



Tri-Valley Regional Occupational Center/Program

2600 Kitty Hawk Rd #117, Livermore, CA 94551-9699
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JOINT POWERS GOVERNING BOARD

Agenda for the Regular Meeting of March 9, 2011

6:00 p.m. Closed Session / 7:00 p.m. Open Session

THE MISSION OF TRI-VALLEY ROCP IS TO:

- Educate and train a broad spectrum of students by providing a bridge of opportunity connecting school to continuing education and career.
- Support and guide the development of life and career skills valued by business, industry, colleges, and society.
- Provide an environment of continuous program improvement, responsive to the changing needs of students, employers, and industry.

JOINT POWERS GOVERNING BOARD MEETING PROCEDURES

Members of the public are encouraged to attend meetings of the Board. Individuals may address the Board regarding items *on* the agenda during the agenda item or, for Closed Session items, prior to Board adjournment into Closed Session. To address the Board regarding an item that *is* on the agenda, please complete a **blue speaker card** and submit it to the Administrative Assistant prior to Call to Order of the meeting, when possible, or prior to the agenda item you wish to address. This allows the Board Chairperson to divide the available time among speakers.

Speakers may address the Board under agenda item **5.0, PUBLIC COMMENT**, regarding topics that are under the Board's jurisdiction but are *not* on the agenda. Speakers should complete a **yellow speaker card** and submit it to the Administrative Assistant prior to Call to Order of the meeting. By law, the Board may listen to comments, but may not enter into discussion nor take action on any item not on the agenda. Time is limited to 3 minutes per speaker and 20 minutes per subject matter.

TRI-VALLEY ROCP GOVERNING BOARD

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1.0 OPENING – 6:00 p.m.

1.1 Call to Order

1.2 Roll Call

Stu Gary, Chairperson
Amy Miller, Vice Chairperson
Jamie Hintzke, Member
Neil Davies, Member
Diane Centoni, Secretary

2.0 PUBLIC COMMENT on posted closed session items

3.0 ADJOURN TO CLOSED SESSION

3.1 Conference with Labor Negotiators

Agency designated representative: Stewart Gary, Board Chairperson

Unrepresented employees:

Superintendent
Director, Instructional and Student Support Services
Principal, Correctional Education/Adult Programs
Business & Personnel Services Manager
Certificated Employees (All)
Classified Employees (All)

3.2 Public Employee Discipline/Dismissal/Release

4.0 RECONVENE IN OPEN SESSION – 7:00 p.m.

4.1 Pledge of Allegiance

4.2 Approval of the Agenda

ACTION

The Board or Superintendent may remove or change the order of agenda items.

Recommendation: *Approve* the agenda, as presented.

4.3 Announcement of Any Reportable Actions Taken in Closed Session

5.0 PUBLIC COMMENT on matters *not* on the agenda

At this time, members of the public may address the Board regarding any matter that is *not* on the agenda. (For items that *are* on the agenda, the opportunity for public comment will be presented during each agenda item.) Speakers should submit a speaker card to the Administrative Assistant prior to Call to Order of the meeting: a *yellow card* for items not on the agenda and a *blue card* to speak during an agenda item.

6.0 CONSENT CALENDAR

Recommendation: *Approve* the Consent Calendar, as presented.

Moved Seconded Ayes Noes Abstain Absent

Background:

6.1 ADMINISTRATION

6.1.1 *Approval of the Minutes of the Regular Meetings of November 30, 2010, and January 26, 2011, and the Special Meeting/Governance Workshop of February 28, 2011*

6.1.2 *Second Reading and Adoption of Updated Board Policy 4143 and New Administrative Regulation 4143, Salary Deductions and Employee Insurance Coverage (Certificated Employees), and New Board Policy and Administrative Regulation 4154/4254/4354, Health and Welfare Benefits (All Employees) [With Changes from First Reading: Deletion of Administrative Regulation 4239, Retirement Benefits \(Classified\), Moving Text to New AR 4154/4254/ 4354 for All Employees](#)*

6.1.3 *Second Reading and Adoption of Updated Board Bylaws 9100, 9110, 9130, 9200, 9240, 9310, 9320; New Board Bylaws 9322, 9323, and 9324; and Deletion of Board Bylaws 9220, 9330, and 9335*

6.2 BUSINESS

6.2.1 *Approval of Surplus Equipment – Existing Spray Paint Booth at Livermore High School*

6.2.2 *Approval of Independent Auditor Selection Form for 2010-11*

6.3 PERSONNEL

6.3.1 *Approval of Personnel Document*

6.4 EDUCATIONAL SERVICES

6.4.1 *Approval of Textbook for Criminal Justice/CSI Course*

6.4.2 *Approval of Obsolete Textbooks—Marketing Essentials (2002)*

Impact: See individual agenda pages

Back-up enclosed: YES

ACTION

6.0 CONSENT CALENDAR

6.1 ADMINISTRATION

6.1.1 Approval of the Minutes of the Regular Meetings of November 30, 2010, and January 26, 2011, and the Special Meeting/Governance Workshop of February 28, 2011

Recommendation: *Approve* the minutes of the regular meetings of November 30, 2010, and January 26, 2011, and the special meeting/governance workshop of February 28, 2011, as presented (or as amended by the Board).

Background: The minutes of the November 30, 2010, January 26, 2011, and February 28, 2011, meetings are presented for Board approval.

The minutes of the November 30 meeting were presented to the Board for approval during its meeting of January 26, 2011. Board Chairperson Stu Gary was not in attendance on January 26, and the three attending board members questioned whether they could approve minutes of a meeting they had not attended. The Board tabled the minutes of November 30 to be approved at tonight's meeting when the minutes could be endorsed by Stu Gary.

It is the opinion of the California School Boards Association that Board members who did not attend a meeting can still approve the minutes since the Board approves minutes *for entry into the official record of the Board* and not to attest to the accuracy of all that is contained in the minutes. Therefore, it is recommended that the Board approve the minutes of November 30, January 26, and February 28 at this time.

Impact: None

Back-up enclosed: YES

CONSENT

6.0 CONSENT CALENDAR

6.1 ADMINISTRATION

6.1.2 *Second Reading and Adoption of Updated Board Policy 4143 and New Administrative Regulation 4143, Salary Deductions and Employee Insurance Coverage (Certificated), and New Board Policy and Administrative Regulation 4154/4254/4354, Health and Welfare Benefits (All Employees) With Changes from First Reading: Deletion of Administrative Regulation 4239, Retirement Benefits (Classified), Moving Text to New AR 4154/4254/ 4354 for All Employees*

Recommendation: *Adopt* Board Policy and Administrative Regulations 4143, *Salary Deductions and Employee Insurance Coverage*, and 4154/4254/4354, *Health and Welfare Benefits*, and delete Administrative Regulation 4239, *Retirement Benefits* (moving text to new AR 4154/4254/4354 for all employees), as presented.

Background: It is the desire of TVROCP, and the recommendation of legal counsel, to update the Board's Health and Welfare Benefits policy and add a regulation to provide more details related to certificated coverage. Also, it is recommended that we add a mandated policy and regulation concerning federal COBRA and Cal-COBRA coverage for all employees.

During its regular meeting of January 26, 2011, the Board received a First Reading of updated BP 4143, *Salary Deductions and Employee Insurance Coverage* (renamed from *Optional Salary Deductions*), new AR 4143, *Salary Deductions and Employee Insurance Coverage*, and new BP and AR 4154/4254/4354, *Health and Welfare Benefits*. Tonight, the Board will receive a Second Reading and recommendation for adoption.

This Second Reading of BP and AR 4154/4254/4354, *Health and Welfare Benefits (All Employees)*, includes language moved from AR 4239, *Retirement Benefits (Classified)* to permit all eligible TVROCP retirees (not just Classified) to enroll in TVROCP-sponsored medical and dental plans with the entire cost to be borne by the retiree. This is at no cost to TVROCP.

Impact: *Financial:* None; no change to employee health plans.
Organizational: Because TVROP does not have collective bargaining agreements, it is required that this added information be included in Board Policy.

Backup enclosed: YES – Backup indicates changes since First Reading.

CONSENT

6.0 CONSENT CALENDAR

6.1 ADMINISTRATION

6.1.3 Second Reading and Adoption of Updated Board Bylaws 9100, 9110, 9130, 9200, 9240, 9310, 9320; New Board Bylaws 9322, 9323, and 9324; and Deletion of Board Bylaws 9220, 9330, and 9335

Recommendation: *Adopt* updated Board Bylaws 9100, 9110, 9130, 9200, 9240, 9310, 9320, and new Board Bylaws 9322, 9323, and 9324, and delete Board Bylaws 9220, 9330, and 9335, as presented.

Background: During its meeting of January 26, 2011, the Board received a First Reading of recommended changes to the 9000 Series, Board Bylaws, which are necessary in order to bring the bylaws in line with the approved Third Amended Joint Powers Agreement.

Revise:

BB 9110, *Number of Members and Terms of Office*
BB 9130, *Officers of the Governing Board*
BB 9240, *Secretary*
BB 9320 (changed from 9331), *Meetings and Notices*

Additional changes were recommended to bring bylaws in line with CSBA's sample bylaws, including the addition of two mandated bylaws:

Revise:

BB 9100 (renumbered from 9333), *Organization*
BB 9200 (renumbered from 9120), *Limits of Board member Authority*
BB 9310, *Adoption of Policies*

Add:

BB 9322, *Agenda/Meeting Materials (mandated)*
BB 9323, *Meeting Conduct (mandated)*
BB 9324, *Minutes and Recordings*

Delete:

BB 9220, *Duties of Board Member in Charge* (covered in BB 9130)
BB 9330, *Meetings* (covered in new BB 9322 and BB 9323)
BB 9335, *Governing Board Meeting Agenda Items and Limitations*
(covered in new BB 9322)

Tonight, the Board will receive a Second Reading and recommendation for adoption.

Impact: Organizational

Back-up enclosed: YES – This version has proposed changes incorporated.

CONSENT

6.0 CONSENT CALENDAR

6.2 BUSINESS

6.2.1 **Approval of Surplus Equipment – Existing Spray Paint Booth at Livermore High School**

Recommendation: *Approve* the surplus and salvage of the existing Spray Paint Booth at Livermore High School.

Background: Pursuant to the District’s Prop 1-D Project, the existing Spray Paint Booth at Livermore High School will be demolished and removed by J D General as part of their contract. The replacement booth is scheduled to be installed during the week of April 4-8, 2011.

Impact: None

Back-up enclosed: No

CONSENT

6.0 CONSENT CALENDAR

6.2 BUSINESS

6.2.2 *Approval of Independent Auditor Selection Form for 2010-11*

Recommendation: *Approve* the Independent Auditor Selection Form for 2010-11.

Background: Tri-Valley ROP must report to the Alameda County Office of Education by April 1, 2011, regarding what auditing firm the ROP intends to use for 2010-2011 school year. Last year, the District entered into a three-year contract with Moss, Levy & Hartzheim, LLP, for fiscal years 2009-10 through 2011-12.

Impact: An independent audit is a requirement. The cost for the completed 2009-10 audit was \$5,940. The cost for the upcoming audits will be \$6,109 for 2010-11 and \$6,278 for 2011-12

Back-up enclosed: YES – Alameda County Disclosure Form

CONSENT

6.3 PERSONNEL

6.3.1 Approval of Personnel Document

Recommendation: **Approve** Personnel Document #0311, as presented.

Moved Secinded Ayes Noes Abstain Absent

Background: The Board must act on all issues regarding employees of the ROCP and Correctional Education. The Personnel Document specifies each area, to include new hires, reclassifications, additional days for temporary service, and resignations.

Name/FTE	Description/Location	Effective Date	Recommended Action	ROCP or Jail
Amanda Carlson (.50)	Career Education Specialist Dublin High School Maternity leave <i>Employee will use sick, vacation and personal leave days and any remaining will be at the differential pay rate.</i>	03/23/11 – through 6/09/2011	Approve Classified Leave of Absence (Paid and unpaid)	ROCP
Kathy Schults (.50)	Career Education Specialist Granada High School Resignation	05/13/2011	Accept	ROCP

Impact: Cost of substitute of approximately \$3,840 (less the 50% bill-back to DUSD) for Amanda Carlson;
 We will work with LVJUSD on filling in the 19 days left unfilled with the Kathy Schults resignation.

Back-up enclosed: No

CONSENT

6.0 CONSENT CALENDAR

6.4 EDUCATIONAL SERVICES

6.4.1 Approval of Textbook for Criminal Justice/CSI Course

Recommendation: *Approve* the purchase of CJ 2010 textbook for use in TVROCP Criminal Justice/CSI classes, as presented.

Background: The new textbook, CJ 2010, Fagin, has a 2011 copyright and aligns with the Las Positas College program that is articulated through Credit By Exam for students to receive college credit. The employer advisory committee approved the request to change the text at the Spring 2010 meeting to continue alignment with the college. In addition, the current textbook being used for Criminal Justice/CSI is copyright 2002 and student textbooks are very worn after nine years. The instructor has been diligent about taking care to extend the life of the textbooks as long as possible.

Title: CJ 2010
Author: James A. Fagin
Publisher: Pearson Education, Inc, publishing as Prentice Hall
ISBN-13: 978-0-13-509576-8

Impact: The purchase of 120 new textbooks at \$38 each (total cost of \$4,560 + tax and shipping) aligns with community college and CBE instruction. *(A new edition of the old textbook would cost \$78 each.)* This purchase is included in the adopted 2010-11 budget.

Back-up enclosed: No – Textbook is available for viewing at the TVROCP Administrative Office.

CONSENT

6.0 CONSENT CALENDAR

6.4 EDUCATIONAL SERVICES

6.4.2 **Approval of Obsolete Textbooks—Marketing Essentials (2002)**

Recommendation: *Approve* the surplus and disposal of 39 copies of Marketing Essentials (2002).

Background: It is recommended that the Board declare 39 copies (32 student and 7 teacher editions) of the textbook Marketing Essentials (2002) obsolete, and authorize staff to dispose of the books in accordance with Education Code. Upon board approval, the textbooks will be donated to Cal High School in San Ramon. The new version of the textbook is already in use in our Marketing class.

Impact: None

Back-up enclosed: No

CONSENT

7.0 DEFERRED CONSENT ITEMS

If any items are pulled from the Consent Calendar to be addressed individually, those items will be discussed and acted upon at this time.

8.0 SUPERINTENDENT'S REPORT

In place of her report on recent activities, Superintendent Centoni will defer her time to Shay Galletti, CTE Teach Project Lead, who will present a summary of the **CTE Teach Project**. The implementation of a teacher support programs - CTE Project is a strategic priority that supports Goal 1.0: ***Promote the success of ALL students by maintaining a focus on strong teaching and learning and by providing engaging, HIGH QUALITY programs and instruction that lead to Careers.***

9.0 ACTION ITEMS

9.1 ADMINISTRATION—None

9.2 BUSINESS

9.2.1 Acceptance of 2009-10 Audit Report

Recommendation: *Accept* the 2009-10 Audit Report, as presented.

Moved Seconded Ayes Noes Abstain Absent

Background: Staff will present the annual audit for FY10 that was conducted by Moss, Levy & Hartzheim. The following chart provides a summary of the findings:

BEGINNING GENERAL FUND BALANCE	\$	1,465,707
Revenue		4,883,884
Expenses		4,592,162
Transfers to Fund 35		57,000
ENDING FUND BALANCE		1,700,429

ASSETS

Cash In County Treasury	208,330
Revolving Cash	18,085
Receivables	1,628,505
Due From Other Funds	<u>13,992</u>
TOTAL ASSETS	1,868,912

LIABILITIES

PAYABLES	168,483
FUND BALANCES	
Revolving Fund	18,085
Legally Restricted Reserves	164,939
Economic Uncertainties	231,330
Other Designations	970,435
Undesignated	<u>315,640</u>
TOTAL FUND BALANCES	1,700,429

TOTAL LIABILITIES AND FUND BALANCES	1,868,912
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Impact: Audit was submitted to the County of Alameda on January 31, 2011. There were no material findings in the audit.

Back-up enclosed: Copy of full report provided to each trustee.

ACTION

9.0 ACTION ITEMS

9.2 BUSINESS

9.2.2 Approval of 2010-2011 Second Interim Report

Recommendation: *Approve* 2010-11 Second Interim Report, as presented.

Moved Seconded Ayes Noes Abstain Absent

Background: TVROCP is required to verify its financial position periodically throughout the year to the Alameda County Office of Education and the California Department of Education. The Second Interim report is a snapshot of how TVROCP is performing financially as of January 31, 2011. It is an early indicator that provides insight regarding income and expenses as compared to budget projections. TVROCP is required to obtain JPGB approval and submit the report to the Alameda County Office of Education by March 15th of this year.

The assumptions made for Multi-year Projections used for this report were based on the Governor's Budget Release in January.

The following pages include the narrative and the General Fund and Multi-year Projection excerpts from the SACS report. A full SACS report has been provided to each trustee.

Impact: A review of the findings of the Second Interim report provide insight regarding what changes or adjustments are necessary for TVROCP to make in order to maintain fiscally stable.

Back-up enclosed: YES

ACTION

9.0 ACTION ITEMS

9.2 BUSINESS

9.2.3 **Preliminary Programming and Budget Planning: Discussion and Possible Action on Budget Solutions for 2011-2012**

Recommendation: *Approve* Phase 1 reductions as presented.

Background: Staff will provide a framework and background information and will lead a discussion with the Board on budget challenges, including flex, and possible budget solutions to assist the Board in the budget prioritization and decision-making process, including possible contingencies to address ongoing economic uncertainties.

Recognizing the need to create alternative scenarios, given the current uncertainty regarding the 2011-12 budget, we have included possible Phase 1 through Phase 4 reductions to provide a graduated reduction list. In the event that the State fiscal situation worsens, we must have “better contingencies” to meet the challenge.

Staff will provide the Board with preliminary enrollment and programming information, as well as the projected impact for 2011-12.

Each year, we perform an Annual Course Review of all our programs. Included in the Course Review is documentation that leads us to determine Status (Continue, Watch, or Probation) and Action (Continue, Modify, Reduce, or Drop) for future programming. Although the Course Review is not the only factor in determining programming, many of the courses that are being considered as possible reductions for 2011-2012 have a Status/Action of other than Continue/Continue. Other factors include registration request numbers, student retention, facility, pathway, duplication of courses, and UC approval status.

PHASE 1 REDUCTIONS (2011-13 unless indicated)

Impact on BUDGET:

Reductions in the amount of \$227,810 are proposed:

- -1.80 FTE ROP teaching
- -0.32 FTE Counselor position
- -0.20 FTE Coordinator
- -0.25 FTE Custodial position
- Suspension of Management Stipends for cell phone, car and memberships
- Management Furlough Days (5 days in 2011-12)
- Stipends for Site Team Advisory Representative (STAR) Teachers (50%) and Marketing Lead Teacher (100%)
- Compensation for Participation by ROP Teachers at Member District In-Service (voluntary one day for ROP teachers; TVROCP In-Service remains mandatory).

Impact on PROGRAMMING:

Loss of class sections will reduce options for students and career readiness opportunities. Some students may have to be scheduled into classes they don't find appealing or meaningful for their career planning, while others will have to travel farther to gain access to a class of interest.

While we do not have all the enrollment projections to date, we are concerned about the ROP reductions, especially given that PUSD is considering what to do next year about the 7th period. The loss of the 7th period this year greatly impacted ROP enrollment numbers. We anticipate higher registration numbers in the coming year once the 7th-period day is restored.

Back-up enclosed: YES

ACTION

9.0 ACTION ITEMS

9.3 PERSONNEL—None

9.4 EDUCATIONAL SERVICES —None

10.0 INFORMATION ITEMS

10.1 ADMINISTRATION—None

10.2 BUSINESS

10.2.1 Tri-Valley ROCP Budget and Cash Flow Report

Recommendation: Information item only; no action required.

Background: Presented for Board information are the Budget Summary and Cash Flow Reports showing activity through February 2011. Both are regularly scheduled reports which are provided at every Joint Powers Governing Board meeting. The Budget Report shows the revenue and expenditures as of the most recent monthly period. The Cash Flow Report shows the cash receipts and disbursements for the same period. Staff will report on the status of the TVROP budget and cash flow and answer questions.

Impact: It is prudent for the Board to review these financial statements on a regular basis. These reports provide good measures of fiscal health and solvency and help to monitor revenue, expenses and cash.

Back-up enclosed: YES

INFORMATION

10. INFORMATION ITEMS

10.2 BUSINESS

10.2.2 Update on Auto Collision Repair and Refinishing Prop 1-D Project

Recommendation: Information item only; no action required.

Background: The Board will receive an update on the Auto Collision Repair and Refinishing Prop 1-D project.

TVROCP received the formal acceptance letter from the Office of Public School Construction (OPSC) on January 25, 2011. The match for previously completed work was verified at \$94,000 - \$98,000 less than indicated in the original application. The OPSC approved \$224,030 in funding for the project based on a total project cost of \$448,060.

To complete the entire project, the District would need to invest an additional \$100,000 above the \$57,000 already transferred to Fund 35, which we are not recommending. Instead, we recommend that we only do the Spray Booth replacement and canopy installation for an additional cost of \$56,000. (During its meeting of September 9, 2010, the Board adopted Resolution 2010-2011.20, *Authorization for Budget/Cash Transfers*, authorizing the Superintendent and/or Business & Personnel Services Manager to make budget and/or cash transfers within and between funds and to release funds designated to the Capital Outlay & Equipment Replacement Reserve for FY10-11. The amount of \$50,000 has been moved to Fund 35 within the Second Interim Report.)

A pre-construction meeting was held on February 10, 2011, with all contractors, current sub-contractors, Livermore Valley Joint USD, and TVROCP representatives. Consistent with the November 30, 2010, Board approval of contracts "contingent upon approval of OPSC funding," the Notices to Proceed were issued on February 10, 2011, to the following contractors: J. D. General – Construction (Spray Booth Replacement & Canopy Construction); Michael Martin – Inspector of Record; CCMI – Labor Compliance Monitoring.

We have identified a completion date of April 29, 2011.

Impact: Additional costs to District of \$56,000 (or up to \$100,000 if additional funds become available for the purchase of a replacement frame straightening system).

Back-up enclosed: January 25, 2011, letter from the OPSC

INFORMATION

10.0 INFORMATION ITEMS

10.3 PERSONNEL—*None*

10.4 EDUCATIONAL SERVICES—*None*

11.0 CORRESPONDENCE

11.1 ACOE First Interim letter

12.0 BOARD MEMBER REPORTS

Board members may wish to report on their recent activities.

13.0 ANNOUNCEMENTS

13.1 Upcoming Board Meetings

- **April 1, 2011, 4:00 p.m.** - Special closed session of the Governing Board regarding the Superintendent's Evaluation.
- **June 16, 2011, 7:00 p.m. (6:00 p.m. closed session)** – Regular meeting in the TVROCP District Office Board Room, 2600 Kitty Hawk Road #117, Livermore. *This meeting will include a public hearing on the Proposed 2011-2012 Budget followed by Board action to approve the budget.*

13.2 Upcoming Events

- March 16, 2011, 12:00 noon - Graduation for Adults in Correctional Education, Santa Rita Jail (gymnasium)

14.0 ADJOURNMENT

SG:DC/lc
Posted 3-3-11