

**Special Meeting
Board of Trustees
Coast Community College District**

Date: Monday, October 17, 2011

Location: Coast Community College District
Board Room
1370 Adams Avenue
Costa Mesa, California 92626

Time: 3:30 p.m.

A G E N D A I T E M S

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance - Trustee Jim Moreno**
4. **Opportunity for Public Comment (Open Session - Items on the Agenda)**

Members of the public have the opportunity to address the Board of Trustees on any item that has been described in this notice, before or during consideration of the item. Persons wishing to make comments are allowed 5-minutes. A "Request to Address the Board of Trustees" card needs to be completed and filed with the Secretary of the Board of Trustees prior to speaking.

5. **Public Hearing - Coast Federation of Educators/American Federation of Teachers (CFE/AFT-Local 1911) Initial Proposal to Negotiate the Agreement between the Coast Federation of Educators/American Federation of Teachers (CFE/AFT-Local 1911) and the Coast Community College District**

It is recommended by the Chancellor and the Vice Chancellor of Human Resources that the Board of Trustees, in compliance with the necessary PERB legal procedures, provide an opportunity for any public comment on the initial proposal made by the Coast Federation of Educators/American Federation of Teachers-Local 1911 (CFE/AFT) on October 5, 2011 to negotiate the Agreement between the Coast

Federation of Educators/American Federation of Teachers-Local 1911 (CFE/AFT) and the Coast Community College District. The initial proposal is attached to each Trustee's Agenda (See Attachment #1) and is available in the District Human Resources Office.

6. Public Hearing and Adoption of the Coast Community College District's Initial Proposal to Negotiate the Agreement between the Coast Community College District and the Coast Federation of Educators/American Federation of Teachers (CFE/AFT-Local 1911)

Against a challenging fiscal backdrop, the District and its constituent groups have expended considerable effort in visioning for the future culminating in the publication of the Coast Community Colleges Vision 2020. With higher education in the United States at a critical crossroads in which the direction chosen now will determine the future relevancy of our institutions, the District's primary focus entering this new round of negotiations must be on how Collective Bargaining Agreements maximize student access to instructors, student achievement, and paving the way for a 60% completion rate of students by 2014. To that end, the District will be focused on negotiating contract revisions that will aid the District in attracting, developing, and retaining engaged faculty and staff who have the appropriate skills and knowledge for the 21st Century.

In September 2011, the Coast Colleges' Board of Trustees unanimously approved labor negotiation interests of the Board. The interests are as follows:

- Increase student completion to at least 60% by 2014*
- Equip faculty and staff through professional development with the 21st Century skills and knowledge needed to maximize student success
- Increase and optimize student access to the Colleges, their instructors, and staff
- Develop a more engaging College experience for students, faculty, and staff
- Reorganize creatively for efficiency while increasing effectiveness to free up resources to invest in student success initiatives
- Be programmatically and fiscally responsible, and balance the budget, to include transfers and reductions as necessary
- Develop, implement and maintain long-term, sustainable budgetary solutions
- Contain benefits costs to include forming a joint bargaining table for benefits
- Reduce the annual draw on the General Fund for retiree benefits
- Negotiate equitable financial solutions with all employee groups
- Align ongoing expense obligations with ongoing sources of revenue in support of the Coast Community Colleges Vision 2020 Master Plan
- Maintain a prudent reserve with a minimum goal of 7%

- Clarify the role of the unions within the context of governance

With the goals of Vision 2020 as a platform and Interest Based Bargaining as a framework, we are confident that much progress can be made in attaining joint interests at the bargaining table this year.

* This is an inspirational goal for which the District will develop an operational definition of the word, "completion" through the shared governance process aligning with state and federal guidelines

It is recommended by the Chancellor and the Vice Chancellor of Human Resources that the Board of Trustees, in compliance with the necessary PERB legal procedures, provide an opportunity for any public comment on the initial proposal made by the Coast Community College District on October 5, 2011 to negotiate the Agreement between the Coast Community College District and the Coast Federation of Educators/American Federation of Teachers (CFE/AFT-Local 1911). It is further recommended that the Board adopt the initial proposal. The initial proposal is attached to each Trustee's Agenda (See Attachment #2) and is available in the District Human Resources Office.

7. Approval of Amended Board Resolution 11-32, Reorganization and Lateral Transfer Plan

During the Board's Personnel Committee Meeting held on Tuesday, September 27, 2011, Resolution #11-32, Revision to the Reorganization and Lateral Transfer Plan, was discussed in the context of examining positions that had been opened for external recruitment. Following discussion, it was recommended by the Personnel Committee that staff prepare a revision to the Resolution, for presentation to the Board of Trustees, to allow the Chancellor to authorize external recruitment on a case-by-case basis, if the internal recruitment effort does not generate a successful candidate. The proposed revision to the Resolution is reflected in Section (f).

After review by the Vice Chancellor of Human Resources, two additional recommendations are proposed to make corrections/clarification to the previously adopted Resolution:

- i) Staff is recommending the addition of the date, December 8, 2010, and August 3, 2011, to the second Whereas to more accurately reflect the history of Board revisions to the original plan that have now been incorporated in Amended Resolution 11-32.

- ii) Staff also is recommending the deletion of the word “full-time” in Section (e) to correct an inaccuracy, given the Board’s previous authorization to include permanent part-time employees in the internal recruitment process.

After review by the Vice Chancellor of Human Resources and the District General Counsel, it is recommended by the Chancellor that the Board adopt amended Resolution 11-32 as presented. A copy of the amended Resolution 11-32 is attached to each Trustee’s Agenda. (See Attachment #3)

8. Board of Trustees' Self Evaluation and Discussion

The Board of Trustees will participate in a self evaluation pursuant to accreditation standards. (See Attachment #4)

9 Opportunity for Public Comment (Closed Session - Items on Agenda)

10. Convene to Closed Session

The following items will be discussed in Closed Session:

Public Employee Performance Evaluation
(Pursuant to Government Code Section 54957)

Positions: Chancellor, College President and Vice Chancellor

11. Reconvene to Open Session

12. Report of Action from Closed Session (if any)

13. Adjournment

It is the intention of the Coast Community College District to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the Coast Community College District will attempt to accommodate you in every reasonable manner. Please contact the Secretary of the Board of Trustees, (714) 438-4848, as soon as possible to inform us of your particular needs so that appropriate accommodations may be made.

CFE Successor Contract Negotiations "Sunshine"

Submitted by Coast Federation of Educators, September 30, 2011

The Coast Federation of Educators, AFT Local 1911, AFL-CIO (Federation) submits the following for public review and comment as part of the process of negotiating to replace the current bargaining unit agreement that expires on June 30, 2012.

The Coast Federation of Educators, AFT Local 1911, AFL-CIO, believes that the faculty are the backbone of the Coast Community College District. When faculty are given optimum environment, support, and respect, they can maximize their effectiveness which in turn helps our students reach their goals. Successful students benefit the community at large, and ultimately, our state, California. Reaching these educational goals can be achieved through the interests of fairness in compensation, quality in programs, and excellence in reputation.

In most cases, the number of students our members teach has increased, amplifying demands on an already overtaxed faculty. Every year, more work is being expected of faculty, even on unpaid, non-duty days, with less time and support. It's become increasingly challenging to do more with less, and to fulfill our primary obligations to our students. As a result of fiscal constraints, the district made a conscious decision to reduce full-time faculty ranks by more than 23% over the last 10 years, adding layers of responsibility to full-time and part-time faculty as they take on the department, discipline, and college responsibilities previously provided by their retired colleagues.

The bargaining unit agreement between the Coast Federation of Educators and the Coast Community College District has not been fully renegotiated since 2002. Last year, in order to meet the district's fiscal deadlines, CFE offered to postpone the negotiation of several interests we had originally intended to negotiate.

We present the following interests for negotiation. The Federation reserves its rights to modify its initial proposal, for example, by opening additional articles and/or sections, as it deems necessary and appropriate.

- Clean up the contract to be more user friendly.
- Amend and define terms used in the agreement, including but not limited to the definition of our unit.
- Amend and clarify the rights of the District as they relate to faculty working conditions.
- Maximize faculty empowerment to improve the college environment and experience for our students.
- Recognize the potential negative impacts of decisions on educational quality when decisions are made to promote efficiency, productivity, and flexibility due to shrinking financial resources.

- Enhance the effectiveness of faculty evaluations in order to improve instruction.
- Increase the Federation's involvement in program review as it relates to working conditions.
- Improve working conditions for Department Chairs.
- Address faculty workload concerns, loading factors, and improving representation to our members.
- Improve the selection process for coordinators.
- Increase faculty safety at the workplace, clarifying faculty office issues, clarifying duty vs. non-duty days, and improving scheduling processes for faculty.
- Address partial day sick leave issues, transfer of sick leave to colleagues, and other sick leave issues.
- Improve faculty compensation.
- Improve faculty leave rights.
- Clarify issues regarding the pre-retirement program.
- Expand professional development opportunities for members in order to stay abreast of changes in their fields of expertise, and to streamline the administrative approval process.
- Improve transfers and reassignments to better serve faculty in their instructional areas.
- Increase intellectual property rights for faculty.
- Strengthen faculty organizational rights.

**Coast Community College District Initial Proposal for 2011-2012
Negotiations with the coast Federation of Educators/American Federation
of Teachers (CFE/AFT Local 1911)**

Pursuant to Section 3547(a) of the *Government Code*, the following is submitted by the Coast Community College District as its initial proposal for negotiations of a successor agreement with the Coast Federation of Educators /American Federation of Teachers (CFE/AFT – Local 1911). It is anticipated that the negotiations process for this successor agreement will continue to embrace Interest Based Bargaining (IBB), a joint venture initiated by the District, the Coast Federation of Educators (CFE), and the Coast Federation of Classified Employees (CFCE), in 2010-11. If the IBB process is continued, specific interests will be shared and solutions will be jointly developed during a facilitated negotiations process. The District considers any article opened by the CFE for negotiation as being opened for both parties and subject to modification. Furthermore, it is the District's intent to respond to each article opened for negotiations by CFE.

The District's proposal is conceptual in nature, with specific language to be developed during the negotiations process using IBB. The District reserves its rights to modify its initial proposal by opening additional articles and/or sections, as it deems necessary and appropriate. Through negotiations, the ongoing fiscal challenges will need to be addressed. The percentage of the General Fund devoted to the direct costs of employment still hover at over 88% instead of a more sustainable 85% level, and health benefits costs are expected to continue to escalate above COLA.

Strategies that may be jointly considered for negotiation include but are not limited to the following:

Article III - Academic Calendar: Including but not limited to reinstating Flex Days for the Professional Development of Faculty.

Article V - Rights of the Federation: Including but not limited to clarifying the Federation's role with respect to governance; Federation leaves; and committee appointments.

Article VI - Academic Freedom: Including but not limited to defining the term "appropriate forum."

Article VIII – Evaluation of Faculty Members: Including but not limited to provisions which provide for more liberal management observations, more administrative oversight of the evaluation process, and more frequent evaluations if necessary; provisions for disseminating and completing the student survey

online; and provisions that allow evaluators to visit the “virtual” classroom of a faculty member teaching an online course. Review the necessity of the current categorization of faculty for the purposes of evaluation procedures. Furthermore, the District is interested in negotiating with CFE a new timeline for required evaluations of tenure-track faculty to ensure timely intervention and/or support as needed, particularly in their first and second years.

Article IX - Professional Security: Review and clarify reprimand procedures; ensure consistency with Article VII, Section 6, and Article XV.

Article X – Academic Relations: Including addition of a section to address expectations of professional conduct; also review from the perspective of overlap with Academic Senates; and review Section 4 for potential modification for consistency with language negotiated in 2010-2011.

Article XI – Hours of Service: Including but not limited to modifying and/or clarifying the language to establish fairness and consistency of practice relative to the standard work week; class size; reassigned time, and work year for cosmetology. Additionally, modifications may be considered to ensure the inclusion of professional development of Faculty.

Article XII - Working Conditions: Including but not limited to modifications concerning use of District e-mail; participation of Faculty Members in college meetings, graduation, and professional development activities.

Article XIII – Compensation: Jointly determine a new compensation model that recognizes the extent to which health benefits costs can be contained; and balancing use of COLA to address escalating contractual costs and enhancement to the salary schedules. Additionally, clarify provisions relating to the use and compensation of substitutes.

Article XIV - Paid Leaves: Review provisions for possible updating based on current law or practices.

Article XV - Due Process: Including but not limited to development of language regarding reprimands, discipline, and related due process rights for Faculty.

Article XVI - Unpaid Leaves: Review current provisions for possible updating based on current law or practices.

Article XX – Employee and Dependent Benefits and Coverage: Including but not limited to modifying the eligibility requirement (for continuance of district insurance benefits) and individual contribution to manage benefits costs for employees and dependents. A prime District interest is the establishment of a collaborative benefits negotiations process that would bring both the CFE and the

CFCE together at on "Joint Labor Management Health Benefits Negotiations Table."

Article XXIV – Grievance and Arbitration Procedures: Including but not limited to clarifying the current contract language relative to procedures and timelines.

Article XXVI – Agreement Conditions and Duration: Including but not limited to securing an agreement that shall remain in effect for three (3) years from the effective date of its execution, with annual reopeners on compensation and benefits.

RESOLUTION # 11-32 - AMENDED

Coast Community College District Board of Trustees Resolution #11-32

Revision to Reorganization and Lateral Transfer Plan

WHEREAS, the Board of Trustees approved a Reorganization and Lateral Transfer Plan ("Plan") on December 9, 2009; and

WHEREAS, the Board of Trustees has determined a need to make revisions to the Plan in order to add exempted positions retroactive to April 1, 2011, and also to reaffirm and clarify some of the administrative procedures for the Plan that were approved on February 17, 2010, December 8, 2010, and August 3, 2011; and

WHEREAS Section 53021(c)(1) of Title 5 of the *California Code of Regulations* allows for filling positions without recruitment in the event of a "reorganization that does not result in a net increase in the number of employees"; and

WHEREAS Section 53021(c)(2) of Title 5 of the *California Code of Regulations* allows for filling positions without recruitment in the event that "one or more lateral transfers are made and there is no net increase in the number of employees."

THEREFORE, BE IT RESOLVED that the Board of Trustees, in furtherance of the Plan, hereby continues the hiring freeze, and internal-only recruitment, for all new openings, except for the chancellor, vice-chancellor, president, vice-president, dean of counseling and special programs, and full-time faculty positions; and

THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees reaffirms and clarifies some of the procedures for the Plan, noting that the Plan involves:

- (a) carefully evaluating the necessity of filling every vacant position throughout the District in order to save on personnel costs;
- (b) implementing a lateral transfer process for faculty, staff, and management;
- (c) for positions deemed necessary for replacement by the President's Council or the Chancellor, further examination for lateral reorganization/reassignment by the College/District site where the vacancy resides;

- (d) if a site reorganization/reassignment is not viable, then the District Office of Human Resources will review the District-wide transfer list and initiate lateral transfer interviews as appropriate with the site supervisor and/or personnel screening committee;
- (e) if the transfer process does not yield a viable candidate, the vacant position will be posted on the District's website for ten days for an internal recruitment and selection process, with all full-time permanent District employees eligible to apply; and
- (f) if the internal recruitment effort does not generate a successful candidate, then the ~~Board of Trustees~~ Chancellor may authorize an external recruitment on a case-by-case basis.

I, Christian Teeter, Secretary of the Board of Trustees of Coast Community College District hereby certify that on October 17, 2011 this Resolution was adopted by the Board by a vote of .

Aye:

No:

Abstain:

IN WITNESS THEREOF, I have hereunto set my hand and seal this 17th day of October, 2011.

Christian Teeter, Ed.D.
Secretary of the Board of Trustees

Coast Community College District
Board of Trustees
Self-Evaluation Tool
October 17, 2011

This evaluation tool has been designed to facilitate the self-evaluation of the Coast Community College District Board of Trustees.

Please rate the Board's performance using the following scale:

- 5 – Strongly Agree**
4- Agree
3- Adequate
2 – Disagree
1 – Strongly Disagree
0 – No Opinion

| Relationship with the Chancellor | Rating |
|---|--------|
| 1. The Board and Chancellor's roles are clearly delineated and observed. | |
| 2. The Board maintains a well-defined job description for the Chancellor. | |
| 3. The Board and Chancellor develop annual goals and objectives which are used in the evaluation of the Chancellor. | |
| 4. The Board and Chancellor work cooperatively to maintain a total District perspective. | |
| 5. The Board adheres to and exercises responsibility for educational policy-making and delegates to the Chancellor and College Presidents the responsibility for implementing educational policy. | |
| 6. A climate of mutual trust and support exists between the Board and Chancellor. | |
| 7. The Board has provided, through the Chancellor, a process by which the Vice Chancellors and the Presidents can communicate openly with the Board. | |
| 8. The Board makes adequate provision for evaluating the Chancellor in order to improve performance. | |
| 9. The Board has a carefully planned process for the selection and retention of the Chancellor. | |

Please Provide Specific Comments Below:

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Planning | Rating |
|---|---------------|
| 1. The Board ensures that sufficient and comprehensive long-range planning activities are underway. | |
| 2. The Board provides for effective integration of various interest groups in planning activities. | |
| 3. The Board regularly reviews accountability measures and standards for the District. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Instructional/Student Services Programs | Rating |
|--|---------------|
| 1. The Board has adequate information on the District's instructional and student services programs. | |
| 2. The Board requires that the colleges and Chancellor's Office develop regular educational goals against which educational programs can be evaluated. | |
| 3. Sufficient time is set aside in Board meetings for the discussion of the needs, goals, and objectives of the instructional and student services programs. | |
| 4. The Board is willing to make long-term investments in the development and improvement of the instruction and services for students. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Facilities & Financial Resources | Rating |
|--|---------------|
| 1. The Board has a current Educational Facilities Master Plan for the Colleges and District Office, which includes both present and anticipated needs. | |
| 2. The Board requires the administration to provide adequate information on physical plant utilization before approving requests for remodeling or new construction. | |
| 3. The Board provides resources for both emergency and preventative maintenance to the physical plant. | |
| 4. The Board requires the maintenance of adequate financial resources. | |
| 5. The Board is appropriately involved in the District budget review and approval. | |
| 6. The Board reviews in some detail the annual audit report. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Board Operations | Rating |
|---|---------------|
| 1. The Board understands the essential State laws, regulations and directives affecting district governing boards. | |
| 2. The Board conducts its meetings in an orderly, efficient manner and allows for sufficient public comment. | |
| 3. The role of the President of the Board is clear. The Board respects and supports its President. The President manages Board meetings by keeping them on schedule and facilitating effective meetings. | |
| 4. The Board is provided with materials sufficiently in advance of the official meeting to allow time for study. | |
| 5. The Board deals primarily with policy issues including what the District does and long term direction and application of resources. The Board does not interfere with the administration including "how" day to day operations of the District are done. | |
| 6. Trustees treat one another with respect and fairness, both inside and outside of meetings | |
| 7. Trustees communicate well and make it a practice to share information with all other Trustees. Board members have clear guidelines on the use of email to communicate between meetings. | |
| 8. The Board participates in a self-evaluation process every odd numbered year. Trustees take time to discuss the Board's strengths and weaknesses and to put procedures in place to address needs. | |
| 9. The Board has well defined policies on conduct and attempts to avoid counterproductive behavior by individual Trustees. | |
| 10. The Board meetings comply with the laws of the State of California. | |
| 11. The Board sufficiently studies policy proposals before adopting them. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Faculty/Student/Classified Relationships | Rating |
|---|--------|
| <p>1. The Board, through the Chancellor, actively seeks advice and recommendations from faculty, students, and staff in formulating basic educational policies.</p> <p>Faculty: 0 1 2 3 4 5 Students: 0 1 2 3 4 5 Staff: 0 1 2 3 4 5</p> | |
| 2. The Board has established and maintains an appropriate process and climate for collective bargaining. | |
| 3. The Board has established and maintains adequate process for employee evaluation. | |
| 4. The Board is committed to shared governance, and demonstrates concern for organizational climate, and treats students, faculty and classified staff with respect. | |
| 5. The Board interacts with faculty, classified staff and students of the three colleges in a way that informs the Trustees about the campus climate of each college. | |
| 6. The Board takes advantage of appropriate opportunities to interact with faculty, classified staff and students in order to experience first hand the ways in which the colleges are accomplishing the District's educational mission. | |
| 7. The Board respects the idea of shared governance. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:

| Government & Community Relations | Rating |
|--|---------------|
| 1. The Board keeps itself well informed about the educational needs of the community. | |
| 2. The Board makes provision for keeping the community well informed of the colleges' goals, activities and educational objectives. | |
| 3. The Board makes appropriate use of citizen advisory committees. | |
| 4. The Board channels all criticisms of the colleges through the Chancellor and College Presidents for study and appropriate action. | |
| 5. The Board participates actively in community affairs. | |
| 6. The Board encourages the public's participation/comments at Board meetings. | |
| 7. The Board works to build a positive image of Coast Community College District in the community. | |
| 8. The Board has established a helpful rapport with State and Federal legislators, as well as city and local officials. | |
| 9. The Board is committed to protecting the public interest. | |
| 10. The Board is informed about the inter-relationships which exist between the Board and other governmental bodies. | |
| 11. The Board has established policies for contractual or cooperative ventures with other governmental bodies. | |
| 12. The Board shows an active interest in legislation and regulations affecting community colleges. | |
| 13. The Board actively participates in organizations and programs affecting community colleges. | |

Identify Strengths:

Identify Weaknesses:

Suggested Improvements:
