



SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

BOARD MINUTES

Regular Meeting

December 9, 2009

4:00 p.m.

The Board of Trustees of the San Luis Obispo County Community College District met in Regular Session in room 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California, members having received notice as prescribed by law.

1. **Call to Order** The meeting was called to order by Board President, Patrick Mullen at 2:03 p.m.

2. **Roll Call -
Establish
Quorum** Board Members
Patrick W. Mullen, President
Angela Mitchell, Vice President
Gaye Galvan
Per Mathiesen
Marie Kiersch

3. **Approval of
Agenda** **Motion to approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the agenda, as amended.

Consent items P8, P9, and P10 will be pulled for separate deliberation.
Business item O.2 will be moved ahead of O.1; the remaining sequence of the agenda being unchanged.

4. **Recess to
Closed
Session** The Board recessed to Closed Session at 2:05 p.m.

5. **Reconvene in
Open Session
& Pledge of
Allegiance** The Board reconvened in Open Session at 4:12 p.m. Trustee Mathiesen led the pledge of allegiance.

BOARD MEMBERS PRESENT

Patrick W. Mullen, President
Angela Mitchell, Vice President
Gaye Galvan
Per Mathiesen
Marie Kiersch
Josh Shepherd, Student Trustee

ADMINISTRATION PRESENT

Dave Pelham, Superintendent/President
Toni Sommer, Asst Supt/VP Administrative Services
Cathleen Greiner, Asst Supt/VP Academic Affairs
Linda Fontanilla, Asst Supt/VP Student Services
Sande McLaughlin, Exec Dean, NCC and SCC
Annette Loria, Exec Dir, HR and Labor Relations
June Stephens, Exec Dir, Foundation / Inst Adv
Deborah Wulff, Dean
Pamela Ralston, Dean
Gil Stork, Interim Dean

VISITORS SIGN-IN

(Attachment A)

6. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Board President Patrick Mullen announced the following actions taken in closed session.

- The Board unanimously agreed to appoint Dr. Gil Stork as Superintendent/President (Interim Basis) for up to 12 months, pending approval of contract.
- Dr. Stork said he was humbled by the opportunity and enormous challenge the appointment brings to him. He thanked Dr. Pelham for his service and commitment to be at Cuesta and lead the college through an extraordinary time. Dr. Stork said he was in his 43rd year of serving Cuesta College, and every year has been better than the previous because every new year brings new students, new staff, new challenges and new opportunities. He said these were extraordinary times, requiring extraordinary solutions by extraordinary people, and he wants to be part of that.
- The Board approved public employee appointments, appointment changes, resignations, and retirements.
- The Board approved the selection of Toni Sommer as Assistant Superintendent, Administrative Services.
- Provided instructions to the President and staff regarding current labor negotiations.

Public a. Agency Negotiator: Patrick Mullen
Employee Instructions Regarding Unrepresented Employees: Superintendent /
Performance President; general evaluation
Evaluation

Public **Motion to Approve:** Galvan — **Passed** by unanimous vote of those members
Employee present to approve the following public employee appointments:
Appointment a. Interim Superintendent/President
b. Short-term, Hourly Employees
c. Assistant Superintendent Vice President Administrative Services
d. Spring 2010 Temporary, Overload and Substitute Assignments

Public **Motion to Approve:** Galvan — **Passed** by unanimous vote of those members
Employment present to approve the following public employee actions:

Appointment Change

- a. Division Department Assistant, Learning Resources
- b. Division Department Assistant, Student Life and Leadership

Resignation/Retirement

- a. Student Services Assistant
- b. Part-time Counselor Health Department
- c. Superintendent/President
- d. Administrative Assistant, Executive Dean, North County

Retirement

- a. Instructional Associate
- b. Human Resources Analyst

**Labor Negotiations/
Terms &
Conditions**

Labor Negotiations and Terms and Conditions of Employment for Represented and Unrepresented Employees

- a. Human Development Agency Negotiator: Annette Loria
Instructions Regarding Classified Employees; Negotiations
- b. Agency Negotiator: Annette Loria
Instructions Regarding Academic Employees; Negotiations
- c. Agency Negotiator: Patrick Mullen / Dave Pelham
Instructions Regarding Unrepresented Employees,
Superintendent/President, Confidential, Managers, Supervisors:

7. REPORTS FROM EMPLOYEE ORGANIZATIONS

Academic Senate

Academic Senate President Steve Leone presented the following to the board:

- He congratulated Dr. Stork and Ms. Sommer on their appointments.
- The Senate responded to a fact check and draft of the accreditation follow-up visiting team. He thanked Dr. Pelham for allowing them to respond.
- One goal during fall semester was to define what a program is on campus. The Senate only reached consensus at the last meeting. Definitions were split three-ways: instructional, administrative, and student services.
- The definition for student services reads: A student service program is a grouping of student services that leads to the acquisition of selective knowledge or skills. The program that exemplifies that definition is DSPS. The faculty in this program have experienced much stress this semester with rumors of restructure, elimination, and reductions. This has cut at the morale of DSPS. He said that one thing that gets lost during such discussions is the value of the program.
- He spoke with Robin Powers, Mark Tomes, and Karen Waska regarding this program. DSPS offers transferable courses with their courses in academic skills. It allows students to transfer. It's more than a service, it provides valuable education. It is linked to the English program. The program provides LD testing which costs up to \$3,000 on a public level.
- He asked the aforementioned faculty if they had been consulted regarding areas that could be restructured, and if any, what changes could be made to improve them. He said they all responded that no contact was made regarding a need for restructuring, and there was no discussion of elements in the program that need restructuring. There was very little or no discussion regarding what other institutions were doing to mitigate cuts to DSPS programs.
- The Academic Senate adamantly supports the DSPS program as a viable program that educates and provides essential services to Cuesta's students.

CCFT

CCFT President, Allison Merzon presented the following to the Board:

- She acknowledged the resignation of Dr. Pelham and his service to Cuesta College and wished him well on his future endeavors.
- She said the mantle of leadership is fairly heavy and for whatever reason, it is

sometimes more effective to put that mantle down and move on, and she respects the decision to do that.

- She read an excerpt from a Harvard Business School article, "if it's one thing I've learned in my career it is this; great leaders are not the shiniest stars in the heavens. They can be glamorous and charismatic, or they can be conservative and quiet, but day in and day out they are consistent and predictable. They have a passion for the organization, the team, and the people around them are easily communicated to and others. All those around you must be consistently able to predict how you might respond to any situation. Of course, your response should strive for excellence, but it should always be based on the same clear, concise, and measurable decision making processes."
- She congratulated Dr. Stork and Toni Sommer.
- Negotiation impasse has been declared and the unit is waiting on mediation information and dates from the Public Employment Relations Board (PERB).
- She is looking forward to the process and using this tool to move forward on negotiations.
- The new vision the faculty created for the union was a perceived significant shift from what had been the status-quo. That vision became known as "the new approach", and it was printed on buttons. However, all propaganda aside, that vision is still the foundation upon which the function of the union, as a group, has committed to operate. She said at times she is sure they have faltered, but when a collaborative, consistent, predictable vision or means of operating is embraced, the results are much better than the sum of their parts.
- An illustrative example of this is the current discussions around DSPS. As with all the other discussions regarding the budget, CCFT has maintained a consistent position of asking for information, demanding details, and being persistent in search of facts. It's part of the vision. Simply accepting conclusions without evidence will not only undermine the very tenants of higher education but it flies in the face of the ideals faculty hold true.
- She said only earlier in the week, well after other deliberations in other areas, was CCFT afforded a true seat at the table discussing DSPS. When the Director of Human Resources asked them to participate the conversation and the paradigm shifted. By demanding detail, advocating respectfully, and working with the administration, they demonstrated that the concept of eliminating a full-time faculty member was not an option. This morning the District agreed.
- Faculty and staff have the ability to develop solutions that are meaningful, comprehensive, and well thought. Other solutions can be worked out.
- The quarterly 311-Q report indicates the district is approximately 4 percent under spending for the quarter. That equates to approximately \$2 million in unspent funds. The amount needed to fill the gap in DSPS is approximately \$123,000. That figure represents approximately 5 percent of the unspent funds in the first quarter.
- It is not a discussion about framework because Cuesta College is the model. It is a discussion about numbers. CCFT's position is that the Board will not have enough information to make an informed decision at this time.
- Unions are not obstacles to overcome but partners to embrace. They have proven at the table that they are prepared, organized, demanding, reasonable, and solutions oriented.
- She presented a handout containing questions the Board and administration must answer.
- She asked the Board to slow down and work it through.

CCCUE

CCCUE President, John Fetcho presented the following to the Board:

- He congratulated Toni Sommer and Gil Stork on their appointments.
- He said the group is looking forward to working with both of them. He also wished Dr. Pelham well as he moves on to his new Presidency.
- At the same time, he is also saddened to see on tonight's agenda a proposal to lay off a classified employee from DSPS. CCCUE is not convinced that such a scenario is necessary.
- The group is willing to do the work necessary to search out sufficient budget reductions to save these jobs. They have done it before. Last summer, the group was told that to save all of the classified jobs that were proposed for layoffs, there would need to be a 5% salary reduction. But after much work, with good data, they were able to show that the Classified only needed a 2.88% reduction. Something similar can be accomplished, but good data is needed. Give them all the information and let them get to work.
- They are also concerned with the process of choosing a new president. What is the budget for the interim president? Will there be any savings? Where will the District put any savings?

**Management
Senate**

Jay Chalfant presented the following to the Board:

- He spoke to specific strengths of those in Management Senate.
- He recognized Mark Wilwand for his outstanding leadership and management on the CPAC project. It was an enormously complex project with many systems. Each system was a project unto itself, and each dovetailed into the other and required precise coordination. He said Mr. Wilwand worked through the challenges efficiently and calmly. It is the most technically advanced theater arts system in the central coast community. He commended Mr. Wilwand's competency and exemplary management skills.
- He also recognized Israel Dominguez, Director of the Business Systems Office. The Chancellor's office reworked the structure of the Small Business Development Center early last summer. From this restructure, Mr. Dominguez, developed a program which will serve as a model for the state. This is an outstanding achievement. Mr. Dominguez is dedicated to the success of small business and entrepreneurship. Mr. Chalfant commended Mr. Dominguez for his innovation and commitment, and exhibiting the expertise that is Cuesta College.
- He thanked Dr. Pelham for his efforts and wished him the best. He also congratulated Toni Sommer on her appointment. He recognized her professionalism and skill, longevity, and commitment to Cuesta College.
- The Senate feels these characteristics are essential as well in the search for a new superintendent/president.
- He congratulated Dr. Stork on his appointment.
- Senate members have maintained focus on providing dedicated support for the operational needs of the college. They also believe and recognize this group is not the only one who can lay claim to these characteristics. The CPAC would not have come on-line without the commitment and efforts of Richard Jackson and Ron E Minhizer. Both are classified employees who used their expertise to rig, tune, and setup the audio and lighting systems in the theater.
- He thanked them for helping make the theater a success and demonstrating the true character of Cuesta College.

8. REPORTS FROM BOARD MEMBERS

Trustee Mitchell

No report.

Trustee Mullen

Trustee Mullen presented the following to the board:

- He was honored to help kick-off opening night at the CPAC. The teaching opportunities and the potential for programs is outstanding.
- He held two forums on the SLO campus on November 20. It was a great opportunity to touch base with the employees and constituents at the college and receive direct feedback on current issues.

Trustee Galvan

Trustee Galvan presented the following to the board:

- The opening night concerts at the CPAC were outstanding. The sound is unmatched anywhere on the central coast.
- She attended the Veteran's luncheon in North County yesterday. The dedicated center and attention they are receiving is rare in the community college system. She thanked Dr. Fontanilla and others who have been involved in the progress in this area.
- She thanked Jay Chalfant and the Management Senate for recognizing some of Cuesta's finest and hard-working employees. She said it is something that is not done enough.
- She attended the reception hosted by the Foundation prior to the opening concerts.
- She thanked Trustee Shepherd for his commitment, hard work and leadership, and said she fully supports his efforts.

Trustee Mathiesen

No report.

Trustee Kiersch

No report.

Student Trustee Shepherd

Trustee Shepherd presented the following to the board:

- The ASCC is working hard on advocacy. Eight members attended a semiannual student conference, where policy was discussed and decided for the next six months. The ASCC resolution, proposing a statewide walkout, was voted down.
- The Student Veterans Club placed 2,000 flags in the lawns between the library and the student center in recognition of Veteran's Day. A BBQ was also held on November 11 that raised over \$1,000 for the club.
- A letter was delivered to Dr. Pelham on Monday addressing spring advocacy events. The 25 members of the ASCC are committed but cannot do it alone. There must be buy-in from the entire campus community. An account has been created in Facebook® where anyone can sign-up and support ongoing efforts. A rally will be held at Cuesta on March 22, 2010.
- The ASCC requested access to office space beyond regular business hours to accommodate student's schedules. The request was denied which is a barrier to the efforts of the group and space the students are paying for.
- They are proposing a college-hour be placed into the Cuesta schedule. The purpose would be to allow students to grab something to eat, participate in events, or just study. They are trying to alleviate the commuter campus atmosphere.

9. Report from Supt/Pres

In addition to the following written report, Dr. Pelham presented the following to the Board:

- Dr. Pelham invited June Stephens, Executive Director of Advancement and Tom Jones, Director of Government Relations for PG&E to come forward.
- June Stephens introduced Mr. Jones. She said PG&E has been a long time partner with Cuesta College. A gift of \$9,000 was provided for green technical education programs that integrate green building benefits, concepts, and techniques into Cuesta College's career technical education program. In 2009-2010, the culinary arts and welding programs will complete phase one, and interior design will complete phase two. The college also received \$11,000 for the bridge program. The project included energy saving landscaping, which integrates green, energy saving, and sustainable landscape projects.
- Matthew Green, Director of Workforce, Economic Development and Community Programs thanked Mr. Jones for PG&E's generous contributions to the bridge program. He acknowledged the funding is not just a one-time gift. The funding allows them to institutionalize the program. It now defines what they do in the Bridge Program. It also offers a model landscape that could be used across the entire campus.
- Ms. Stephens said \$5,000 also went to assist the Foundation in funding its student ambassador program, which provides leadership training for students from low income households and underrepresented populations. She thanked Mr. Jones.
- Mr. Jones said he was very pleased to work with Cuesta every year. The college stays on mission and efficiently uses the funds provided to the District.
- Dr. Pelham said he had made comments on how strong the Foundation's Finance Committee was several months ago, indicating he was not concerned regarding the management of the endowment. He acknowledged a Wall Street Journal article, wherein Bob Wacker, a local Financial Investment Manager, and Chair of the Foundation Finance Committee, was one of six nationally selected professionals chosen to give advice to the Paper's readers on the current and future economy.
- Dr. Pelham said, in the time he has left, his primary roll will be to ensure there is a smooth transition with Dr. Stork. He thanked everyone for the opportunity to serve Cuesta College and said it had been an enriching experience.

- 10. Communication** NOTE: Members of the Board of Trustees and/or the Superintendent/ President may report the receipt of various items of correspondence that may be of interest to the College District.

None.

11. Hearing of Public Comment

Lionel Johnson addressed the Board regarding the restoration of Pennington Creek. He presented printed material to the Board. He has been working with Cal Poly landscape architecture students to develop a plan for the creek. He encouraged the Board to participate in preserving and taking advantage of the area surrounding the campus.

12. Reports

Independent Living Program (ILP)

- Matthew Green, Director, Workforce, Economic Development and Community Programs provided an update on the purpose and recent activities of the ILP.
- Dr. Greiner introduced Dr. Green, Dr. Mindy Yates, Supervisor of Youth Programs, WIA Youth Employment, Successful Launch, and the Bridge to Success Programs, and Katie McCain, ILP

Coordinator and case worker. Cuesta was awarded the ILP contract with the county in 2007. Its success was built on the Bridge to Success Program. The ILP is funded by the Department of Social Services, to provide work readiness education to at-risk youth. The program provides services to eligible foster and former foster youth, and wards of the court. The ILP mission is to enhance the capacity for self-sufficiency of these youth when they emancipate from foster care. One pillar is education and employment skills which have become the emphasis at Cuesta College.

- Dr. Green congratulated Ms. McCain and Dr. Yates on the success of the program and thanked them for their commitment and contributions to the college and the program.
- Ms. McCain presented the following to the board:
 - She stated the mission statement for the program (Attachment B).
 - Concern began to rise in the 80's about adolescents and young adults emancipating from the foster care and probation systems.
 - Former foster youth were returning to state care, either through the criminal justice system or welfare system through general assistance. In 1986, a federal independent living program was developed.
 - She reported on eligibility for the program, support staff, and direct services (Attachment B).
 - Case workers are provided by Cal Poly interns. They serve over 200 youth and rotate every three months, based on the University's quarters.
 - A large part of the program is the community connection. They collaborate with other agencies within the community to ensure every aspect of support and development is provided.
- Dr. Yates presented the following to the Board:
 - One of the components of the ILP is the California Youth Connection (CYC) (Attachment B). This is a group for the youth, run by the youth.
 - The speaker's bureau prepares participants to share their stories from foster care.
 - Last year 273 youth were identified as eligible for the program. Of the 273, the program provided assistance to 219; 24 unwed mothers, 11 unwed fathers, 34 have received a high school diploma, 127 are enrolled in high school, 33 are enrolled in college with most attending Cuesta, 89 are employed, 27 experienced an episode of homelessness, 12 participated in CYC, and 17 in permanency. (Attachment B).
 - She summarized the yearly highlights of the program (Attachment B)
 - The partnership between the Department of Social Services and Cuesta College is the reason the ILP is so successful, and it is also the reason they have been able to provide so many services to foster youth throughout the county.
 - She thanked Dr. Green for his leadership, without whom, the program would not have seen as many successes.
 - Responding to Trustee Galvan, Dr. Yates said youth are provided with psychological care if it is court ordered and referred to other agencies if they are over 18.
 - Successes are measured individually through jobs, classes, college, and independence. After their 21st birthday, participants stop receiving assistance through this program and are referred to adult programs within the system.
 - Dr. Green concluded, the average age of youth at home with parents is 26, and 70 percent of college graduates stay home. That is why this program is so important, because the target youth in this program are expected to be on their own after their 18th birthday. It is essential in helping them get off the track of homelessness and staying out of jail.

BUSINESS AGENDA ACTION / DISCUSSION ITEMS
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1. Item O.2 - Disabled Student's Program and Services (DSPS) - first item to be addressed. Remaining sequence of agenda is unchanged.

Motion to not approve Resolution 19-09: Mitchell — **Passed** by those members present to not approve Resolution 19-09 as recommended to the Board.

Dr. Fontanilla presented the following information to the Board:

- She said the initial perception of most people when addressing DSPS is that it is run by soft money. The program(s) may or may not be here when the money is gone.
- Another perception is the acknowledgment that many of the programs provided under DSPS are mandated by state or federal law. They are so important that law makers established guidelines to protect them and set aside categorical funding to support individuals who are served by these programs.
- It is often unknown year to year what allocations will be from the state.
- In October 2009, after learning of the drastic cuts to categorical funding, including DSPS, the District presented a proposal that supported a balanced budget, but did not support the integrity of a self-sustaining DSPS. There were many questions regarding the proposal and no action was taken.
- In November 2009, she and Dr. Schwab presented additional information regarding DSPS and requested the Board postpone taking any action until December 2009. She said Student Services indicated it would return to this meeting, providing information, including the amount of any savings, should any materialize, current shortfalls, program impact, and a recommendation.
- A recommendation will be presented this evening to adjust the program, so program services and staff are supported by the current budget that includes a significant District contribution from the general fund.
- Since October, staff and the college community have rallied around the program, making suggestions demonstrating their utmost concern regarding the students the college serves and the viability of this program. Sometimes very stressful situations bring out the best and worst in people. During the past few weeks she has seen both. Dr. Fontanilla extended thanks to the DSPS staff, ASCC, faculty, and community members who have stood and voiced support for the college's efforts to ensure this particular categorical program maintain a great deal of its infrastructure.
- Dr. Fontanilla said, "To all who have doubted and questioned the integrity and sincerity to keep this program intact and to maintain a structure to meet compliance while serving students to the best ability; staff, students, faculty, and community members have spent countless stressful hours trying to ensure that every dollar, student, and staff member remain within this program." Some staff and members of the administration have been accused of being uncaring, thoughtless, and even in violation of contractual rights. Those accusations have not only been hurtful, but based on little or no fact.
- Dr. Schwab summarized the savings to date (Attachment C). One of the first things addressed was the faculty overload. Those classes were folded into normal load. During the summer, the one faculty assigned was removed from the schedule. Cuts in hourly staff were affected; note takers, classroom workers and some students who worked part-time.

He congratulated the classified staff on stepping up and taking a 2.8 percent reduction.

- Facilitating deaf and hard-of-hearing interpreters is difficult. Best practice is when there are two interpreters working in shifts. That policy was reviewed and the number of interpreters was reduced in the classroom. Total savings was approximately \$96,750.
- The first consideration in reviewing goals is the support and welfare of the students and compliance with state and federal law. The next is program sustainability, keeping as many services as possible and support as many staff positions as possible.
- Working assumptions:
 - Budget - unstable and unpredictable with projected shortfalls.
 - DSPS is absolutely here to serve students.
 - Sustainability with the reasonable ability to provide accommodations.
 - Support staff positions.
 - Provide as many services as possible
 - The fundamental assumption was the need for approximately \$175,000 per year to address reasonable accommodations. This would be the lowest amount provided in several years. The District will need approximately \$174,000 to close the budget gap in funding for 2009-2010.
 - In 2010-2011 the need to close the gap is estimated at \$237,987.
- Budget and Planning Committee developed a list of guiding principles for budget reductions - protect core curriculum programs and maintain student access and services throughout the district to the greatest extent possible (Attachment C).
- He presented the actions taken since October 2009 (Attachment C).
- The DSPS staff has worked very hard to come up with ways to mitigate the cuts in funding and find other sources of funding.
- Toni Sommer said it was difficult to deal with a budget where funding did not match up with spending. She has reviewed spending and how much funding was available at any given time, and what could be projected for the end of the year. She found a difference of \$96,000 if efforts continued.
- Currently, remaining funds and projected salaries results in a shortfall of \$174,252. This should not be confused or combined with the \$175,000 for accommodations.
- The loss of ARRA funding will increase that number to \$237,987 for 2010-2011.
- The District has not decreased any maintenance of effort from the general fund to categorical programs.
- It is estimated the Chancellor's office will provide an additional \$128,000 for deaf and hard-of-hearing funding in November. Even with an increase in general fund money there is still a shortfall. It cannot be solved this year.
- Scenario One - Included eliminations and reductions. Was not resolved by the Board. The District currently does not have a balanced budget due to this unresolved DSPS issue.
- Scenario Two - No change; everything is protected but there would be no resources for accommodations or services. The district would have to increase the \$500,000 it currently provides.
- Scenario Three - A two-year proposal that takes advantage of one

retirement and an elimination of one position. It allows time to work with staff to further develop solutions to the problem.

- Details (Attachment C).
- Dr. Schwab said the intent is to provide sustainability to the program. None of the scenarios are the preferred future for Cuesta College. All require the college to access reserves either in the 6 percent reserve or anticipated new funding. The administration recommends scenario three. He reminded the Board of the DSPS mission and the federal requirements regarding services.

The meeting recessed at 6:02 p.m.; Mathiesen/Mullen.

The meeting reconvened at 6:10 p.m.

Public Comment

Chris Frith, student, presented the following to the board:

- He is a purple heart veteran and recipient of the bronze star. This is his first semester at any college and he needs the support of DSPS. He is just now discovering Cuesta after being in the area for 20 years. He asked the Board to do what it could to keep the program intact and to keep Robin Powers on staff.

Rich Taylor, Cuesta faculty, presented the following to the board:

- He is a Math instructor in North County.
- He asked to Board to not extend any further cuts or reductions to DSPS.
- He is a better teacher due to his interaction with the DSPS staff.
- Many who have participated in the program have returned to contribute to the county and general community.
- Public officials are now saying we cannot afford essential services to these students. The community needs public officials like this Board to do what is right.

Lisa Neville-Olsen, community member, presented the following to the board:

- She would not be here if it were not for DSPS.
- Other resources failed her and the state recommended Cuesta to her.
- She needed a lot of help and services. She is a few semesters away from her degree. She said restructuring the program would provide a disservice to those it serves. She asked the Board to reconsider any changes.

Bob Requarth, community member, presented the following to the board:

- He thanked the Board for funding assisted technologies. His son benefited greatly from that program.
- DSPS provides a monumental contribution to the success of the college.

Dave Perrelis, student, presented the following to the board:

- As a child he suffered through a brain tumor and cancer. He needed DSPS to help him be successful.
- It is easy to think about cutting programs, but it is harder to realize how those programs help students like him.

David Iwerks, student, presented the following to the board:

- He would not be successful without DSPS. DSPS functions as a team. Without programs such as this there will be an increase in the use of public assistance because fewer people will be independent.

Randall Sparling, student, presented the following to the board:

- He is an Iraq veteran.
- The veteran students require the assistance of someone who understands and can work with them with regard to traumatic brain injury and post traumatic stress disorder.
- Cuts can be made now and the program rebuilt in a few years when the wave of returning veterans is greater than ever, or it can be worked out now, to enable services to continue and build on the foundation that already exists.

Andy Jones presented the following to the board:

- He attends a high school in Culver City that caters to students with special needs.
- The school and all the students know of Cuesta and the program that exists to help them. Reducing or eliminating portions of the program will impact many who plan on moving on to Cuesta College.
- He has friends who attend Cuesta College and they are in great need of the services provided by the program.

Cathleen Desmet, parent, presented the following to the board:

- She is Andy Jones' mother.
- The DSPS program at Cuesta College is very well known among those who use such services. They are from Long Beach and conducted a lot of research regarding where he can go. Some schools have the support programs in place but not the academic programs needed. Others have inadequate support programs and strong academic programs.
- Students with learning disabilities do better attending a two-year school and moving on to a university. Cuesta College stood out among colleges throughout the state and across the nation as well. The program has put the school on the map.

Mark Tomes, Cuesta faculty, presented the following to the board:

- He wondered how the Board was feeling about not taking action in October. Those proposals were prepared hastily, and it was a good move to step back and review the issue further.
- He thinks the same issue is occurring again, that there are plenty of ways to recover from the budget reductions without taking such drastic action. He said he thought the DSPS presentation was one-sided and did not present all the options.
- He proposed an additional option; no cuts in personnel and use unused funds to meet budget shortfalls. Figures continue to change and the District is under budget for the first quarter. There is also \$1.1 million in unallocated funds pending from the state. There will probably not be additional cuts mid-year. The program is bare-bones as it is.
- Another issue is program restructure. There has been no discussion regarding what that may be, best practices, or what Dr. Fontanilla has gleaned from other college districts. If there is a need to restructure, he is very willing to discuss it. But they have had no opportunity to do so. The faculty and staff can find ways to fund this program, but it is the District's responsibility to fund the program. It can be done without cutting staff.
- His recommendation is to keep staff and instruct the administration to use the unallocated funding to meet the deficit.

Cynthia Boege, student, presented the following to the board:

- She struggled in high school with math and failed the exit exam. DSPS helped her get through this. Many faculty and staff have helped her. Removing familiar faces from the staff would destroy many students.
- She needs note takers. It is unacceptable to consider that will be taken away. Tutoring is a mainstay for many of the students. It is too expensive for students to pay for private tutoring and would increase the pressure on them.

Amber Williams, student, presented the following to the board:

- She feels for the Board, having grown up church mouse poor and knowing what it means when the money just is not there. They are in a tough position.
- She asked the Board if they really understood who DSPS students are.
- She just recently entered the program. DSPS students, generally speaking, are above average intelligence. Einstein was such a student.
- A DSPS student who is well supported can make significant achievements.
- She tutored students who actually scored higher on tests. With the use of DSPS, she now tests in the 86 - 90 percent range.
- As a nursing student, her schedule will become increasingly more difficult to negotiate with the loss of services through DSPS.
- She proposed making Blackboard® available for testing. She also suggested mobilizing the community through local TV and radio stations; a call to arms to support the program or even solicit volunteers to come to the campus.

Marylin Rossa, Cuesta faculty, presented the following to the board:

- She is impressed with the bravery of the students who have spoken tonight.
- She began at Cuesta as a part-time English teacher and part-time classified support in DSPS. She saw quiet miracles worked every day. No one really knows what goes on there. Even today, when there is a lot of anger and anxiety, they are there until six and seven o'clock at night. That is unpaid time. She thinks there are many things going on that many people don't know about; the administration is new and does not know DSPS. This program is virtually award winning and it has not come easily. The program clearly stands out in California. She does not think those making the decisions are using the imagination and creativity they can be when making these decisions. She thinks it is an ideological decision and not financial. In a personal budget, when there is a loss of income, one figures out a way to reallocate money. If there are four children does one go hungry?
- In times when DSPS was fat with cash, they gave it to the District. Now, when times are rough everyone takes a hit, but promises made have not been kept. DSPS has gone out of its way to support the District and now the District should go out of its way to support DSPS.
- If faculty and staff are removed from the program, it will never recover. Robin Powers was hired just over a year ago and is now facing good-bye. Any consideration to eliminate an employee who will retire a year from now is cold and not compassionate. The Board needs to rethink the dollars that are available.

Kristy Wells, re-entry student, presented the following to the board:

- She supports DSPS services.
- She now must take advantage of those services, now unemployed and unsure of her future. She is still devastated and frightened having been laid off with no notice in an uncertain economy. Searching for new jobs, she discovered that even with her extensive work experience, she was unqualified for jobs in her field.
- She was accepted to the private industry council's job training program, funded through the workforce investment act, so she could obtain further skills and education. She is doing the only thing she can do.
- Disabilities are not something people choose to have, but must be worked with and overcome. DSPS helps us do that. The proposals before the Board are not acceptable. It is blatant discrimination against those who need the services now.
- The very survival of many students depends on the continued success of this program.

Lisa Curtis, Cuesta faculty, presented the following to the board:

- She read the following letter from Cuesta College student, Barbara Nowinsky.

Cuesta College Board of Trustees

Since I came to U.S. over 50 years ago from Poland my desire was to be able to write fluently and with confidence in English. However providing for and educating my children took priority over my desire to learn to write.

I made many attempts to learn, including Mrs. Buscher's Literacy Program; regretfully, they all failed. I did not know why I had always had this trouble with learning but I was very frustrated. Two years ago I made a last attempt at North County Cuesta College. I had to be in to school in order to receive my late husband's V.A. benefits so I could survive financially. I had been battling cancer and was overwhelmed. I was very depressed.

I came into DSPS office for help. Finally I got a test for a learning disability and found out I had one, probably all these years. I took advice to enter some of the basic classes. For the first time in my life the English writing made sense to me and I was able to remember better.

I wish I could have found Cuesta College and DSPS office long, long time ago. Today I am almost seventy years old. How much my life would have been easier if I learn to write sooner. Today I am able to learn. I am finishing English 156 and I have registered for Spring semester for English 201A.

Learning at Cuesta not only filled the void of not having a family any longer, but also it became the best therapy for me as well. My life would be very different if I had not walked into DSPS office that one day.

Sincerely,
Barbara Nowinski

Marcie Knudson, parent, presented the following to the board:

- She was told by an English instructor that the Board was not allowed to cut off a speaker; that this is a public hearing and everyone in the room is entitled to speak if they wish.
- She has achieved high grades in the culinary program. It is a constant college due to her continued loss of vision. She has demonstrated to the instructors that she has adequate skills to perform in the kitchen, but

needs the support of DSPS for course work. It is not possible for her to watch the instructor construct a dish and take notes at the same time. She must have a note taker who is knowledgeable of the terms used in a culinary environment. Previously, the only way for DSPS to fulfill her need was to find someone in the culinary arts class to take the position. It is no simple task.

- She is grateful for the services but it is also a state mandate that they be provided to her. DSPS is necessary and required for students like her to be successful at Cuesta College.
- Trustee Mullen said the Board was doing everything it could to accommodate everyone to speak, but the Board can limit the total time of discussion to 30 minutes as indicated in the agenda. He is trying to be respectful of everyone's desire to speak but manage the time for the meeting as well.

John Fetcho, CCCUE President, presented the following to the board:

- He reiterated that CCCUE is opposed to all of the scenarios but are willing to support Scenario #4 – there are other options. While the bargaining unit had seen the PowerPoint presentation before it was given to the DSPS employees, the group did not have any input into its development. They were informed, but we did not participate.
- He also reminded the board that they voted to approve the tentative agreement, which includes the following provision, "If the general fund and/or restricted revenues received by the District for the 2009-10 academic year are less than the revenues projected in the budget adopted October 7, 2009, the parties shall reopen negotiations on Article 3, Salary, for the 2009-10 academic year." That has not occurred.
- It appears that this conversation is focused on Tens of Thousands of dollars when it should be focused on details. They are told that savings have been realized for the 2009/10 budget year but not how much. We are told that accommodations have been between \$10,000 and \$15,000 a month thus far this fiscal year, but not how much exactly has been spent. How can an informed decision be made if the Board does not have such data?
- If the Board votes for Scenario Three, it will send the message to Cuesta employees that those who work in categorical programs are less important than those who are in General Fund programs. Plus, the department will have to have a Bridge Grant. What are the terms of the Bridge Grant? Where do the funds come from – the Reserve, the additional \$1 million that we hope to receive in February? What does the department have to do to get this grant from the District? If the funds are here now, why won't they be here next year? There have been no new cuts to DSPS from the State and the college budget was passed.
- Finally, regarding Scenario Three, Linda Baggett's Clerical Assistant III position. Linda has been a loyal Cuesta College employee for 16 years – and she will retire next December. Why the rush? What are the cost savings and, are they really that much in a \$58 million budget?
- The District says that it needs \$123K to make DSPS sustainable – that is approximately 2-tenths of one percent out of the entire college budget – 0.2%!
- If Linda's role is eliminated, who will do the duties she is currently responsible for? Where is the planning? How will that person or persons be compensated for the increased duties? Then next

November, will they be eligible for a reclassification and the resultant salary increase because of these increased duties?

- We pay a lot of lip service to the notion of relationships at Cuesta, now is when it's time to put some action in our words and support our colleagues.
- We are asking the Board to carefully examine the data – You will find that you do not have enough information to make an informed decision.
- We are willing to help. We are willing to do the hard work necessary, but we need good information.

Dennis Beayen, English Division Chair, presented the following to the board:

- DSPTS is extremely valuable to the English Department. Many services are provided. They step in and give extra time for exams. The faculty cannot accommodate these issues.
- The English faculty needs DSPTS. We cannot abandon these students to the back corners of our classrooms.

Peter Dill, Planning and Budget Co-Chair, presented the following to the board:

- He said the Board does not have enough information to make the decision they are being asked to make. The \$96,000 in savings has changed but no other figures have changed. That number is not been factored in calculations.
- He asked the Board if they were really going to layoff someone who has 10 months left to retire without enough evidence to know if there is money available to cover that.
- The state is not going to make the same cuts as last year. That consideration is irrelevant.

Toni Desmond, parent, presented the following to the board:

- He is Andy Jones' father. He has little experience with school boards but has experience in fund raising. Last year, the elementary school foundation, which he is a part of, raised over \$100,000. This year it is anticipated the figure will be \$200,000. His philosophy is go out and sell.
- The many affluent parents of students who would like to send their children to Cuesta College. That money is filtered into the community and the program must be sold to the community to gain their financial support.

Ruth Turner, DSPTS, presented the following to the board:

- The job description for Linda Bagget's position is inadequate. Clerical Assistant III does not fit what she does. She filters the needs of the students. Taking her out of that position would remove the hub from the wheel. She not only assists, she advocates. She just doesn't hold hands.
- The students need her.

Jean Kelner, community member, presented the following to the board:

- Each member present this evening would not consider leaving the house without insurance. Each may have even had it before it was the law because of the risk involved.
- She does not know what the accounting department has done or what the vice presidents have told the Board, but she thinks the Board needs to check the facts to ensure proper due diligence has been executed.

- It will be a liability and moral loss to the District.
- She said what a moral shame it would be to each of the board members if a decision affecting these students is made. She asked if each could get up every day and look at themselves in the mirror. She accused the Board of taking away the livelihood of these students that need these services. She pays taxes here and has been the president of a successful company that always managed to make its budget. Cuts must be made on frills.
- She asked what it cost to send a faculty member to South America to learn Spanish, referring to bree valle's sabbatical leave report at the last board meeting. She said those are frills and asked the Board to check its conscience before making a decision.

Judy Rittmiller, DSPS, presented the following to the board:

- DSPS has been a program at Cuesta College since the early 70's.
- Linda Bagget came to Cuesta in 2003 after being laid off in another department. She is now being targeted again, just one year short of retirement. Ms. Rittmiller asked how this could even be considered.
- The proposals before the Board will take the program from outstanding to mediocre.
- She said if the Board goes forward with the recommended action, the words "celebrating excellence" will have to be removed from every sign on campus.

Lili Sinclair, re-entry student, presented the following to the board:

- Many disabilities go undiagnosed during childhood. That is why so many are so emotional about this issue. Many are wounded, and Cuesta College heals and helps those who come here.

Matt Tracy, student, presented the following to the board:

- He is a disabled veteran with a laundry list of issues. He was not sure he could even go to college. He barely graduated high school.
- He joined the Marine Corps for eight years and destroyed his body. His wife convinced him to go to Cuesta. He is now considering moving on to a four year university much to the credit of those in DSPS who have helped him.

Marie Larsen, Math Division Chair, presented the following to the board:

- She applauded the Board's decision to not take any action at their previous meetings regarding this issue and for moving so quickly on appointing a superintendent/president on an interim basis.
- She concurred that other options are out there. She questions why summer school is not being reviewed. Just providing mandated programs would result in a savings of over \$1 million. Core programs are fall and spring semesters and student services.
- She urged the Board to have the vice presidents address that issue with the interim president.

Carla Maitlan, DSPS, presented the following to the board:

- She has worked in DSPS approximately three years.
- The guiding principles for budget reduction developed by the Planning and Budget Committee were referred to by Dr. Schwab as rules earlier this evening.
- Her understanding of rules is that they are to be followed and acknowledged, and not broken. If that is the case, number 3 is being

violated at this time. It is to protect current employee positions. The proposed position to be eliminated is a permanent position. Linda Bagget is not part of the hourly work force and has already been affected by the CCCUE tentative agreement in the form of a 2.8 percent salary reduction. She plans to retire in 2010.

- She thinks Ms. Bagget is being targeted due to her close proximity of retirement. The proposal is a huge slap in the face.

Nikita Smith, student, presented the following to the board:

- She is very shocked to see the responses in the faces of the Board in that they appear to be angry about them speaking about this matter. The people who came before the public comment portion were warmly received and there was no mention of keeping remarks to a minimum.
- These students have a lot to say.
- She came across a memo written by faculty to faculty, not intended for students. It asked the reader if they knew who would be doing much of the leg work for DSPS students if cuts were effected? The response was "you". Faculty would be required to take over some of those tasks.
- What does that say to her as a DSPS student? They will put extra stress on the faculty. How are the students supposed to feel that they are not discriminated against when they appear to be the illegal aliens on campus. The school does not want them here because they are trying to cut the program, but it's legally mandated. She said if it was not legally mandated the program would probably not even exist. She thinks its a shame they are being treated this way. She asked why the Board was looking at her like she was crazy. She said it must be because she is crazy because she is in the DSPS program.
- She understands they have to do a lot of other things as well but said she is sure none of this DSPS stuff means anything. She understands that they don't want her around. She said, as the only black person in the room, she knows what it is like to not be wanted around. People will do everything they can to make one not want to be around.
- She asked the Board if they were going to turn everyone against them in the school. She said every time the faculty have to help them they will have to hold their head in shame because they don't want them here.

Ed Conklin, faculty, presented the following to the board:

- He has been at Cuesta for 20 years. He has been impressed with the reputation of Cuesta College, much of which is due to the successes of the DSPS program. Cuesta still has a great reputation, not only throughout the state but around the country. Students from Canada have told him they came to Cuesta expressly for the DSPS program.
- He understands the District is facing a budget crisis. These challenges can be looked at as overwhelming and daunting or as challenges that allow the District to rise above and sustain itself and allow everyone to prove themselves worthy of the jobs taken.
- The District cannot afford to make expedient fiscal decisions. Time should be taken to make the decisions for which the institution will be proud tomorrow and the day after. It is essential to think twice about cutting what is so important to Cuesta College.

Allison Merzon, CCFT President, presented the following to the board:

- From the faculty perspective, the recommendations in scenario three cannot be an option. She asked how the work of the reassigned service

to the classroom would be provided, and who will receive the students like those who spoke previously.

- The faculty, staff, and students need an advocate and a meager investment, and that is the Board's roll tonight. The path is clear; no cuts, no reductions, no reassignments. She said she hopes the Board had the courage to support scenario four because there are other options.

Public comment closed.

Trustee Mitchell asked for clarification of scenario four because scenario two was to do nothing as well. Mark Tomes said they are calling for the same but with instruction to the staff to use unallocated funds to meet the DSPS deficit. Trustee Mitchell asked what unallocated funds were available.

Toni Sommer said the approved budget did not include the \$1.1 million expected due to reaching 10,000 FTES. It was decided to wait to see if the funding actually materialized and discover what possible mid-year cuts would come from the state. The money has not been received nor allocated to any line item. Ms. Sommer said by law, the state must increase the funding. Many other colleges have also reached that plateau because of the increased demand for classes. She wonders if it will come in February and how it may effect regular apportionment because it comes from the same source.

Trustee Shepherd said regarding number 2 of the concluding remarks in the presentation, wherein it states federal regulations implementing the ADA require that all resources of a public institution are to be considered available to meet the needs of eligible students with disabilities, that he would rather see for sale signs on the lawn mowers before services are cut from the program.

Trustee Mitchell said in light of Cuesta College being one family and DSPS being part of that family, she thinks every Board member thinks it is a great program, and no one wants to make any cuts to DSPS and avoid it at all costs. That should be evident through the Board's actions over the past three months. She said it was insulting to say the staff or the Board doesn't care about the students in DSPS.

Trustee Mitchell asked how much savings would be realized by eliminating Linda Bagget's position. Toni Sommer said from January through June the savings would be approximately \$17,500. The only discretionary funding available is set aside for accommodations and some of that money has already been spent. Ms. Sommer said because it is so late in the year, the only way to recover funding is through massive layoffs and she does not support that. The department will need \$174,000 to get them through the rest of the year. That will increase to over \$230,000 because no ARRA funds will be available next year. Trustee Mitchell asked what would happen if the District went negative or dipped into the reserve. Ms. Sommer said she should know within 60 days. The state is legally required to provide the additional funding, but she is not certain it will happen.

Dr. Pelham said it is a possibility that the \$1.1 million would be received but additional cuts would ensue.

Ms. Sommer said as the District lives it, there will be a point where if adequate funding does not come into the budget by fault or purpose, the

District will have to cover the difference.

Trustee Mullen asked if the approved budget was balanced. Ms. Sommer said with the rescission of proposed layoffs included in the October budget put it out of balance. That has not been resolved and the anticipated additional funding has not been allocated. The difference is \$174,000, but that only applies to DSPS, not to other areas of the college. She said the Quarterly 311-Q report does reflect savings, but traditionally the first quarter is slightly under 25 percent because the semester begins two month into the quarter.

Dr. Fontanilla said many people who were present at the October board meeting expressed concern about having accommodation met, but she would modify the amount set aside if directed to.

Trustee Mathiesen inquired as to how long scenario four would last; 2 months, 6 months, a year? He wanted to know how long it would be before the District was in trouble. He said he did not see a problem in going negative for \$175,000 if it fixes the program for an extended period of time. He wanted assurance that going there would prevail.

Dr. Pelham said it would take the District through the end of June.

Trustee Mitchell thanked the Classified for negotiating the 2.8 percent salary reduction. She asked what saving the salaries in DSPS would look like in a workload reduction across the board or in a plan developed by the group. Ms. Sommer said it must be negotiated and the timeline is shrinking. None of the scenarios presented reach that goal.

Dr. Schwab said the biggest cuts were from overloads. The largest savings came as little result of what they did. The most expensive group is the deaf and hard of hearing. They encouraged volunteers for note taking. The instructor must ask first and sometimes the need requires someone who has been formally trained. He said Ilene French has worked very hard at cutting expenses. More has been cut using that method than any other. He said there is no way to predict the expenditures. There is no control over who shows up on the doorstep.

Trustee Kiersch said the Board had heard a lot about what the classified had done, but asked what reduction the faculty was willing to take. Allison Merzon said it has only been missed if one hasn't looked at the class schedule. This fall the District experienced a \$1.5 million in savings by reducing part-time faculty classes. She said 32 full-time faculty gave up their overload or took a reduction to protect part-time classes. There are full-time faculty who have lost 22 percent of their income. Ms. Merzon said across the board it may not be an equitable reduction, but there have been reductions in the faculty ranks.

Trustee Kiersch asked how many full-time faculty there were. Ms. Merzon said 165. Trustee Kiersch asked if only 32 of the 165 full-time faculty had been willing to make a concession. Ms. Merzon said the 400 plus total faculty donated over \$1.5 million to the budget in fall. Trustee Kiersch then said of the 165 full-time faculty, 132 had not done anything to mitigate this issue. Ms. Merzon said that was correct if she wanted to characterize it that way. Trustee Kiersch inquired to whether she was right or wrong in that assumption. Could the remaining 132 full-time faculty be asked to contribute to keep the DSPS program operating with the accommodations currently available? Ms. Merzon said it could be framed that way but her

understanding is that they were looking for a sustainable option, and asking people to take salary out of their wallets is not a sustainable option. It is a short-term band aid approach and doesn't work for the long term. She said if the District was willing to put \$136,000 as a bridge loan or grant to DSPS in spring 2010, where was that money going to come from. And if there was the will to make the grant, why not make the investment and not tap salaries of people the college could move on with the program currently in place. Ms. Merzon suggested going back and looking at where the District has been regarding spending, and figure a prediction. She said maybe the District will be within budget for the first time, much more so than last year. In the past two years, DSPS has over expended the budget by over \$100,000, and the District has covered it. They are quite frankly asking for the \$100,000 the District has been paying the past two years.

Trustee Mullen said he is frustrated because he does not want to make any cuts that result in the loss of any service to students. It is not realistic, given funding has been reduced over 50 percent that there will be no effect on some level of service. He sees nothing that provides comfort that the situation will improve anytime soon.

Trustee Shepherd said he does not see any cut as viable. It will affect the ability of each student to function in their education at Cuesta College. He said everyone needs to step in, including faculty.

Trustee Galvan said the legislature is going back into session in January and will be working with a \$4.5 billion deficit that does not include 2010-2011.

Responding to Trustee Mullen, Dr. Fontanilla said there were 16 staff in DSPS, 5 specialists (faculty), 1 full-time counselor (faculty), and 10 classified employees.

Trustee Galvan said not all DSPS students are in special classes. Those are the people who need accommodation.

Trustee Shepherd said they have been working on coordinating large scale fund raisers, but they need people to call out in the community and mobilize the effort.

Trustee Kiersch said if Linda Bagget does not have a place to retreat to reach retirement, it would be inappropriate to eliminate her position. She said she would be upset if the Board decided to do that. She would rather see the remaining full-time faculty members to go along with what the classified have done. She said it seems as though they are all willing to do what it takes to prevent people from being laid off. There are 132 full-time faculty who have not made any concessions. This is a temporary situation. She said the Board is being made to look like the bad guys, but there is not one Trustee present who does not want to see the DSPS program be successful. She agreed with Trustee Mitchell in that some speakers have been very insulting, and the Board has worked very hard in trying to work this out. She said it would be nice to hear someone thank them for the effort they are making, rather than condemning them for what they are being asked to do.

Trustee Shepherd said he thinks there is working capital with the remaining full-time faculty who have not contributed.

Responding to Trustee Galvan, Toni Sommer said the college would be

able to maintain the 10,000 FTES mark through stability funding. That will cover the District for three years. At the end of that period, if the District falls below 10,000, it will simply revert to the previous funding level with no penalty of payback.

Dr. Fontanilla said the language of rebuilding the program was used more as a metaphor rather than a direction to tear it down and rebuild it piece by piece. She said it was true that the existing program works well, however, any time a significant amount of funding is reduced, something is going to have to change. Those changes would constitute a restructuring of the program. Trustee Mathiesen asked if the program could control the number of students participating. Dr. Fontanilla said no.

Trustee Mitchell said with the motion to not approve the recommended resolution that the college community needs to be behind the Board regarding future actions.

Toni Sommer asked for clarification regarding the \$174,000 gap in funding. Trustee Mullen said the Board must review the District's position next month and instructed Ms. Sommer to be prepared to bring back options to the Board.

The meeting recessed at 8:08 p.m.

The meeting reconvened at 8:23 p.m.

2. Organizational Items

The next nine items are related to the organizational meeting of the Board of Trustees for the following year, December 1, 2009, through November 30, 2010.

1.a **Election of Officers - President / Vice President / District Clerk / Secretary**

Trustee Galvan nominated Patrick Mullen to continue as Board President, Angela Mitchell as Vice President, and Dr. Stork as Board Secretary. **Motion to approve:** Galvan — **Passed** by those members present to approve the nominations for president, vice president, and board secretary, as presented.

1.b **Date, Time, and Place of Regularly Scheduled Board Meeting**

Any meeting that would fall on a schedule holiday will be rescheduled to the following Wednesday. The December 8, 2010 will take place on December 15, 2010 to accommodate the certification of elections. **Motion to approve:** Galvan — **Passed** by those members present to approve the date, time, and place of the regularly scheduled board meeting, as amended.

1.c **Appointment of a Official School District Representative to Annual Governing Board Representative Meeting for Election of County Committee on School District Organization**

Trustee Galvan nominated Trustee Mathiesen to continue in this capacity. **Passed** by unanimous consent.

1.d **Appoint a Liaison Representative to the SLOCSBA. This individual represents the District Board of Trustees at the SLOCSBA Executive Board Meetings. The same person may serve as the District Representative.**

Trustee Galvan nominated Trustee Mathiesen to continue in this capacity.

Passed by unanimous consent.

1.e Appointment of Board of Trustees Audit Review Committee
Trustee Galvan and Trustee Mitchell agreed to continue to serve on the Audit Review Committee as appointed by the Board President.

1.f Approval of Superintendent/President, or Assistant Superintendent/Vice President as Authorized Agent of the Board of Trustees
Motion to approve: Mitchell — **Passed** by those members present to approve the Superintendent/President, or Assistant Superintendent/Vice President as Authorized Agent of the Board of Trustees, as presented.

1.g Authorization of Superintendent/President and Assistant Superintendents/Vice Presidents as Agents of the Board of Trustees for Items Such as Revolving Funds, Payroll Orders, Warrant Listings, Applications for Funds, and Reports
Motion to approve: Mitchell — **Passed** by those members present to approve the Superintendent/President and Assistant Superintendents/Vice Presidents as Agents of the Board of Trustees for Items Such as Revolving Funds, Payroll Orders, Warrant Listings, Applications for Funds, and Reports, as presented.

1.h Authorization of Superintendent/President and Assistant Superintendents/Vice Presidents as Agents of the Board of Trustees for Contracts
Motion to approve: Mathiesen — **Passed** by those members present to approve the Superintendent/President and Assistant Superintendent/Vice Presidents as Authorized Agents of the Board of Trustees for Contracts, as presented.

1.i Approval of Management Group Beginning December 1, 2009, for One Year
Motion to approve: Galvan — **Passed** by those members present to approve the Management Group beginning December 1, 2009 for one year, as presented.

3. Curriculum
Motion to approve: Mitchell — **Passed** by those members present to approve the Curriculum Committee recommendations for new and revised curriculum, as presented.

Kevin Bontenbal presented the following to the Board:

- It is nice to talk about excellence after such intense deliberation.
- He complimented the faculty who worked on the paramedic and business organization curriculum, specifically Pam Peachy and Ruth Biering.
- Following up from last month, the total lab hours for the EMS course were computed using 8 units and 24 hours of lab per week. One hour of lecture equals one unit; lab is 3 to 1. Since it was a 24 hour lab, the computation is 18 weeks times 24 hours of lab equals 432 lab hours.

4. Superintendent/President; Recruitment

Annette Loria presented the following to the Board:

- This board item includes an example outline of the elements of the process for the search for a new superintendent/president.

- Some important issues are whether a consultant will be used, timelines, advertisement, and a budget.
- She asked how she should proceed.
- Trustee Mullen instructed Ms. Loria to collect a list of search firms and begin to look at the process. Keep this item on the agenda for next month, and in February bring the Board a list of potential search firms and collateral material for review.

5. Contract of Employment, Assistant Superintendent/Vice President, Administrative Services

Motion to approve: Mathiesen **Passed** by those members present to approve the contract for employment for the Assistant Superintendent/Vice President, Administrative Services, as presented

6. Selection of Bidders for NCC Learning Resource Center

Motion to approve: Galvan **Passed** by those members present by roll call vote to approve the selection of bidders for NCC Learning Resource Center, SLOCCCD Resolution 20-09, as presented.

Yes (6), No (0)

Toni Sommer presented the following to the Board:

- The LRC project is moving along but the work has been extremely taxing. The building came in under budget when it went to bid last year.
- The entire staff at the state level has changed. With the changes in the Chancellor's office and the timing with regard to the budget, the Department of Finance is checking every step very carefully. The District must have approval of this item before the next step is taken.
- Interviews for construction management occurred today.
- This step needs to be completed prior to bringing the bids to the Board in January.
- Responding to Trustee Mitchell, Mark Wilwand said there is a 5 percent contingency built into the project of \$12.5 million.
- The intent is to keep the contracts local. The bid packages are being reviewed again to reduce the possibility of overruns. The construction manager must to back and renegotiate prior to the job if needed, rather than after the project has begun.
- The resolution allows her to collect the bids, it does not obligate the District to the contracts.
- Mark Wilwand said the resolution was prepared by legal counsel as not to commit the District to any award. This job is not as complex and new contracts were written by counsel, and there will be much tighter control this time out.

7. Public Employee Appointments

Motion to approve: Mitchell **Passed** by those members present to approve salary/wages for unrepresented employee appointments, as presented.

8. Revise One Classified Bargaining Unit Job Description; ESL/VESL Outreach Recruiter

Motion to approve: Galvan **Passed** by those members present to approve the revision of one Classified Bargaining Unit job description; ESL/VESL Outreach Recruiter, as presented.

Dr. Pelham said this revision is presented as per negotiations with CCCUE, and recommends approval, as presented.

9. **Revise One Classified Bargaining Unit Job Description; Admissions and Records Technology Support Specialist** **Motion to approve:** Mitchell **Passed** by those members present to approve the revision of One Classified Bargaining Unit Job Description; Admissions and Records Technology Support Specialist, presented.
10. **Reclassification from Workforce, Economic Development and Community Programs Case Worker to Workforce and Economic Development Coordinator** **Motion to approve:** Galvan **Passed** by those members present to approve the reclassification from Workforce, Economic Development and Community Programs Case Worker to Workforce and Economic Development Coordinator, presented.
11. **Reclassification from Computer Systems Administrator/Operator to Programmer** **Motion to approve:** Mathiesen **Passed** by those members present to approve the reclassification from Computer Systems Administrator/Operator to Programmer, presented.
Annette Loria said the cost for the reclassifications is budget neutral due to the current receipt of out-of-class pay by the individuals in these positions.
12. **Agenda Items for Next Meeting** A preliminary list of proposed agenda items for the February 3, 2009 Regular Board meeting is presented for review.
Toni Sommer recommended pushing the Audit Report to February due to the availability of the completed report.
Trustee Mullen asked for a categorical budget update.
Santee McLaughlin said she and June Stephens suggest having a naming reception prior to the meeting and invite community members who have interest in this project.

BUSINESS AGENDA INFORMATION ITEMS
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13. **Update on Hollister Bridge** This item was not reported.
14. **Quarterly Financial Status Report** Chris Green presented the following to the Board:
- The revenue is at 13 percent which is normal. Property taxes are due in December, which makes up the bulk of the District's funding.
 - Expenditures are at 21 percent, which is also normal because the semester does not start until August.
 - There were no transfers in the first quarter.
 - Peter Dill inquired as to what the level of expenditures last year.
 - Gifts and contributions are not budgeted but recognized as the funds are realized.

15. College Planning and Budget Development

Toni Sommer updated the Board regarding ARRA funds (Attachment D).
 Terry Reece received notice from the state water resource board regarding water allocation to the District. Last year it was at an all-time low with an initial 15 percent allocation; that is, of what the District would normally receive for the year, only 15 percent would be realized. In April it ended up being 100 percent. As of this afternoon the college was at 5 percent, which is barely enough to operate facilities. If that level remains the college will have to look at shutting down landscaping and the pool. He is taking a conservative approach and watching the situation closely.

CONSENT AGENDA

NOTE: The Board of Trustees will be asked to approve all of the following items by a single vote. Any Board member or public individual may ask that an item be removed from the Consent Agenda to be considered and discussed separately. The Student Board Member **may vote** on any of the items listed under Consent Agenda.

1. Consent Agenda

Motion to approve: Mitchell — **Passed** by unanimous vote of those members present to approve the consent agenda, as amended.

The board agreed through general consent to remove Items P.8, P.9, and P.10 from the consent agenda for separate discussion.

2. Approval of Minutes

Approve the Draft Minutes of the SLOCCCD regular board meeting held on November 4, 2009, as presented.

3. Approval of Warrant Listings

Approve warrant listings, as presented:

10/28/2009	\$ 550,744.58
11/2/2009	\$1,605,729.34
11/4/2009	\$ 240,490.12
11/6/2009	\$ 239,237.38
11/13/2009	\$ 329,430.29
11/16/2009	\$ 79,093.11
11/18/2009	\$ 51,524.80
11/20/2009	\$ 768,287.85
11/25/2009	\$ 950,313.05
TOTAL	\$4,814,850.52

4. Approval of Payroll Orders

Approve Payroll Orders, as presented.

Academic/Classified Hourly	\$ 215,599.35	302
Academic/Classified Monthly	\$3,516,577.19	839
	\$3,732,176.54	1141

5. Approval of Gifts to the College

- a. Books (25 titles) donated by Claudia Haynes for use by the Library.
- b. Canvas stretcher bars donated by Jim Kosvanec, Stretcher Bar Warehouse, for use by the Fine Arts Department.
- c. A Celestron 8 inch reflector telescope donated by William Kandler for use by the Physical Science Department.
- d. Three boxes of textbooks donated by Kristi Kirkpatrick for use by the Library.
- e. A valve grinding refinishing machine donated by Richard Blake, Paso

Robles Chevrolet/Cadillac for use by the Technology/Engineering Department.

- f. A 1993 C1500 Chevrolet truck donated by Justin Fontecchio for use by the Engineering /Technology Department.

6. **Change Orders for the (Cultural and Performing Arts Center (CPAC))** Approve change orders (05-28, 05-29, 07-21, 08-16, 12-32, and 12-33) for the CPAC, totaling \$60,895.97, as presented.
7. **Change Orders for the Hollister Bridge Replacement Project** Approve change orders (01-14, 01-15, 01-16, 01-17, 01-18, and 01-19) for the Hollister Bridge Replacement Project, totaling \$39,333.31, as presented.
8. **Bids for Stage and Lighting Equipment** **Motion to approve:** Mathiesen — **Passed** by unanimous vote of those members present to approve the bids for stage and lighting equipment, as presented.

Toni Sommer said the items contained in P.8 were those that were going to be purchased, but due to the cost of the contract, are being brought to the Board for approval.
9. **Environmental Engineering, Consulting and Monitoring Services for the Cuesta College Sewer Main Replacement Project** **Motion to approve:** Mathiesen — **Passed** by unanimous vote of those members present to approve the Environmental Engineering, Consulting and Monitoring Services for the Cuesta College Sewer Main Replacement Project, as presented.

Trustee Mitchell asked if the District was splitting the \$47,000 in costs? Terry Reece said the District splits the cost three ways with county schools and the golf course. This project cannot wait. Cuesta College pays half based on total load on the sewer, the others pay one quarter. All five entities were cited, CMC, Camp SLO, County Schools, Dairy Creek, and Cuesta). Each agency is responsible for its own portion of the line. The next move is to acquire a construction manager for repair.
10. **Engineering Services for the Cuesta College Sewer Main Replacement Project** **Motion to approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the Engineering Services for the Cuesta College Sewer Main Replacement Project, as presented.
11. **Change Orders for the Theater Arts Building (CPAC)** **Motion to approve:** Mathiesen — **Passed** by unanimous vote of those members present to approve the consent agenda, as presented.

Approve change orders (03-20, 03-21, 04-08, 05-26, 05-27, 08-15, 10-08, 12-28, 12-29, 12-30, 12-31, and 14-02) for the CPAC, totaling \$39,188.60, as presented.
12. **Change Orders for the Hollister Bridge Replacement Project** Approve change orders (01-07, 01-08, 01-09, 01-10, 01-11, 01-12, and 01-13) for the Hollister Bridge Replacement Project, totaling \$36,147.50, as presented.

13. Declaration of Surplus Equipment Declare obsolete equipment as surplus, as presented.

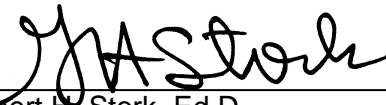
Q. DISCUSSION

1. What went well?

- Trustee Mathiesen – The meeting was stressful. He was challenged as to what decision should be made. The planning process is unsure. It is difficult to plan when an issue is open-ended.
- Trustee Galvan - The meeting was too long. The Board does not effectively take part in the planning process.
- Trustee Kiersch - The meeting went well considering the topics at hand. Several members were concerned that they did not have the complete scenarios until the meeting. The DSPS is very stressful for Toni, Linda, and Board.
- Trustee Shepherd - The length of the meeting is the burden they bear. He is happy to be there to hear the testimony. His perspective is different because he is not consistently involved with the administration. He would like to participate in the Strategic Planning Committee.
- Trustee Mitchell - In terms of an effective planning process, she thinks the Board could improve that process and increase its involvement.
- Trustee Mullen - There were challenging issues to deal with. He still struggles with how to manage public comment. The Board could improve its involvement in the planning process. He thanked the staff and management team for dealing well with an extremely tough situation. He appreciates the effort even though it takes its toll. He extended best wishes to Dr. Pelham.

ADJOURNMENT

Adjournment The meeting was adjourned at 9:45 p.m. Unless otherwise announced, the next meeting of the Board of Trustees will be held on Wednesday, January 6, 2010, at 4:00 p.m., in building N2000 (cafeteria), North County Campus, Paso Robles, California.



Gilbert H. Stork, Ed.D.
Superintendent/President