



**ANTELOPE VALLEY COLLEGE
STRATEGIC PLANNING & BUDGET COUNCIL (SPBC) AGENDA
February 20, 2013
2:30 p.m. – SSV 151**

To conform to the open meeting act, the public may attend open sessions

- 1. CALL TO ORDER AND ROLL CALL**
- 2. OPENING COMMENTS FROM THE CO-CHAIRS**
- 3. OPEN COMMENTS FROM THE PUBLIC**
- 4. APPROVAL OF MINUTES**
 - a. January 16, 2013 (attachment)**
- 5. REPORTS**
 - a. Human Resources Sub-Group – Dr. V. Nicholson**
 - b. Facilities Sub-Group – D. Jensen**
 - c. Communications Sub-Group – S. Standerfer**
 - d. Educational Master Plan – K. Cowell**
- 6. ACTION ITEM**

None
- 7. DISCUSSION ITEM**
 - a. SPBC Committee Membership (attachment)**
 - b. Gmail Project – R. Shaw**
 - c. Legal Opinion Memo: Response to Shared Governance Councils/Committees, the Brown Act (attachment) – M. Clinton**
 - d. ACCJC Response to Midterm Report (attachment) – S. Lowry and M. Clinton**
- 8. SPBC ADMINISTRATIVE BUSINESS**
 - a. Spring SPBC Meetings**
 - March 20, 2013; April 17, 2013; and May 15, 2013**
 - b. Summer SPBC Meetings**
 - Summer meeting dates: June 19, 2013 and July 17, 2013**
- 9. OPEN FORUM**
- 10. ADJOURNMENT**

NON-DISCRIMINATION POLICY

Antelope Valley College prohibits discrimination and harassment based on sex, gender, race, color, religion, national origin or ancestry, age, disability, marital status, sexual orientation, cancer-related medical condition, or genetic predisposition. Upon request, we will consider reasonable accommodation to permit individuals with protected disabilities to (1) complete the employment or admission process, (b) perform essential job functions, (c) enjoy benefits and privileges of similarly-situated individuals without disabilities, and (d) participate in instruction, programs, services, activities, or events.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Ms. Sharon A. Lowry, Vice President of Academic Affairs, at (661) 722-6304 (weekdays between the hours of 8:00 a.m. and 4:30 p.m.) at least 48 hours before the meeting, if possible. Public records related to agenda items for open session are available for public inspection 72 hours prior to each regular meeting at the Antelope Valley College Vice President of Academic Affairs Office, Administration Building (A 134), 3041 West Avenue K, Lancaster, California 93536.



ANTELOPE VALLEY COLLEGE
STRATEGIC PLANNING & BUDGET COUNCIL (SPBC)
MEETING MINUTES
February 20, 2013
2:30 pm. – SSV 151

1. CALL TO ORDER AND ROLL CALL

Ms. Maria Clinton, Faculty Co-Chair, called the meeting to order at 2:34 p.m.

2. OPENING COMMENTS FROM THE CO-CHAIR

- None

3. OPEN COMMENTS FROM THE PUBLIC

- None

4. APPROVAL OF MINUTES

a. January 16, 2013 (attachment)

A motion was made and seconded to approve the January 16, 2013 SPBC meeting minutes.

- Ms. Sharon Lowry indicated she would like to speak to the inaccuracy of the content contained in the drafted minutes (Item 7b. Palmdale Center Staffing). Being she was not present at the meeting to partake in the discussion, she feels it is necessary to put on record the staffing needs for the Palmdale Center has been an ongoing discussion for several years. The staffing needs for the Palmdale Center were discussed at several levels and it was an issue discussed with Dr. Hall in the years prior to her retirement. The necessity for a generalist type of employee to assist the faculty, staff, and student populations at the Palmdale Center has been a topic of discussion with the Dean of Instructional Resources and Extended Services, the Palmdale Center Director, the Vice President of Student Services, and the Vice President of Academic Affairs. Given the budget crisis the discussion or need was never forwarded to the respective campus councils although this is not the first conversation to occur regarding the staffing needs at the Palmdale Center. Dr. Jill Zimmerman indicated she was specifically speaking to the documentation on the Palmdale Center detailing the support hour and staffing plan presented by Ms. Sharon Dalmage.
- In addition, Ms. Pamela Ford indicated in the same discussion she would like the minutes to reflect that she stated the Council agreed to a process where only positions deemed imminent would be considered whereas all other positions would remain frozen. She inquired if this process has been changed?

Motion carried as corrected with three abstentions.

5. REPORTS

a. Human Resources Sub-Group – V. Nicholson

Dr. Nicholson reported members of the subgroup currently include ten members. She provided a brief overview of the current membership inquired about the appropriate number of representatives the Council would recommend for the Subgroup? In detailing the current membership she indicated several members were willing to continue serving as subgroup members even though their term had expired. When the membership overview was provided it was clear there was not any representation from the faculty constituency. It was recommended that there be a representation from each constituency from the campus community in efforts to ensure all constituencies have an opportunity to provide input on Human Resource related issues being discussed. Dr. Scott Lee volunteered to serve as a faculty representative on the subgroup.

Dr. Nicholson requested clarification on the current process for requesting the need to hire staff. Dr. Fisher stated due to the recent budget crisis occurring statewide the Council was to review and approve all hiring requests. Each request is to be vetted by the Budget and Finance Subgroup to determine imminent need and approval. The subgroup would then forward their recommendation to the Council for consideration and possible approval.

Dr. Nicholson indicated the first subgroup meeting included fruitful discussion and will result in the need to gather the necessary information needed to begin working on the Staffing Plan. The next subgroup meeting was scheduled for Thursday, February 21, 2013 from 3:00 p.m. – 4:00 p.m. in A141.

b. Facilities Sub-Group – D. Jensen

A report for the Facilities subgroup was not provided.

c. Communications Sub-Group – S. Standerfer

Mr. Steve Standerfer reported the Communication subgroup meeting was held in January to discuss the need to establish a new tagline. Subgroup members engaged in discussion regarding the need to establish a new tagline for the District. They were in agreement to move forward with the recommendation to the new tagline, “Enriching Lives, Building Futures.” This was the second most favorable tagline to the previously selected, “Imagine the Possibilities.” As previously discussed, the district was issued a cease and desist notification in using the tagline, “Imagine the Possibilities” during the fall 2012 semester. The subgroup agreed to move forward with recommending the approval of the second most favorable tagline in efforts to expedite the establishment of a new tagline and will be including this recommendation as an action item on the next SPBC agenda for approval. Once the Council takes action on this item the issue will then be forward to the College Coordinating Council for final approval. Mr. Standerfer indicated the newly established tagline will be copyrighted which will require a nominal fee. The preliminary online research regarding the use of the new tagline resulted in no immediate information on any institution or entity using this tagline.

d. Educational Master Plan – K. Cowell

Dr. Karen Cowell reported the initial Educational Master Plan meeting has been established for Friday, March 1, 2013. There was a tremendous response to the second call for volunteers. She is researching and reviewing of alternate Educational Master Plans which have received commendations. Butte College has a comprehensive plan and may be something the District would like to move towards but given the limited timeframe she will have to complete this report a major revision cannot be facilitated at this time. Presently, it will be much more efficient to maintain a similar format in creating the report as has been done in previous years with a few minor changes needed to incorporate statistical data.

6. ACTION ITEMS

None

7. DISCUSSION ITEMS

a. SPBC Council Membership (attachment)

Ms. Clinton indicated the Council membership was requested to be placed on the agenda for review. Some spelling corrections were requested for council members. In addition, it was stated the Council determines the Administrative Co-Chair, not Cabinet. Furthermore, it was suggested all terms be three years staggered so that there is not a complete turnover of a given constituency.

b. Gmail Project – R. Shaw

Mr. Rich Shaw reported the Gmail project was initiated prior to his hiring. He has been researching higher level computing questions of the security of documents and email content. He will be working to raise awareness of confidential and financial information created, shared, and/or discussed via email. The voluntary migration period is set to end March 4, 2013. All MyAVC email data will remain available for up to 90 days after the March 4, 2013 migration so it is important for all campus constituents to begin the process of migrating over to Gmail. Information Technology Service (ITS) assistance will be available for any assistance needed in transferring folder information over to the new Gmail service. Council members were encouraged to announce the recommendation to migrate email service and contact ITS if assistance is needed. The deployment, access, and managing of the Google network drive is the next phase focused upon by ITS. Mr. Shaw indicated he will work with the Technical Trainer to ensure an instructional tutorial sheet is made available for the campus community. The major area of emphasis during this transition will be to promote awareness of privacy issues due to cloud storage of information of Gmail information which is subject to compromise. ITS will be making efforts to communicate means to ensure privacy and security.

c. Legal Opinion Memo: Response to Shared Governance Councils/Committees, The Brown Act (attachment) – M. Clinton

Ms. Clinton requested Council members to review the Legal Opinion memo provided in the agenda packet. She stated the memo was self explanatory as it states the Council is not specifically subject to follow the Brown Act, although the Council must follow the stated process established in Administrative Procedure 2510.

d. ACCJC Response to Follow-Up Report (attachment) – S. Lowry and M. Clinton

Ms. Sharon Lowry stated a response to the Follow-Up Report was received on February 11, 2013. The Commission accepted the Follow-Up Report but is requiring an additional Follow-Up Report to fully address recommendation #1, #2, and #4. The Commission is looking for the District to complete additional work to fully address recommendations #1, #2, and #4 to meet ACCJCs’ standards. In addition to submitting a Follow-Up Report to the Follow-Up Report, the District will also be submitting the Midterm Report. Some important discussions are occurring at council and committee meetings are the need to fine tune our current processes and the need to have documented evidence available. Ms. Lowry stated the memo included a statement where the Commission is requiring all Accreditation information to be on a page no more than one click away from the institutions’ homepage. In addition, one of the movements being taken by the Commission is after so many reports they are verifying work completed with a visit. The requirement of a visit is not a reason to panic but is currently a trend instituted by the Commission who is also undergoing their own review.

8. SPBC ADMINISTRATIVE BUSINESS

a. Spring SPBC Meetings

- **March 20, 2013; April 17, 2013; and May 15, 2013**

b. Summer SPBC Meetings

- **Summer meeting dates: June 19, 2013 and July 17, 2013**

9. OPEN FORUM

- Ms. Clinton reported Ms. Mazie Brewington, Vice President of Administrative Services, is researching the fees required to bring in an outside speaker, Mr. Matthew Lee, to review the Councils’ processes in efforts to address any areas of concern. The topic of training has been an ongoing discussion item at various Council meetings including a recent College Coordinating Council meeting. Ms. Clinton stated she does not want to duplicate work being performed by Ms. Brewington and will provide more information when available.

10. ADJOURNMENT

A motion was made and seconded to adjourn the meeting at 3:33 p.m. Motion carried.

MEMBERS PRESENT

Dr. Ed Beyer	Dr. Lee Grishman	Sherrie Padilla	LaDonna Trimble
Dr. Liette Bohler	Jack Halliday	Jenell Paul	Dr. Les Uhazy
Maria Clinton	Dr. Scott Lee	Wade Saari	Maria Valenzuela
Dr. Karen Cowell	Sharon Lowry	Rick Shaw	Dr. Jill Zimmerman
Pamela Ford	Dr. Vicki Nicholson	Steve Standerfer	

MEMBERS ABSENT

GUESTS/EX-OFFICIO MEMBERS

Mazie Brewington	Diana Keelen	Vacant - Student Rep.	Dr. Jackie Fisher
Newton Chelette	Bridget Razo		
Kim Fite	Michael Reyes – Student Rep.		
Doug Jensen	Vacant - Dean, DIERP		

STRATEGIC PLANNING & BUDGET COUNCIL MEMBERS

Current Membership

2012 – 2013

<i>CONSTITUENCY</i>	<i>TERM</i>	<i>BEGIN</i>	<i>END</i>	<i>NAME</i>	<i>EXT</i>
SPBC Co-Chair/Dean, DIERP		Determined By Cabinet		Sharon A. Lowry (Interim)	6304
SPBC Co-Chair/Senate President	3 yr	2012	2015	Maria Clinton	6614
College President (Ex-Officio)		Permanent by Position		Dr. Jackie Fisher	6301
VP, Academic Affairs/Designee		Permanent by Position		Dr. Karen Cowell	6404
VP, Administrative Services		Permanent by Position		Mazie Brewington	6302
VP, Student Services		Permanent by Position		Newton Chelette	6303
VP, Human Resources		Permanent by Position		Dr. Vicki Nicholson	6588
Executive Director, Advancement Off.		Permanent by Position		Ms. Bridget Razo	6313
Director, Business Services		Permanent by Position		Ms. Diana Keelen	6319
Director, Facilities & Campus Dev		Permanent by Position		Mr. Doug Jensen	6526
<i>Interim</i> Director, ITS		Permanent by Position		Richard Shaw	6541
Director, Public Relations		Permanent by Position		Mr. Steve Standerfer	6312
Co-Chair, Enrollment Mgmt Comm.		Permanent by Position		LaDonna Trimble	6486
Faculty Union Representative		Permanent by Position		Dr. Liette Bohler	6002
Classified Union Representative		Permanent by Position		Ms. Pamela Ford	6266
Faculty Representatives (4)					
• Transfer	3 yrs.	2010	2013	Dr. Edward Beyer	6374
• Student Services	3 yrs.	2011	2014	Dr. Lee Grishman	6352
• Instructional Resources	3 yrs.	2011	2014	Dr. Scott Lee	6546
• Vocational	3 yrs.	2011	2014	Jack Halliday	6736
Classified Representatives (4)	2 yrs.	2011	2013	Kim Fite	6196
	2 yrs.	2011	2013	Janell Paul	6168
	2 yrs.	2011	2013	Maria Valenzuela	6219
	2 yrs.	2011	2013	Wade Saari	6341
Confidential/Mgmt/Supervisory (1)	3 yrs.	2010	2013	Sherri Padilla	6138
Deans/Directors (2)					
• Academic	3 yrs.	2009	2012	Dr. Les Uhazy	6417
• Student Services	3 yrs.	2009	2012	Dr. Jill Zimmerman	6344
Student Representatives (2)	1 yr.	2012	2013	Michael Reyes	
	1 yr.	2012	2013		

January 29, 2013

Mazie Brewington
Vice President, Administrative Services
Antelope Valley Community College District
3041 West Avenue K
Lancaster, California 93536

Re: *Opinion Regarding Application of Brown Act to Budget Committee and Strategic Planning Committee*
Client-Matter: AN060/001

Dear Ms. Brewington:

You have asked us to provide you with our opinion regarding whether the District's Strategic Planning and Budget Council is a "Brown Act Committee" subject to the strictures of the Ralph M. Brown Act.

Question

Does the Ralph M. Brown Act, found at Government Code section 54950 et seq., apply to the District's Strategic Planning and Budget Council?

Short Answer

The District's Strategic Planning and Budget Council is not subject to the Brown Act, but is subject to certain agenda requirements set out in Administrative Procedure 2510.

Factual Background

The District's Strategic Planning and Budget Council (Council) is a Committee established by the President/Superintendent pursuant to Administrative Procedure 3250. The Council provides for staff and student involvement in the strategic planning and budgeting process as required by the accreditation standards. The Committee makes recommendations to the President/Superintendent and the Vice President of Administrative Services regarding budgeting priorities. In turn, the budget is forwarded to the Board of Trustees. Administrative Procedure 2510 establishes the membership of the Council. No Board members are on the Council.

Discussion

A. Requirements of the Brown Act

We begin by looking at the general requirement of the Brown Act for local agencies to hold their meetings open to the public. This requirement is found in Government Code section 54953, subdivision (a):

“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.”

We next look to Government Code section 54952, which defines a “legislative body” of a local agency as follows:

“As used in this chapter, ‘legislative body’ means:

“(a)”

“(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body....”

Accordingly, if the Council is “created by charter, ordinance, resolution, or formal action of a legislative body” as defined in the Brown Act, it must comply with the requirements of the Brown Act.

B. The Council is not “Created by Formal Action of the Board of Trustees.”

A commission, committee, board, or other body of a local agency is “created by” charter, ordinance, resolution or other formal action of a legislative body if the legislative body “ ‘played a role’ in bringing ... ‘into existence’ ” the commission, committee, board, or other body. (*Epstein v. Hollywood Entertainment District II Bus. Improvement Dist.* (2001) 87 Cal.App.4th 862, 864, 104 Cal.Rptr.2d 857 (*Epstein*), quoting *International Longshoremen's, supra*, 69 Cal.App.4th at p. 295, 81 Cal.Rptr.2d 456; see also *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal.App.4th 354, 358–363, 36 Cal.Rptr.3d 47.)

Here, the President/Superintendent adopted Administrative Procedure 3250. The Superintendent/President creates Administrative Procedures setting out the method the administration will use to implement Board Policy. Administrative Procedures must be consistent with the intent of Board Policy. The Superintendent/President may revise administrative procedures as necessary. (Board Policy 2410.)

Re: Opinion Regarding Application of Brown Act to Budget Committee and Strategic Planning Committee

January 29, 2013

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The Council was created as part of the action in adopting Administrative Procedure 3250. Thus, the President/Superintendent created the Council. The Board did not take action or play a role in bringing the Council into existence. For these reasons, we conclude that the Strategic Planning and Budget Council is not a "legislative body" within the meaning of the Brown Act and does not need to meet the requirements of the Brown Act.

C. The Strategic Planning and Budget Council Must Post its Agenda Pursuant to Administrative Procedure 2510.

The Strategic Planning and Budget Council is defined as a "shared governance council" in Administrative Procedure 2510. Pursuant to Administrative Procedure 2510, participatory governance committees must abide by "Participatory Governance Committee Operating Procedures" in Appendix I. These procedures specify that the Council must circulate a call for agenda items five days before a meeting and must post its agenda two days before a meeting. There are other requirements for posting draft minutes and similar issues. These are internal requirements of the District, which apply to the Council.

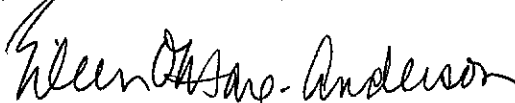
Conclusion

Because the Strategic Planning and Budget Council is not an advisory committee created by formal action of the Board of Trustees, we conclude it is not subject to the Brown Act. However, the Council is subject to the requirements of Administrative Procedure 2510, which include the requirement to post an agenda two days before a meeting.

Please do not hesitate to contact me if you have additional questions about any of the matters discussed in this opinion. Thank you for the opportunity to assist you.

Very truly yours,

LIEBERT CASSIDY WHITMORE


Eileen O'Hare-Anderson

EOA/ks



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

*Western Association
of Schools and Colleges*

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Associate Vice President
NORVAL WELLSFRY

February 11, 2013

Dr. Jackie Fisher, Sr.
Superintendent/President
Antelope Valley College
3041 West Avenue K
Lancaster, CA 93536

Dear President Fisher:

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting January 9-11, 2013, reviewed the Follow-Up Report submitted by the Antelope Valley College. The Commission took action to require that the institution complete a **Follow-Up Report in conjunction with the Midterm Report.**¹ The report will be followed by a visit by Commission representatives.

The Commission requires that the Midterm and Follow-Up Reports be submitted by **October 15, 2013**. The Follow-Up Report should demonstrate that the institution has addressed the recommendations noted below, resolved the deficiencies, and now meets Accreditation Standards.

Recommendation 1:

In order to comply with the standards, it is recommended that the college modify its processes to create documentation and other forms of evidence that can be used to reveal the college's progress toward implementation of Student Learning Outcomes (SLOs) and assessment of those outcomes. More specifically, the team recommends that to show compliance with the standards that the college:

- a. Develop a method to monitor progress made when implementing activities identified in program reviews to include listing steps in action plans, listing of individual student learning outcomes for each course, and assessment activities matched against progress made to achieve assessment activities. (I.B.3)
- b. Provide evidence in the form of documents or other deliverables to result from the operation of the integrated planning cycle. (I.B.3)
- c. Provide evidence that outcomes demonstrate the integrated planning cycle, from student learning outcomes to making budget decisions. (I.B.5)

Dr. Jackie Fisher, Sr.
Antelope Valley College
February 11, 2013

- d. Assess Program Learning Outcomes (PLOs) and provide evidence of program, student service, and administrative changes and improvements that result because of changes made. (II.A.1.a; II.A.1.c)

Recommendation 2:

To meet the standards, to raise the quality of instructional programs, and to instill a culture of evidence across the college the team recommends the following practices be institutionalized:

- a. To meet the standards it is recommended that when curriculum is being modified and at other appropriate points in time, the college establish clear connections with and document the involvement of members of professions, associations and professional organizations in order to demonstrate input from vocational/occupational advisory boards, and experts in the field to ensure the College is able to verify that the quality of educational programs is based on experts in the profession. (II. A.2.b)
- b. To ensure each department is being consistently evaluated under the program review process it is recommended that the college develop a list of minimum areas considered to ensure a rigorous self examination is conducted consistently across the college. (II.C.1)
- c. To meet the standards requirement that adequate resources be allocated to support the Library function of the college, it is recommended that the college conduct a comparative analysis against other similarly sized colleges to assess whether the amount of resources to meet the needs of students who rely on the Library to complete their educational goals. (I.B.7)
- d. To meet the standards and to enhance the effectiveness of its technology, it is recommended that the college adjust its technology advisory committee structure to ensure that the needs of administrative and instructional computing are equally well addressed, and that this dialogue then results in equitable priorities, implementation, and budget allocations for all technology needs. (III.C.1, III.C.1.d.)

Recommendation 4:

To comply with the standards, it is recommended that the college, when making its short-range financial plan, e.g., the annual budget of the college, consider its long-range financial obligation to pay the cost of the GASB 45 - Other Post- Employment Benefits (OPEB) as the costs are incurred instead of delaying payment to some future date. Specifically, the college is encouraged to prepare a comprehensive plan to prevent disruption of services offered to students by paying the Annual Required Contribution (ARC) determined using generally accepted accounting principles into an irrevocable trust fund at the amount equal to the actuarially determined Annual Required Contribution. (III.D.1.c)

Dr. Jackie Fisher, Sr.
Antelope Valley College
February 11, 2013

I wish to inform you that under U.S. Department of Education regulations, institutions out of compliance with Standards or on sanction are expected to correct deficiencies within a two-year period or the Commission must take adverse action. While Recommendations 1, 2, and 4 were identified as deficiencies in 2010, the Commission has extended Antelope Valley College's time to correct the deficiencies associated with these Recommendations. However, the College must fully resolve these deficiencies by **October 2013** or the Commission will be compelled to act.

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. 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 campus leadership and the Board of Trustees.

The Commission also requires that the College's Follow-Up Report and this Commission action letter be made available to students and the public by placing a copy on the College website. *Please note that in response to public interest in disclosure, the Commission now requires institutions to post accreditation information on a page no farther than one click from the institution's home page.*

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

cc: Ms. Sharon Lowry, Accreditation Liaison Officer
Board President, Antelope Valley CCD
Dr. Steven M. Kinsella, Superintendent/President, Gavilan College, Team Chair

¹ Institutions preparing and submitting Midterm Reports, Follow-Up Reports, and Special Reports to the Commission should review *Guidelines for the Preparation of Reports to the Commission*. It contains the background, requirements, and format for each type of report and presents sample cover pages and certification pages. It is available on the ACCJC website under College Reports to ACCJC at: (<http://www.accjc.org/college-reports-accjc>).