$5,000	1% .
Napa Valley College Ohlone College	\$258,095	\$47,352 \$0	18% (18%) 0%
Official Confession College	\$357,552 \$781,219	\$0	096
Oxnard College	\$192,735	\$192,735	100%
Palo Verde College Palomar College	\$91,122	\$49,400	54%
Pasadena City College	\$845,299 \$ 979,577	\$112,600 \$611,951	13% 62%
Porterville College	\$140,151	\$31,000	22%
Redwoods, College of the	\$193,342	\$0	0%
Reedley College Rio Hondo College	\$416,367 \$571,040	\$71,556 \$184,000	17% 32%
Riverside Community College	\$1,191,301	\$254,332	21%
Sacramento City College	\$710,961	\$1,000	0.1%
Saddleback College San Bernardino Valley College	\$671,175 \$415,399	\$552,737 \$210,000	82% 51%
San Diego City College	\$704,865	\$704,865	100%
San Diego Mesa College	\$769.310	\$38,563	5%
San Diego Miramar College San Francisco, City College of	\$316,682	\$10,328 \$264 ,350	3% 17%
San Joaquin Delta College	\$1,574,046 \$735,550	3204,330 \$0	17.%; 0%
Sam Jose City: College	\$333,309	\$8,804	3%
San Mateo, College of	\$333,995	\$0	0%
Santa Ana College Santa Barbara City College	\$1,004,933 \$676,279	\$25,000 \$676,679	2% ₃ 100%
Santa Monica College	\$807,701	\$807,701	100%
Santa Rosa Junior College	\$884,307	\$589,538	67%
Santiago Canyon College Sequoias, College of the	\$376,944 \$352,169	\$26,668 \$0	7% 0%
Shasta College	\$313,643	\$0	0%
Sierra College	\$632,134	\$64,500	10%
Siskiyous, College of the Skyline College	\$103,918	\$0 \$13,500	0% 5%
Solano Community College	\$278,253 \$381,268	\$13,500 \$13,500	37a 4%
Southwestern College	\$671,910	\$25,000	4%
Tafr College	\$108,411	\$79,050	73%
Ventura College Victor Valley College	\$400,206 \$399,700	\$550,475 \$20,000	138%
West Hills College Coalinga	\$87,024	\$0	0%
West Hills College Lemnore	\$129,661	\$0.000	0%
West Los Angeles College West Valley College	\$302,526 \$405,500	\$90,000 \$250,000	30% 62%
Yuba College	\$344,760	\$119,784	35%
Foundation for California		\$ 649,367	
Community Colleges TOTAL	\$50,000,000	\$15,146,080	
(Initial Gift)		\$25,000,000	* Based on percentage of total FTES 2007/08
(MATCH 1:2)		\$25,000,000	** Includes Compron College
(MAICH (.Z)	44.00.000	#1,J13,040	*** Includes Continuing Ed. FTES Includes contributions received as of lanuary 21.

California Community Colleges Scholarship Endowment Fundraising by Colleges

TOTAL ENDOWMENT: \$100,000,000

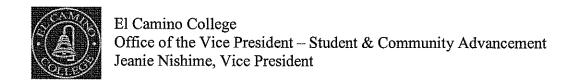
\$47,719,120*

^{**} Includes Compron College

*** Includes Common Ed. FTES

Includes Continuing Ed. FTES

Includes contributions received as of January 21,
2011. Additional funds raised but not yet transferred are not included in this total.



January 14, 2011

TO:

President Thomas M. Fallo

SUBJECT:

INTERNATIONAL RECRUITMENT - TOKYO, JAPAN

In October 2010, Leonid Rachman, International Student Recruitment, participated in the ninth International Institute of Education (IIE) fair held in Tokyo, Japan, October 22-27, 2010. The recruitment at the fair did not yield a significant number of potential students. It is believed the reason for the difference is the change in the organizer and the change in venue. In the past, the recruitment fairs were held in various indoor convention centers. However, the fair's venue was changed to an outside location thereby significantly affecting attendance. Although over the last few years, the number of students from Japan has decreased from more than 300 to less than 200; Japan still remains a top sender of F-1 visa students to El Camino College. Therefore it is necessary to continue recruitment in that location.

In spite of the adversities for this recruitment trip, Ryugaku Journal, a leading Japanese recruitment agency promised to increase the number of students sent to El Camino College.

The expected number of students from International Institute of Education Fair is unknown at this time; however, the projected number of students from other agencies is expected to be from 10 to 15 students.

/mre/12