MINUTES

MEETING OF THE BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

February 11, 2010

SPECIAL MEETING/STUDY SESSION
Room A218C
Meeting was moved to A211
4:00 pm

MacDougall Administration Center
Santa Barbara City College
721 Cliff Drive

The Office of the Superintendent/President, Room A 110 in the MacDougall Administration Center is the location where documents that are public records relating to any item under discussion on a Board agenda (including documents distributed with the agenda and those distributed to all or a majority of the members of the Board within 72 hours prior to a regular Board meeting or within 24 hours prior to a special or committee meeting) are available for public inspection.

Board agendas and supporting documents are also posted on the College website at http://www.sbcc.edu/boardoftrustees/.

1. GENERAL FUNCTIONS

1.1 CALL TO ORDER

President Dobbs called the meeting to order.

1.2 ROLL CALL

Members present:
Dr. Kathryn Alexander
Dr. Joe Dobbs, President
Mrs. Sally Green, Vice President
Mr. Des O’Neill
Mr. Luis Villegas
Nicole Ridgell, Student Trustee

Members absent:
Mr. Morris Jurkowitz
Ms. Joan Livingston

Others present for all or some of the meeting:
Dr. Andreea M. Serban, Supt/President and Secretary Clerk to the Board of Trustees
Alarcon, Ignacio, President Acad Senate
Allen, Susan, Fused Glass
Dr. Arellano, Ofelia, VP CE
Auchincloss, Liz, President CSEA
Ben-Horin, Barbara, Foundation for SBCC
1.3 WELCOME

President Dobbs extended a cordial welcome to all.


Upon motion by Mrs. Green, seconded by Mr. Villegas, the Board approved the minutes of the special meeting of January 15, 2010 and the minutes of the special meeting/study session of January 21, 2010.

Upon motion by Mr. O'Neill, seconded by Mrs. Green, the Board approved adjourning to study session.

1.5 HEARING OF CITIZENS

Dr. Alexander noted that on the agenda the hearing of citizens occurs before the Board goes into study session. We sometime ask if the citizens would prefer to be heard in conjunction with the topic on which they wish to speak. Mr. O'Neill make the motion that we do it that way. I think it’s appropriate for us to find out from the citizens that wish to speak, if it’s appropriate for them to speak at the time of the topic, as it is before we go into the study session. Mr. Villegas’ question was, given that the item comes later in the agenda, would the Board want to move that item up and deal with that item first.

Upon motion by Dr. Alexander, seconded by Mrs. Green, the Board approved moving items 2.3 and 2.4 at the beginning of the study session agenda.

2. STUDY SESSION

2.3 Analysis and Proposed Fees for Selected Continuing Education Non-credit Courses Starting Spring 2010
Superintendent/President Serban reported that discussions began on this subject last October and the first two pages of attachment 3 were a summary of the fiscal situation of the state and its impact on Santa Barbara City College. This is a very important component that needs to be understood in terms of the discussion that is going to follow. At this time, between 2008-09 and 2009-10, our state allocation was reduced by over $9 million. Of this amount, $2.6 million was announced in September 2009 for 2009-10, well after the fiscal year was already in progress, and it represents a permanent reduction to the college’s base funding, meaning that the state does no longer support the enrollments at the 2008-09 level. The college was asked to reduce enrollments equivalent to $2.6 million reduction in state apportionment. The state reimbursement rates for a full-time equivalent student for California resident credit is $4,564.83/full-time equivalent student and for non-credit there are two different types of reimbursements based on the type of non-credit instruction: (1) enhanced non-credit is $3,232.07/full-time equivalent student, enhanced non-credit courses are a series of courses that are required to receive a non-credit certificate or lead to transition into credit courses and (2) non-enhanced non-credit is $2,744.06/ full-time equivalent student (FTES), these are courses that have a lower reimbursement rate and they are a variety of courses belonging to nine categories of non-credit courses that the state considers eligible for funding. The key point is that eligible for funding doesn’t mean that the enrollment will be funded, it means that the course maybe in a category that the state may consider for funding, but in effect for 2009-10 there have been ongoing cuts to state funding, that means enrollments need to be reduced to the level of funding that the state supports. This reduction needs to be achieved by combining reductions in our credit side and non-credit enrollments, so both sides of the college bear the burden of implementing these reductions. In 2009-10, the state was late in informing us of our cuts, Summer 2009 had already been completed for both credit and non-credit and Fall 2009 was already underway, both in credit and non-credit. As a result, we had to start implementing reductions in sections in both credit and non-credit after Fall 2009 had started.

We also began working very diligently in finding different ways to fund courses that would allow us to still maintain a larger number of sections being offered in order to not need to cut as many sections as required by the reduction in state funding for enrollments. We conducted open community forums in the fall and one of the key suggestions that came from those forums was that rather than not offering the sections at all or cutting a large number of sections, students would be willing to pay for classes. Staff proceeded to conduct an analysis and discuss possible class fees. We have done this analysis with a significant amount of time spent on calculations and looking at all cost aspects. Superintendent/President Serban reported that it was a fairly complex endeavor and acknowledged the work of Leslie Griffin, Dr. Ofelia Arellano, and staff in Continuing Education, because they looked at every expense involved and how this has been done over time.

Superintendent/President Serban reported that the proposed methodology was presented and discussed at the January 21, 2010 study session where Board members were asked for input and, if conceptually, they agreed with the methodology, and at the time they indicated that it was an agreeable approach. Staff then proceeded to produce an initial set of data to review, and, because this is a work in progress, there are some additional materials and some revisions for you today as handouts. The handouts will be posted on the college website under the Board of Trustees section for meetings. Several components were discussed at the January 21, 2010 study session. One was to establish and discuss the proposed criteria for selecting some of the non-credit courses for conversion to fee based, and actually as it turns out, this is a larger discussion than just looking at possible courses to be converted to fee based. There are compliance issues with regard to state regulations in terms of what courses are eligible for funding and what courses are not eligible for funding. We will be discussing that some courses will require the development and approval of course outlines because currently there are some courses that do not have an approved course outline and are not in compliance with state regulations. The second topic we discussed was the details of the various costs considered and the rationale used. Today we have a revised proposed fee list that is somewhat different than the one included in the attachment, because Leslie Griffin has refined some items and she will explain. Superintendent/President Serban stressed that the effort here is to be able to
continue to offer as many courses and sections as possible, and to maintain the breath of continuing education offerings. However, there is a fiscal reality we are grappling with, so in this environment we need to look at how we can have a long-term, sustainable Continuing Education program in a way that is fiscally sound and in compliance with state regulations. Superintendent/President Serban noted that Dr. Ofelia Arellano would provide a brief discussion regarding the possible criteria for selecting courses to be converted to fee based, her findings and the staff’s findings in reviewing current course offerings and review some of the handouts. Leslie Griffin, Controller, will talk about the methodology, the refinements to the methodology and where we currently are in this process. Continuing Education has a Citizens’ Advisory Council, we have met with this group regularly and will continue to meet with them. Dr. Arellano has met with faculty in Continuing Education and will continue to do so and she will also cover some of those aspects. We will then open it up for questions from the Board members to make sure that all information provided is clear and if there are any suggestions, questions, or points of clarification they will be taken at that time.

Dr. Arellano reported that in September 2009 a request was received from the Chancellor’s Office asking that our non-credit course offerings be thoroughly reviewed. Dr. Arellano contacted LeBaron Woodyard, Dean of Academic Affairs in the Chancellor’s Office, and the first document that was brought to her attention was the summary of approved non-credit courses by category. One of the areas we were asked to look at was the number of courses approved by the Chancellor’s Office, as SBCC has the most approved courses in the entire state. About 22% of the non-credit courses offered in the entire state are here at Santa Barbara City College’s Continuing Education program. Approximately 1,426 out of the 2,711 non-credit classes approved by the state are in the category of older adults. You will notice in terms of the spread of courses that we offer some classes in some areas and in other state approved categories we do not offer any courses, for example we do not offer any courses for individuals with substantial disabilities. Dean Woodyard asked that we do a thorough review of our course offerings to begin to reduce the number of courses in the state inventory, especially those that have not been offered over the last 10 to 15 years. It was felt that it was important for us to begin to look at all course offerings to be sure that the courses offered or planned to be offered were approved by the Chancellor’s Office. As the review was being conducted, Dr. Arellano became aware that some of the courses planned to be offered in Spring 2010 did not have an approved course outline; others were offered in a format that does not meet state criteria for eligibility for funding. Dr. Arellano and staff began to review all course outlines and Dean Woodyard advised us to be aware of Legal Advisory 05-03 that was issued in April of 2005 from the Chancellor’s Office stating the legal requirements in offering courses that request state apportionment, meaning that instructors must have minimum qualifications, must have and follow approved course outlines, and other criteria (please see the handout). As courses were being reviewed, a list of classes was put together for the Chancellor’s Office listing courses that would be deleted, to reduce the 2,711 number to a more reasonable database of offerings. As we looked at establishing criteria in terms of courses that needed to be deleted, the first criterion looked at, following the legal advisory, was that courses that were not approved would be deleted, so instead of eliminating those courses for Spring 2010, those were included in the courses proposed to become fee-based as those classes could not be reported to the state for apportionment because they were not approved by the Chancellor’s Office. There are additional courses planned for being offered in Spring 2010 that do not fit in the nine categories that the Chancellor’s Office has determined to be eligible for state apportionment and those additional courses were added to the classes proposed for conversion to fee based. In terms of studio type courses, the legal advisory is very clear that those courses are not the type of courses that are considered appropriate for state apportionment by the Chancellor’s Office. The other courses that were included that are similar to studio type courses are workshops. Other courses that we looked at, separating the beginning courses for older adults that will remain as free courses, were the more specialized, intermediate and advanced courses. Those are approved by the state but because the state is funding a much reduced level of enrollments for the college, by converting to fee based the advanced level courses, we would be able to maintain the breadth of course offerings while working toward reducing the non-credit FTES to the lower level for which the college is now funded. The last groups of courses being reviewed

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are the large venue presentations that are less than 6 hours. Again, after consulting with the Chancellor's Office, they encouraged us to look at these courses, because they will no longer approve these types of workshops and they’ve asked us to look at consolidating those types of 4-5 hour courses. This were the criteria reviewed in terms of courses being recommended for conversion to fee base starting in Spring 2010. Dr. Arellano also provided an analysis that she put together of other community colleges comparing their fees with SBCC’s. Mt. San Jacinto College, San Diego Community College District, and City College of San Francisco were the colleges used. The first phase of the fee analysis was in line with the fees charged throughout the state for these types of community service or community education courses. Dr. Arellano sampled a few courses for Board review from these three community college districts.

Leslie Griffin, Controller, explained how staff went about identifying the very specific costs of the courses offered for Continuing Education. Accounting records are divided by cost centers and that general information was taken and was funneled down to a very specific identification by course. This was done by identifying what were the courses that need to be analyzed and for that purpose we looked at the teaching periods of Winter 2009, Spring 2009, Summer 2009, and Fall 2009. Staff then identified what were the expenses that could be matched to those teaching periods. The fiscal year 2008-09 was chosen because it was a fiscal year that had been audited by our external independent auditors. Ms. Griffin noted that for that period of time the auditors have examined our internal expenditures and have pronounced our financial records accurately representing the condition of the District. Knowing that we had a good set of data to work from, we pulled the fiscal information that would relate to delivering those courses to the public. The first type of expense we wanted to review was the direct instructional costs, what does it cost for an individual instructor to teach a class. To do that, we looked at the actual teaching hours for each course, found an average rate paid for that particular course and calculated the instructor’s pay for each course. We checked our findings with that of the actual pay records and found that we were within a 1/4 of one percent, so we felt accurate about that. Instructor compensation is the largest expense that we have for the courses. We also wanted to look at any other expense that would be specific to a particular course and for that purpose we looked at coordinators who have responsibility for a range of courses, instructional aides who work only on a particular set of courses, utilities directly related to a course (it’s expensive to run kilns), repairs directly related to a course (such as repairs to sewing machines used for sewing courses), facility costs related to a course (for example rental of facilities) needed for a course such as the Lobero Theater or the pool at St. Vincent’s, we associated that cost where we could with a specific course offered. If we hired a consultant to be a guest speaker for a course, we have identified that with a course, models are hired to model for art classes and have been identified as a cost to that course. If we had to have a registrar for example, Mind Super Mind uses registrars for their courses, we associate that cost with the course. That took care of most direct instructional costs, but there were still costs that were generally associated with courses but not a specific course, for example the cooking department has hourly workers who work to provide support for those classes, linen costs are associated with those courses. So for that type of allocation, we looked at the class meeting hours for the courses and used that as the connector between the cost and how much we wanted to charge each course. So, it was a simple mathematical allocation of the costs based on the number of meeting hours for that particular course. Once we identified the direct instructional cost, we wanted to see what kind of operational costs were common to the provision of instruction and did we have to also associate those with the courses? For that purpose, we looked at all of the operational cost centers within Continuing Education itself, the types of costs that we saw were the student information system and registration system, we captured the cost it takes to provide that service, operational costs that are common to all of Continuing Education, which would be like the Continuing Education staff. We have offices at both Schott and Wake and they were captured in a cost center for each of those, the cost of the people who manage those particular offices and their related costs, utilities other than the utilities for the kilns for a specific course; we have general utilities that we need to spread. We have oversight of the facilities, maintenance, construction at both Schott and Wake, and we also have some specific information technology support that we provide for the general administrative systems and the Lumens registration system. All of those costs were allocated over all non-credit courses based
on the course meeting hours. Next we wanted to determine an appropriate amount of District operational costs that would be reasonable to allocate to courses as well. For those types of costs we looked at the accounting office, and other areas such as Human Resources, Information Technology, but not all of it would be attributable to Continuing Education, so we had to determine what kind of a common denominator would connect a cost with a usage and we came up with a number of them. For example, our Human Resources office supports the hiring of all of our permanent staff for Continuing Education, we found out what percent of our permanent staff were working in Continuing Education versus the whole District and we used that percent to allocate a portion of the Human Resources cost to Continuing Education. Each type of expense was looked at, found a common denominator that would give an appropriate allocation and applied that to the costs. The handout titled Expenses Associated with Continuing Education courses, provided today, gives a representation of what was just described to you; here are the numbers that are associated with the results of the methodology. Direct instructional costs are both those that went specifically to a course or those that were allocated over a range of courses came to a total of 58% of the total expenses for all non-credit, the Continuing Educational operational costs came to 33% and lastly the District operational costs 9%. The funded needed to provide the Continuing Education courses in 2008-09 totaled $10.2 million. Superintendent/President Serban noted that this is the funding required to provide all of the almost 2,500 sections offered in Continuing Education and not just the few being considered for conversion to fee based. Ms. Griffin also noted that the total class meeting hours for all of the 2,500 sections being offered in a year came to a total of 88,420 meeting hours.

Ms. Griffin reported that she had not contacted other college about what methodology they used for their fees. We analyzed our own expenses and related them to the service that we are providing to the community, which are the courses. Superintendent/President Serban noted that as a result of this methodology, we ended up with comparable fees to those provided in the analysis of other community colleges. Mr. Villegas asked whether or not the facility rental fees charged by the K-12 Santa Barbara School District for facilities used by some of the continuing education courses were built into this as well. Ms. Griffin responded that they were, when the facility analysis was conducted, rental fees were associated directly to the courses using the rented facilities. Mr. Villegas noted that it was interesting that in the comparison conducted by Dr. Arellano for courses, it seems that other colleges while offering less contact hours are charging a lot more than we do. In some cases, it appears that we are offering twice the amount of contact hours and either charging no fee or half of the fee sometimes for a lot more contact hours than some of these other colleges. Ms. Griffin commented that in terms of the amount of operational costs we have relative to the direct instructional costs, it is hard to judge one district from another, particularly if you are looking at a K-12 district versus a community college versus a university. But we do have the means to look at our peer colleges, going to the Chancellor’s website where they post annual reports for all community colleges and that allows us to compare apples to apples with other colleges and although they don’t isolate the Continuing Education arena, they only report the whole district, Ms. Griffin noted that when we looked at some of our peer colleges and tried to compare some of our non-instructional costs to what they had, we saw that ours were approximately 43% of the total expenses we reported and our peer colleges were anywhere from 45% to 49%.

Ms. Griffin reported that a sheet was provided as a handout today that listed proposed courses for fee base consideration. Ms. Griffin reviewed with the Board the cost of providing certain courses using the results from the analysis. This information was presented at the fiscal meeting and we have been working on it and have revised the column titled, Revised Preliminary Estimate, this reflects the total costs that have been identified for providing that class and then we divided that number by the amount of the maximum enrollment for that particular course to give us an idea of sharing those costs over the people who had enrolled, assuming we enroll the class to the maximum, what fee would we need to charge in order to recoup those costs. Ms. Griffin reviewed the following class:

**Edible and Medicinal Plants**
- The cost identified that would have to be recoup the total costs would be $27 per
student, if the maximum number of class seats were filled.

- The cost was calculated using a certain number of weeks and classroom meeting hours for the course and we looked back to last Spring and the same course was offered as an eight week term.
- If the course went for 7 weeks instead, then the fee would go to $24 per student.

Dr. Dobbs requested that Ms. Griffin review an art class using the same information provided above. Ms. Griffin noted that art classes tend to be more expensive because we have more costs associated with those classes. The usage of the classroom, the instructional aides, the classroom supplies and any additional kinds of costs associated with them would need to be recouped. When we look at any art class, it would benefit if we looked more closely at what those costs are, but I have described to you the methodology we have gone through, certainly we can refine it and fine tune it, but at this point my analysis is showing $171 per student would allow us to recoup total costs, including both direct and operational costs. Mr. O'Neill asked what type of revision was made to accomplish these lower numbers. Ms. Griffin reported that the operational costs were reduced compared to the previous version thus resulting in lower operational costs and lower total costs per course. Ms. Griffin also noted that when this process began, it began with all costs being spread out over the class meeting hours and then specific costs were taken out of that allocation and assigned to specific courses. So some classes obviously would have higher costs and others would have lower costs. An example used was the number of coordinators who help organize classes and almost all of those coordinators are in the art class area, so that would be a cost taken out of other classes and applied to the art classes. Facilities, when we identified a facility for a specific class we took that out of the general allocation and placed it to the specific course. When we looked at the district operational costs, initially we did a broad allocation and then we went back to find linkage that would equate the cost with the usage by the Continuing Education division and as we did that the allocation was lowered to the Continuing Education division. A general refinement and fine tuning was done as we went through and examined the methodology and examined the various elements and tried to make them as accurate and appropriate as possible.

Superintendent/President Serban noted that overall we offer about 2,500 course sections, 90% of these courses will continue to be free to students, state apportioned, or seeking state apportionment. We are talking about a recommendation for a small number of courses. The bulk of the courses in Continuing Education remains funded by state apportionment and free to students.

Hearing of Citizens took place at this time:

Norman Gutshall: I am Norman Gutshall, I have been a resident here for almost 50 years and I have been an instructor and a student of community college adult education for over thirty years and I have been teaching Southwest Style Jewelry at Wake Center for about seven years. I presently have twenty seven students in my class, three over the norm twenty four, but I feel that our community has such a need for this type of thing that we're doing. I have students coming from Ojai, Ventura, Oxnard and Lompoc who come to our class because they don't have classes like we have available in those communities. You know I am so proud of what we have here in Santa Barbara, it just blows my mind and I wish you people, if you haven't come out to see our lab that we have that is full of tools and equipment, most of which has been contributed by our community, people who have said, hey we can help you. We just got a beautiful piece of equipment that I would image costs $5,000 that was contributed to us and you know that it just disturbs me to the point that, you know, like I said I have been here a long time, I've worked here in this community for a long time and I believe in our community and I'm proud and I'm glad you're holding this meeting because this meeting is important to our community. I've heard all these reasons for finances and why we can't afford it, I know the state, we're hurting real bad, our whole country is hurting real bad financially, there's no question about it. My class went from $50 to $262, it's come down yes and I want to ask about it. I can't interpret all of this, is it down to $150? Ok, well I asked my students the other day, last Wednesday; I had probably 25 students in my class. I asked how many would be able to come back to my
class if the charge is $150. I had one student raise their hand, most of my students are adult, I have an 82 year old student and I'm an 80 year old teacher, but I have some younger people in there too. This is an adult community thing that we've got to work on; if we just assess these prices we're going to close classes. You're going to lose me as an instructor and I paid out over $5,000 to learn my trade to pass on to my students, I took classes from native Americans for four summers to learn Southwest Jewelry and if you lose me you're going to lose somebody in this community, maybe you want to lose me I don't know. I really do urge you, yes go ahead.

Des O'Neill: We don't want to lose anybody, what we're trying to do is make it possible to offer a broader range of classes as possible, but we have to cope with the reality that the money is not there. Now, one point you raised and I'm curious about. You mentioned your students who come from out of the district, so you're asking our district to subsidize students coming from Ojai, Ventura, Santa Maria, that's difficult to justify.

Mr. Gutshall: What is wrong with that? Won't you be proud that these people are coming to our city?

Mr. O'Neill: As long as their community college districts are willing to send us money to enroll them.

Mr. Gutshall: That's not up to me.

Mr. O'Neill: It's not up to us either.

Mr. Gutshall: Well let me make one other point. This fee-based thing you're proposing and our class and I guess there are going to be 60 of us that will be fee-based and I don't know how many other classes, I think there are thousands that are in your whole program. Why do the 60 classes have to subsidize the other classes?

Mr. O'Neill: No, no. What we're asking is the classes for which enrollment will not be funded by the state, pay their own way, it is not these classes will subsidize others.

Mr. Gutshall: What about the other classes, what are they going to pay?

Mr. O'Neill: They're paid for by the state.

Mr. Gutshall: How do you get to be paid by the state?

Mr. O'Neill: You fit into one of the nine categories that the state allows you.

Mr. Gutshall: What are the nine categories?

Superintendent/President Serban: I do have the list, we want to answer your question, even though normally the procedure is to have individuals speak up to five minutes per person and we normally don't engage in conversations during the hearing of citizens. I want to stress the point again, eligible for funding doesn't mean that the enrollment in all courses will get funded; we were cut $2.6 million in our base funding for enrollments, the state told us that we, Santa Barbara City College, are only funded up to a certain level of enrollment, enrollments above the funded level is on your own dime. The nine categories are:

1. Parenting Education
2. Basic Skills
3. English as a Second Language
4. Immigrant Education
5. Education Programs for Persons with Substantial Disabilities
6. Short-term Vocational Programs with high unemployment potential
7. Education Programs for Older Adults
8. Family and Consumer Sciences
9. Health and Safety

These are the nine categories that are eligible for state funding, the key difference being that eligible doesn’t mean the state will actually fund all enrollments, they will only fund a certain pre-determined level that the state establishes for each community college district. Anything we enroll above those enrollments, we have to use college reserves to pay for the associated costs. We are currently overenrolled in both credit and non-credit, we have actually enrolled a lot more students than we are funded for. We are trying to approach the reduction in state funded enrollments in a very gradual, gentle approach, you may have read that Cuesta College is canceling their summer term, others have cut entire terms, we are trying not to do that, we want to at least maintain a level of offerings so that people are not entirely shut out for a period of three to four months. It is also the living of the instructors, when Cuesta or other colleges cut entire terms there will be people who make no income for that period. We’re trying to be sensitive to that as well. As Trustee O’Neill mentioned, it’s not about this class subsidizing another class, we need to find a viable way to recover costs and fee-based courses is one option. We have also talked about fundraising and we have had fundraisers, fundraising is an option but it is not something you can count on in advance. There are various options and there is no one size fits all, we are looking at all options, we have taken input from the community, from the Continuing Education Citizens’ Advisory Council, this is a complex endeavor. We actually want to maintain what you mentioned, we are also proud of what we have, we don’t want to lose that either, it’s a common interest.

Mr. Gutshall: I have been here for as long as you have. Thank you for your comments, I don’t understand all of it, but it will probably come to me later. But I have one other question to ask you. I have a four hour class, I have another instructor that has a four hour class, we use the same materials, the same classroom, the same operational costs, same electricity, and the class for her is $128.00 why?

Dr. Dobbs: I’m sorry, we have to continue with the next speaker.

Janice Lorber: I want to introduce myself, many of you know me, my name is Janice Lorber and I’m the coordinator of the jewelry art program at the Wake Center. At this moment we teach twelve classes a week and have a faculty of seven wonderful teachers, our studios are very well equipped, state of the art facilities. If we impose the fees that were produced most recently, I really feel that the number of our classes would be cut in half. I don’t know how these new fees appeared today and I’m kind of afraid if these fees appeared today, what’s going to appear tomorrow and it could be up. I took the liberty to poll 175 of our students in our class last week to ask them if the fees were $150 or even as far up as $200, as we were lead to believe in our case, what would they take? The choices were: I would take no classes, I would take one class, two classes, three or four classes. 90 said they would take none, 58 said they would take one, 23 said that they would take two, one said she would take three and three said they would take one class. Then I polled students in the enameling class this afternoon, there were 26 people in the class, and I went around to each person and I said individually to them, what about these new fees and how would that affect you, would you continue to take this class? Out of these only 11 said they would continue on, even though this is the most popular course, or one of the most popular courses in our program, highly subscribed and a huge waiting list. I was really quite shocked because this is a real big part of their program. Our excellent teachers would lose their classes and they would go work elsewhere, we would find it very difficult to re-create the excellent program we have now. I am worried and so are other people in our program, both our students and our faculty. There needs to be a plan I feel, to balance the fee base and the state supported class, as well as a plan on how to phase in the fee based classes in a very gentle way. The people in our community need the arts, I don’t know how many of you saw one of the most wonderful films I have ever seen in the Film Festival last night about Crazy Arts, it’s about three people who are handicapped and really rely on art for healing and also just for survival. One of those students, Leslie Grogin, is in our program and she has very little money and she not only does art on her own, she was in the enameling class this afternoon. She and many others like her would not be able to continue at all if the fees were above $100, especially
so soon. We've fundraised in our department, we hand built our studio almost and we fundraised to build our studio, to get our equipment, to get our funds together to get the wonderful tools and stuff that we have in there. We have a lot of connections with people in the community and a lot of people give money to adult education and to Santa Barbara City College and some, like myself, have in their will to give money when we pass away to City College. I think that if this issue is not handled reasonably and with tender loving care, there are a lot of people who are wound up with this and I think a lot of these resources may disappear which I think would have a drastic affect on all of us. I feel that we need to cut the overhead and I think that Leslie explained that we did a little bit and I would like to see some more of those figures in our proposed class fees, at least this first time around, we have to treat it gently and we have to ease it in and then I really do think it will work. No one, has ever said to me at the discussions I've been having with students, with faculty, no one has said we should never raise the fees, everyone knows this is the best deal in the world and we all appreciate the excellent staff, the hardworking staff and also the students love going to classes and they love being there, however, they really feel like they need to get their act together and to kind of figure out how their going to fit this into their budget. Times are hard right now, they really are, people are going to have to figure out how they're going to pay their bills, how their going to get money for their gas tank and then they've had the luxury of being able to come out and really come out and massage their soul and gain some wonderful information and make themselves feel real and feel important in these classes. Doing away with this, would just really be a tragedy in our community I feel. We need time to have groups to find an answer, Ofelia has graciously been working with small groups and she's made a commitment to continue with that, but right now what we need is time. We really need time to get together to find the answer, we have a lot of intelligent people in this community, many of which are in adult education, many of which have said would devote a lot of time and energy to solving this, so I urge you to really stand back from this, come up with some kind of way, maybe Leslie can go back to the books and even dig a little deeper and lower those prices even a little more so that we can present something to the group, keep our adult education courses together and then work together to really make it stronger and then raise the price at reasonable time.

Miel Macassey: I'm Miel Macassey and I'm a student at Continuing Ed division, thank you for having me speak today. I've learned wonderful things in the two terms that I've taken jewelry courses at the Wake Center. the instructors are knowledgeable and truly interested in teaching, even going to the trouble of creating class websites and extending hours at their own expense of time and effort. From a practical perspective, a person with limited funds who is taking up a new vocation will be forced to choose between taking classes for a total perhaps of 21 weeks per year, assuming we get to keep the summer or buying some basic tools that will allow her to work at home for 52 weeks a year. Most classes are three hours per week, so that makes $150-$260 fee before the materials charge is even added in per course, that's the price of a flex shaft tool, the cost of three courses would be an enameling kiln that I could keep at home forever, or until it breaks. Without the classes, I would be unlikely to make anything nearly so nice as I will with instructor guidance, nor to become a professional someday, but these fees would prevent me from having the tools to develop any skills outside of the 39 hours per year when instruction would be available if I take one class each term. This is an impossible choice for an inspiring, but unsponsored professional. Many classes have long waiting lists already; this is the rational for instituting a staggered on-line registration schedule. Since it's inception it has not opened for business, without crashing, hanging, and requiring students to spend the wee hours of the morning trying to register only to find themselves on waiting lists. I'm unclear why we can't use or duplicate the registration system used by the general city college students, the credit side. The waiting lists seem to be proof on some level that there is demand to fill the seats, even at a price that will prevent many people from attending and make others chose a professionally accredited and internationally regarded programs out of town with similar fees. Revere Academy in San Francisco, $499 for a twenty four hour workshop and the intensive workshops are very well regarded, they're certified by the GIA. Penland, $467 for forty hours that comes out to $12/hour and they're one of the top places in the country. I personally like going here, but when you price it all out and when you look at the certificate on the wall, the possibility of a certificate on the wall, it's something to consider. One of the problems that has
gone completely unaddressed in the creation of the two tier pricing policy is an on-going one created by high demand. Advance students who cannot get into challenging classes because of this registration system, attend introductory ones that are slower to fill because new students are not necessarily aware of this byzantine process. This is only likely to be exasperated by keeping the beginning classes affordable and making the advanced ones more expensive than the curious but uncommitted student is likely to pay. This contradicts the very idea of adult ed as an accessible vocational program. The reality of budget tightening is real, but there are unexplored avenues for income, fundraising ideas from on-line auctions to grants have been suggested, but I'm unclear what has actually been pursued by the administration. Some schools use commercial sights like biddingforgood.com. The talent pool of Santa Barbara City College, both the main campus and adult ed is quite sufficient to create a similar operation that would retain the fees charged by such contractors, preventing another Augusoft debacle if nothing else. There have already been volunteer efforts to create one with absolutely no response from administration, at least not to me. Generating donations should be easier and comfortable in well connected Santa Barbara than most places around the country, similarly grants from Foundations should be solicited, money may be tight, but Santa Barbara and SBCC have more prestige than many places. It is hard to believe that a town with fundraisers who can keep symphonies and film festivals going through the deepest recessions since the 1930 can not find a team to support education. The District has a Board and paid staff whose jobs it is to do exactly this. The Santa Barbara City College Foundation in their web page neither mentions adult ed nor does it give any opportunity for making non-cash donations. Does it even contribute to the adult ed program? In this economy few have money to donate, but many can consider giving up an old clunker, or a piece of handmade jewelry, a spa gift certificate or a whale watching trip, the auction sight above, biddingforgoods.com has some great ideas for gifts that cost the donor nothing but time and expertise. Allowing everyone to participate from the astronomer, who can host a star party, to the English as a Second Language student whose tutoring in his native language would prove invaluable to learners of that language, would not only raise money, but rally support and awareness in the community. It is hard to divide a shrinking pie and still feed everyone. While the next few years are very likely to be painful, this pain will be minimized by positive unified action. There are constructive options and after all this is a community college.

Sally Saenger: Most students do not know about this, if they knew about it, believe me you would have had to go to the auditorium, this would be filled. Hardly any students know about this yet. We just found out as instructors. Yes in October there was a little, but we were told by the Dean, that yes down the line we're going to need to do this, look at it over the summer, maybe in the fall. The instructors had that belief and I do appreciate that you are allowing us to speak to you. I'm Sally Saenger, I've been teaching here temporary part-time for over 27 years, I chose to teach here, I believe in the mission, I love Santa Barbara City College, I'm an alumni and I love adult education. I teach both at the credit and non-credit division, so thank you for hearing us. I'm the CE Instructors' Association President, past and current, and I'm on the Instructors' Association Board here. So I'm speaking on behalf of many instructors, although we didn't have time to have meeting before this came up, but I did contact quite a few. We all understand there is a budget crisis and we know changes need to be made and we support changes, we support sound, equitable fiscal policies that address the problems and we want to be part of that process. Because we love adult education so much, we want to be involved in the decision making, but we cannot support the proposal that has been presented recently to us, as of last Friday, and many people, most instructors could not go or did not know of it. We were told four days before that there was a meeting and I know that decisions need to be made quickly, believe me I'm not blaming anybody. I know Dr. Arellano is in a tough position, and Dr. Serban is, we all are, we all feel the pain, so we want to be part of the solution. But this is a little quick. So we have many questions that are still unanswered and we believe that following through with these proposed changes at this time for Spring would be very unwise. It appears that the current proposal is a short term fix to a long term problem, we believe that there are other solutions that can be implemented, of which I will give you a few suggestions of that, that can be implemented quickly while this issue is studied further and as a collaborative effort involving the staff and faculty in the decision making process. Which brings me to another point
and again I mean no disrespect to the newer members of the administration, but the main two people who are proposing this and discussing this have been at adult education less than a year and a half. I've been here twenty something years, you have a collaborative resource out here hundreds of years working with adult education, working two three, five, ten, twenty years, not one of us was asked early in the process, how would you go about this? What would you suggest? We want to be involved in that, we care about this we know changes need to be made, we know that we have to convert classes. So please consider involving us a little earlier in the process. As far as I can tell not one single person, not one person in this room is smarter than the collective brains of all of us. There is no reason not to involve, as others have mentioned, community members, staff, other faculty members, there are people who work in the front office that are frustrated and I do want to repeat, it's not at one single person, or only at the Board of Trustees, or only at the administration here. Teachers tend to think collectively and think working together. So it's a little different style that has been presented to us and it's difficult and frustrating and can be uncomfortable to follow through on. So we respectfully submit that the faculty be included earlier in the process, in the dialogue about the changes that directly affect adult ed instructors. There are a couple of things that I want to address that were mentioned, looking at the history. Dr. Serban mentioned, looking at the history at how this was addressed before, well in my 27 years of history what happened was adult education is very much a give and take, if the credit division said they were over, then we were asked to shorten our sessions, ok we had a shorter summer session. There have been times that I have been told to teach up until Christmas, because we were low at the credit division, so we've always had a give and take, and it worked. It seems to me that all it would take and it just doesn't seem, I've talked to former directors and former vice presidents and financial advisors, if we cut out 2 1/2, 3 maybe 4 weeks of the whole year, this would take care of it. Yes it would be nice to have classes that are 8 weeks, 10 weeks, but instead we had a 16 week about a year ago, that was a long one. I could have cut my classes, but we worked a long summer, we should have cut it then, we should have cut it in fall and we can still cut it. This is not affecting my class by the way, this isn't about me, my class perhaps will be someday, but it's about sharing the pain a little better, being equitable, fair and having a proposal. Let me get to the last part of it, as trustees that word itself we trust you, you are entrusted with making this decision and we want to be part of that we have solutions, we have suggestions, we can besides the fundraising, cut maybe one or two weeks off of spring, limiting summer altogether and offer those special fee courses then for people that do want to teach, of course keeping the enhanced funding classes, we don't want to be cutting that and we can also regarding the on-line schedule, add one line in there, every state funded class should have the line minimum donation suggested $15. My classes want to pay they do, I have fundraisers in my class, I got $750 in a day just by charging $5 for just coming to class one day and donated the time and facility. They want to pay put they want to pay in an equitable way, they want to contribute to other classes that are getting hit with this. So in order for us to give you these solutions, which I do have some other suggestions, we need to be involved a little bit more in the decision making process. So on behalf of the instructors at adult ed I proposed that the conversion to fee base classes take place either for the summer or fall term, so that it can be implemented in a matter that is fair, efficient, and successful. The CEIA is offering our expertise to you during this decision making process.

Vic Cox: My name is Vic Cox, I was raised in Santa Barbara, the last 25+ years I've been living in Goleta, raised my family there and I'm a student currently and I'll take less than five minutes because all I want to really say to you is that a lot of ideas you've heard tonight are good ideas and according to your own policies, in March you passed this, participation in the decision making policies, the teachers and the students were supposed to be invited in on this not at the last minute. The second thing is that contrary to what has been said today, not all segments of the student population are sharing in this pain and I think the $2.6 million you want to cut is falling on the backs of the non-credit students without, apparently from your documents, anything levied on the ones identified in you earlier publication as being the enhanced non-credit. So maybe I'm not reading this right, but that's the way your documents look. Thirdly, material fees are a charge of many classes already, that doesn't seem to be fitting into the matrix for this decision making and I wish all the costs would be put into that matrix, otherwise, we might even have better results the next time around with the work in progress. I encourage
the auditor, audit committee to keep headed that way, and you’ve got it going in the right direction now. Fourthly, 43% overhead that sounds awfully high to me and that may not be part of the peer groups people overhead but surely we can do better in that area. Thank you for listening.

Dr. Dobbs: We have heard speakers for almost one hour now.

Marsha Croninger: We would request the right to speak.

Mr. O’Neill: We have other matters on the agenda that we have to consider

Ms. Croninger: We understand that and we would be happy to have you consider it, but we’re prepared to stay here so that this one gets a full consideration.

Dr. Alexander: I want to ask a question of the President of the Board of our own procedures. As I understand it, we have before us fees which you have just recently received so we’re assuming that most of you had not had a chance to really assess this. We also have information that you have given us about how you feel about it and I think that we have been respectfully listening. We make no decisions at this meeting, this is a chance for us to get the information you have been giving us. This will be, I assume on the agenda of the next board meeting, at that time you will have another chance to address it and that’s when we’ll make the decision. So this is not shutting you off from having something further to say, it’s just postponing your comments to the point where we make the decision, rather than at the point where we’re discussing how we’re going to proceed. I’m assuming this is right, I’m asking the President, am I correct?

Dr. Dobbs: That is correct.

Ms. Croninger: Let me make one more point, if I may. I do not believe it has been provided yet. I appeared at the budget meeting on Monday, we had a discussion of overhead costs, this was based on a handout that was distributed on Friday, which showed that 48%, 34% for the CE program, 14% for the Chancellor’s Office, a total of 48% of the proposed fees were attributable to overhead and this frankly was a shockingly high number for us. Now the discussion we had on Monday, was I had done some research and found references to an 11% K-12 school district overhead, national average, and I received a skeptical response. So I went back and did some more research and frankly I was wrong, but I have new figures.

Dr. Dobbs: Is this national or just California?

Mr. O’Neill: There’s lots of way of costing out costs.

Ms. Croninger: I’m sure there are and I think that it is important for us to understand those costs. Let me make a brief comment on the new numbers that I found. I found that the California Department of Education for K-12 education has a program where they review and approve adult education overhead costs for adult education classes offered through school districts and they set for each fiscal year an amount of acceptable allowable overhead.

Dr Dobbs: Was?

Ms. Croninger: California Department of Education Adult Ed Classes

Dr. Dobbs: The amount, you said there was a percentage.

Mr. Croninger: 2009-10 the overhead amount was 4.42%. That’s quite a difference from 48%.

Mr. O’Neill: I don’t know where those numbers come from.
Ms. Croninger: I spoke with them this morning and I asked them and they said there is a range of acceptable overhead that they approve for the various school districts and I said, well what if it were 48%? I'm not suggesting that you don't have information that people haven’t worked hard on this, that there has not been good faith effort to figure these things out. What I am suggesting is that the students are your clients and you need their trust, we're the people that should be involved, as well as the teachers in this process.

Cathie McCammon: As I presume that a lot of you have seen the article that I had in the paper today, the op ed piece, if you have not I have copies. I also have a memorandum to give you. I think what really needs to happen is that we must have better communications between all the parties involved. A lot of bad faith has resulted from inadequate information, which has caused all kinds of rumors, a feeling of lack of transparency and the other item is just very little consultation with the parties involved. If you look at the timing of how things have happened, it was only last Friday that the proposed fees were given to the instructors. The students have only heard about them this week, where all the numbers come from has been a mystery, it has been disconcerting that the overhead is so high and some things raise questions. We have been told that the state provides maintenance of $1 million per campus and yet maintenance is included in the overhead of the proposed fee classes. There was a workshop in November, people came to this, and they were told it was to ask for ideas from students and instructors on how to solve the problems created by the budget shortfall. Participants broke into small groups and they came up with many ideas, including fundraising ideas, they were promised that they would be consolidated, and put on the website and that there would be action taken on them, but nothing has come of this at all. All we’ve gotten is the proposal of the full fee classes, I’m mean people really feel bad when they’ve spent time working on things. What really needs to happen it that, and I would urge you to ask questions regarding the materials that have been presented to you and listen to what students and instructors have to say, request answers to the questions that have been raised and see to it that there is transparency in the process and that the requested information is provided. I would also urge you not to rush to make a decision to increase the fees on classes, until there's been time to provide more information, consultation with instructors, and alternatives discussed. Request the administration to provide you with alternatives, such as not having summer school and other ideas that have been raised, poll the students of the affected classes as to how they respond to the different alternatives and see what they have to say. In order to increase credibility you may want to set up a task force made up of administrators, teachers and students to work on the issue, I would be happy to serve on such a task force, but at this time you really need to restore credibility in the community, people have really lost faith in the process and it really is unfortunate because adult ed has been a wonderful community wide resource, so I would hope that you would read the materials I gave you and you would respond to other people’s materials.

Luis Villegas: I would like to see if the Board would be open to tabling items 2.1, 2.2, and 2.5 for a future study session and if we could move to close session at this time and have the input regarding the other two items on the agenda after we reconvene from closed session. Is that a workable solution?

Dr. Dobbs: In other words, what he’s saying is that we have a closed session and that’s why we have an attorney here on an issue and we need to work with this person and we’ll have to come back.

Mr. O’Neill: But only for the Parent-Child Workshop.

Upon motion by Mrs. Green, seconded by Mr. O’Neill, the Board approved moving out of study session.

Upon motion by Mr. Villegas, seconded by Mr. O’Neill, the Board approved tabling items 2.1, 2.2 and 2.5 for a future study session.

2.1 Reaffirmation of Accreditation
2.2 Board Policies and Administrative Procedures
BP 4500 Duties of Faculty – General
AP 4500 Instructional Faculty Job Description and Responsibilities
AP 4501 Educational Support Faculty Job Description
AP 4502 Department Chair Responsibilities
AP 4503 Substitute Faculty Responsibilities
AP 4504 Guidelines for Faculty Service to the College
AP 4505 Office Hours for Adjunct Faculty

2.5 Discussion of proposed items for future agendas of Board meetings (regular meetings, study sessions, or committee meetings)

Section 3 Closed Session was taken at this time.

3 CLOSED SESSION

A. CONVENE TO CLOSED SESSION

Upon motion by Mr. O’Neill, seconded by Mrs. Green the Board approved adjourning to closed session.

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

   a. Significant exposure to litigation pursuant to Section 54956.9(b)(1) of the Government Code. 1 matter

2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

   a. 1 matter

B. RECONVENE TO OPEN SESSION

Upon motion by Mr. O’Neill, seconded by Mr. Villegas, the Board approved reconvening to open session.

Dr. Dobbs reported that the Board met with counsel and conferred only on item 1a, under section 3 and the Board has given direction to counsel on how to proceed. Item 2a was not discussed.

Upon motion by Mr. O’Neill, seconded by Mr. Villegas, the Board approved moving into study session.

2.4 Parent Child Workshops – Analysis and Proposed Draft Agreement between SBCC and Individual Parent Child Workshops

Superintendent/President Serban reported that last year discussions began regarding the various aspects related to the college’s relationship to the parent-child workshops. There were a variety of reasons that prompted the discussion and we all understand the value of this program and there is no question about our intention to be part of this program, so that’s not the issue at hand. We want to continue the involvement of the College with these programs, however, we want to make sure that we do so in a way that meets legal and state regulations from the Chancellor’s Office. We have spent the last year reviewing materials, unfortunately, there is no written agreement at this point between the College and each of the four parent-child workshops, which is something we need to have because, while sixty years ago it was ok, now there are legal requirements and other risks and other regulations in place that have come around from the State Chancellor’s Office and through legal cases. A thorough job needed to take place, so in trying to conduct our own research, we have asked Mary Dowell, who has
worked with community colleges for a very long time, to do some work for us in looking at the issues from a legal perspective and her understanding of the Chancellor's Office regulations, Education Code, Title 5, and then to provide us with an opinion and to also provide a suggested draft for an agreement that can be used as a basis for discussion on how we can proceed with putting together an agreement that clarifies the College's responsibilities, the Parent-Child Workshop's responsibilities and how we can make the relationship work so that we are in compliance, while still continuing with the program. Superintendent/President Serban requested that Mary Dowell explain what she has done for the College.

Dr. Alexander noted that she felt that this item should have gone to the Education Policies subcommittee first, that's where the discussion started. Dr. Alexander felt that the proposal on the agenda had two parts: first is a review of how we got to this point from the beginning of the parent-child workshops, the second is the proposed agreement. Dr. Alexander felt that the review of how we got to this point contains some errors of fact and that staff and the parent-child workshop people needed to sit down at an Education Policies subcommittee meeting and determine what are the correct background statements for this, so that when we come around to discussing an agreement we enter that discussion with accurate information. Dr. Alexander's proposal was to table this for the study session, advance these questions to the Education Policies subcommittee and try to schedule that meeting as soon as possible and invite the parent-child workshops to be at that meeting. Mrs. Green noted that a year ago when she was the Chair of the Education Policies subcommittee, the parent-child workshop directors did come to the meeting scheduled and there was a discussion with them, maybe not about the contract, but they presented their comments during hearing of citizens at that time. Dr. Alexander noted that this needed to go back to the Educational Policies subcommittee, before it is discussed by the Board, there needs to be accurate facts presented. Superintendent/President Serban asked Dr. Alexander, from her perspective, what was inaccurate in the documents. Dr Alexander reported that it's based on hearsay and we don't know who said it and that she disagreed with what was said. Superintendent/President Serban asked if Dr. Alexander had a specific example. Dr. Alexander noted that the information states that there was a teacher that was supplied by the College to the workshops that somehow was terminated in the 1970's. Superintendent/President Serban noted that nowhere in the report there is information that anyone was terminated. That is simply not what is in the report. Superintendent/President Serban stated that the report describes that up to the 1970's, instruction was provided through an hourly adjunct non-credit instructor. Dr. Alexander wanted to see the documentation where staff got the information. Dr. Alexander noted that she was President of the parent-child workshop in the 1960's and was a member from 1955-1962 and during that time the instruction was given by the workshop directors, just as it is now. Superintendent/President Serban agreed, but the difference was that up to the 1970's they were hourly and after that they became 60%, later 67% then 80% tenured and in 2001 they became 100% tenured. Superintendent/President Serban noted that right now the faculty positions are 100% tenured at all of the workshops except for The Oaks, where due to the retirement effective June 30, 2009; we hired a one-year full-time (100%) temporary contract, in order to give us time to review the issues. The history provided is for information purposes and what's more relevant is where we stand today, and what the issues are today. I'd like to respectfully ask you to give Mary Dowell the time to speak and present her analysis. Her analysis is based on present time, the historical information was given as background and we can certainly have an Education Policies meeting to talk about history, but the issues that are being addressed are based on where we are now and what should we do moving forward.

Mr. O'Neill asked what were the time constraints for this issue. Superintendent/President Serban reported that Chiquita Waters was hired for a one-year full-time temporary contract and her contract will end June of 2010. She can not continue in another one-year full-time temporary contract because of the regulations we work under. However, she could continue as an adjunct faculty member up to 67%. The issue is that operating without an agreement is putting the College at risk in a variety of ways. Having an agreement will solve a lot of issues that protect both the College and the parent-child workshops. We need to make a determination of what is going to happen come next August when a new academic year starts and what arrangements
will be made for at least The Oaks, because the other workshops have directors in place.

Mary Dowell reported that Dr. Serban requested that she look at the current structure of the parent-child workshop and the relationship between the District and the four non-profit organizations that operate the workshops and are collectively described by all of us “the workshops”. As Dr. Serban indicated, these are programs that have existed for a very long time, and are an avenue for the District to deliver parenting education as part of its non-credit program. These are courses listed in the college schedule and these are apportionment generating courses, that means that the students enrolled in the program generate apportionment that help pay for the District’s costs of the program. Although they are not for credit, similar to the credit side, these are courses that must meet stringent guidelines by the Chancellor’s Office and the legal advisory distributed this evening by Dr. Arellano is very pertinent to this discussion as well. The students in this case would be the parents and not the children in the workshops. Ms. Dowell noted that non-credit education can be offered by K-12 districts or they could be offered by community college districts, and they can be offered by both. It was also noted that information received by the State Department of Education is information pertinent only to a non-credit program being offered by a K-12 district. The State Department of Education has no jurisdiction over a community college district and the Districts’ non-credit programs, including the parenting programs, are offered pursuant to the regulations of the State Chancellor’s Office. These workshops are very unusual for a community college district to be engaged in, when you look at the information it’s interesting to see what the spread of non-credit education through the community college system is. Your District has the largest program in the state, you have a lot of parenting classes, and some of the parenting classes you offer are in conjunction with the workshops. When reviewing the information, Ms. Dowell felt that the agreement proposed between the College and the parent child workshops was like an instructional services agreement and that is an arrangement either in the credit program or non-credit program where the college provides an instructor in a site that is not a college site. If apportionment is being collected for the instruction being provided at this site, the course, even though it’s being offered on another site, in conjunction with this instructional service agreement, must be open to members of the public, because you’re not going to be collecting from the site, the cost of instruction, you’ll be collecting it from the state. Ms. Dowell reported that the instructional service agreement was the model she used as she looked at information received from a meeting with representatives from the workshops. The workshops have retained counsel, Michael Schley, and we will continue to work together in discussion of the issues here.

Ms. Dowell reported that she has developed concerns over issues that she addressed in the opinion that was shared with the workshop members and has been shared with the Board that include the following:

- Whether it’s clear that parents cannot be charged to enroll in the courses that are offered by the District. The District itself cannot be charging the parents and the parents cannot be charged by anyone for the right to participate in the classes that the parents participate in. Apportionment is being received, so students cannot be charged to participate in the courses.
- The courses that the students enroll in must be open to the public each time and the public needs to be able to enroll whether they have children or not, if they are interested in taking a parenting class.
- Dr. Arellano and her staff are continuing to review and gather information about the importance of claiming apportionment from the state only for hours of instruction that qualify for apportionment. In order for a course to be approved for non-credit adult instruction, it must meet certain requirements and in order for apportionment to be paid, the hours of instruction must meet certain requirements. There is concern because it appears that faculty that is assigned to the parenting classes that are taught in conjunction with the workshops are performing services for the workshops and if you are collecting apportionment for the hours of services being performed for the workshops that are not part of instruction could be a serious risk for the District.
Ms. Dowell reported that an agreement similar to an instructional services agreement may be the model to look at and she thinks that Mr. Schley may agree to this. If there are decisions that need to be made about the nature of the responsibility of the faculty, the Instructors’ Association will need to be involved in those discussions also. Ms. Dowell’s recommendation to the Board was to continue the dialogue with the non-profit organizations that are the workshops and enter into agreements that establish who is doing what. Also, it needs to be clear for any fees being charged that they are for enrollment in a preschool operated by a Foundation, but not for enrollment in a parenting class offered by the District. It needs to be kept in mind that these are four separate foundation entities and that there will need to be four separate agreements.

Superintendent/President Serban noted that more discussion needs to take place regarding the waiting lists in place at the workshops and the criteria for those waiting lists. Staff wants to fully understand the process and to also have this in writing.

Ms. Dowell noted that a draft of the agreements has been shared for review and discussion with the parent-child workshops on February 1 and if they feel that the agreements do not fit their structure, they should have dialogue with us. We have specifically indicated that this is draft and that we would like feedback and input on the draft provided. Dr. Serban has asked the representatives of the workshops to contact Dr. Arellano directly with any questions or concerns they may have. A strong recommendation was made that an agreement be put in place for each of the workshops, that establishes what the district staff will do and what the foundation/parent child workshop staff and/or volunteers will do. Superintendent/President Serban noted that the focus needs to stay on where we are now, the issues that need to be resolved and how we can move forward in a way that ensures that the program can continue, and that we meet legal requirements and regulations from the State Chancellor’s Office.

Mr. Villegas asked how we have gotten to the point where both parties have attorneys. Superintendent/President Serban reported that she is not an expert in service agreements and it’s in the best interest of the College when developing such agreements to actually have an expert opinion that will protect the College and the parent child workshops. We need this expertise and she would strongly recommend continuing having this expertise.

Hearings of Citizens for this item were held at this time.

Ellen Stoddard: I am Ellen Stoddard and have been the instructor/director at the Lou Grant Parent-Child Workshop since 1988. Along with the instructors and the other representatives from the four parent-child workshops, I would like to acknowledge the long relationship with Santa Barbara City College and the Parent-Child Workshops, a relationship that spans more than 50 years. I appreciate this opportunity to address the members of the Board of Trustees about these items. The parent-child workshops fully support the mutual negotiation of a legal agreement with the Santa Barbara City College. This is clearly long overdue. On February 1, the instructor/directors, key board members from the parent-child workshops and the attorney retained by the parent child workshops had a meeting with President Serban, members from Santa Barbara City College, administration and legal counsel. At this meeting, we were presented with the draft of the legal agreement and Ms. Dowell’s legal opinion letter. We are in the process of preparing materials for the next meeting with the administration, but our initial review of their documents, shows discrepancies that require further discussion and clarification, including the important issue of gifting public funds to the 501(c)(3) of the parent-child workshops. We were surprised to find this issue on your agenda today, since we were told at our meeting in February that this was the beginning of the collaborative process. Now I would like to clarify that we did attend the Educational Policy meeting last year, however, at that meeting Dr. Serban made a presentation. We made comments but there was no dialogue and we were not given the opportunity to correct what we perceived to be inaccurate information at that time. Then on Friday, February 5, the temporary instructor/director of The Oaks was informed that her contract would not be renewed for Fall 2010 and that The Oaks instructor/director position would most likely become an hourly adult education position. She
was further informed that the position might not be filled until August 2010, one month before the beginning of the school year. As you know the parent-child workshops operate using a cooperative model, which to be successful requires a strong, highly qualified and experienced leader who remains with the program over time. The mechanism to provide this longevity is tenure. The reduction of this position will jeopardize the integrity and viability of the parent-child workshop as well as create inequity in instruction that the students receive from one workshop to the other. We welcome the opportunity to respond to the issues brought to your attention today, we request a delay in this discussion so that we may present information that addresses what we think are inaccuracies in the documents you received today. We recognize that the Board of Trustees is in a difficult situation and that you are facing an unprecedented budget crisis, looking at every program very carefully, making hard and unpopular decisions and we ask for your continued support of the parent-child workshops as you make this decision, it will affect so many people. Several issues were brought up specifically that were addressed as concerns of legal counsel:

- Are the parents charged fee to attend the parent-child workshops?
- Is the parent-child workshop open to the public?
- Are hours being claimed inappropriately for apportionment?

We feel that just sitting down with people could clarify so many of these issues. We are very happy to work with the administration to clarify the job description, to clarify the course description; we have an approved course description. We would be happy to clear up any ambiguities that are there and we feel confident that our program falls under the jurisdiction of the Education Code description of parent education. Thank you.

4. ADJOURNMENT

Upon motion by Mrs. Green, seconded by Mr. Villegas, the Board approved adjourning the study session.

The next Regular Meeting of the Board of Trustees will be held on Thursday, February 25, 2010 at 4:00 p.m. in A211. A Study Session will be held on March 11, 2010 in A218C.

APPROVED BY THE BOARD OF TRUSTEES ON March 11, 2010

[Signatures]

President, Board of Trustees

Superintendent/President
Secretary/Clerk of the Board