MINUTES
SPECIAL MEETING OF THE BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

September 9, 2010

SPECIAL MEETING/STUDY SESSION
Room A218
4:00 pm

MacDougall Administration Center
Santa Barbara City College
721 Cliff Drive

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

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
Ms. Joan Livingston
Mr. Des O'Neill
Mr. Luis Villegas

Member absent:
Mr. Morris Jurkowitz

Others present for all or a portion of the meeting:
Dr. Andreea M. Serban, Superintendent/President and Secretary to the Board of Trustees
Dr. Arellano, Ofelia, VP Continuing Ed
Alarcon, Ignacio, Pres. Academic Senate
Alsheimer, Cornelia, Accounting
Auchincloss, Liz, President CSEA
Dr. Bishop, Paul, VP IT

Croninger, Marsha, ACES
Dyruff, Jane, ACES
Ehrlich, Sue, VP HRLA
Flores, Carol, Director CE
Dr. Friedlander, Jack, Exec VP Ed Prgrms
Galvis, Coromoto, CEES
Harper, Andy, Director CE
Harris, Kendall, Director CE
Larson, Eleanor, ACES
Martin del Campo, Francisco, Director CE
Martinez, Jose, Continuing Ed
McCammon, Cathie, ACES
Schaffner, Bonnie, Dean CE
Stark, Lynne, Pres. IA

1.3 WELCOME
President Dobbs extended a cordial welcome to all.

1.4 HEARING OF CITIZENS

Coromoto Galvis, Vice President of Continuing Education Student Council. Thanked the Board for their support of the Continuing Education Student Council. This group represents various students such as Plazas, ESL and Vocational students. Her group wanted to reaffirm that ACES does not represent their interests, values and educational priorities. Her group wants to be recognized by the Board as an important and viable group in the governance process.

1.5 MINUTES OF THE SPECIAL MEETING OF AUGUST 12, 2010

Upon motion by Mr. O'Neill, seconded by Dr. Alexander, the Board approved the minutes of the Special Meeting/Study Session of August 12, 2010.

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

2. STUDY SESSION

2.1 State Updates (Attachment 1)

Superintendent/President Serban reported that there is still no state budget. The press release from the Chancellor’s Office is important and reinforces some of the aspects that have been discussed over the last two years. Also noted was the paragraph that states the importance of protecting core programs and preserving classes in the areas of career technical education, transfer and basic skills. This reinforces the direction that was received from the state in June, 2008 and this continues to be the priority of the state.

Superintendent/President Serban reviewed with the Board what some of the other colleges are reporting for fall 2009 and 2010. The college on the credit side for fall reduced only 3% in sections and the important statistic is that in terms of units enrolled we are at the same level of units enrolled as last year, this means that most sections are filled at capacity. Students have taken advantage of all of the sections, in terms of full-time equivalent students, and we will most likely end the fall semester with a similar number of FTES as last fall that means we will be over the enrollment cap funded by the state by about 7%.

Also provided was a copy of a press release noting some of the severe actions being taken by other community colleges, such as borrowing funds, furloughs, and layoffs. What a lot of colleges are facing is the looming month of October and the possibility of not being able to make payroll, because there is no state budget, which means no state funding will be received. As has been discussed with the College Planning Council, our first priority for our employees is payroll and because of everyone’s collective efforts we will able to meet our payroll.

2.2 Adjustments to the 2010-11 Tentative Budget in Preparation for the 2010-11 Adopted Budget (Attachment 2)
Superintendent/President Serban discussed information on the four handouts:

Fred Harris, Assistant Vice Chancellor for Finance and Facilities at the State Chancellor's Office, sent an e-mail on August 17, 2010 stating, that per Title 5 regulations, we are required to have an adopted budget by September 15, but because there is currently no state budget, the Chancellor's Office has the authority to extend the timeframe by which community college districts are required to adopt a budget. The e-mail advises districts that the Chancellor's Office has extended the period to October 15, if needed.

Additional maintenance projects needing funding and preliminary estimated deferred maintenance project schedule for Measure V funded projects: These are important to include in the discussion today because when the Measure V estimated budget was developed in 2007-08 it included this list of deferred maintenance projects that had been accumulated over 15 years. These are projects that needed to be done, but there hasn't been any money available to complete them. When the list was put together the estimated amount assumed to be sufficient to complete all of them was $17 million, as of today the overall estimate is up to $21.3 million and there won't be any additional money from Measure V to allocate to these maintenance projects because since we will not be receiving matching funds for Humanities and the Campus Center we will have to allocate funds from Measure V to cover the cost of those two projects. This means that we will need to provide the balance of the $4.3 million from the construction general fund to cover these deferred maintenance projects. Moreover, there are additional maintenance projects that need funding, the top seven projects listed are high priority and the others can wait, the total needed for these is at $1.5 million. Thus, we need an additional $5.8 million in the construction general fund just for these known needs and projects. As with any institution with many as many buildings and square footage as ours, additional projects do come up, as things break or stop working. In addition, as discussed many times in the past, there is a need to budget at least $650,000 a year just for routine maintenance of the campus. $4.3 million is needed to cover the deferred maintenance projects that cannot be covered from Measure V funds, $1.5 million in additional maintenance projects and at the very least $650,000 for basic maintenance. This is why staff is proposing a transfer from the ending balances to the construction fund of $2,090,000 in this fiscal year and that will not even cover all of the needs that we have. This is a first transfer in a phased approach to rebuild our balances in the construction fund.

History of Balances: this report was provided for information purposes. This shows what the balances have been in the general, construction and equipment funds for the last 9 years. The expenditures in the equipment fund in 2008-09 and 2009-10 have been low compared to past years because, as a college, we stopped spending and did not replace most of the equipment we would have normally replaced because of the fiscal crisis. Superintendent/President Serban reviewed with the Board the annual expenditures for equipment for the last five years. It is not reasonable to expect students to learn on old technology and we’re finding that as equipment breaks and are out of warranty it is actually more expensive to replace them. The reason this information is being provided is that it is time to start putting money back in the equipment and construction funds. What staff is proposing in the adopted budget doesn’t even come close to bringing us back to where we were and the level of reserves we need in these funds. Due to the budget crisis, the college has stopped a practice that has served our college very well up until about 2002-03 and that was the practice in budgeting to carry the balance of at least two years to cover the balance of the inventory costs in the equipment fund. The construction fund has actually been spent down and having Measure V alleviated some needs, but as can be seen, Measure V funds will not cover the cost of all of the campus needs. It was noted that Measure V was predicated on $92 million matching funds from the state and that amount will not materialize.
Joe Sullivan, Vice President Business Services, reviewed with the Board the other proposed adjustments being proposed to the budget and Dr. Jack Friedlander provided information on the Educational Program adjustments being proposed. These adjustments will be made to the adopted budget before it is presented for approval. Superintendent/President Serban reported that adjustments will need to be made after the budget has been approved, this happens every year. Given that there is no state budget and given that uncertainties are still great, we are proceeding cautiously and these were needed and justified proposed adjustments. For 2011-12 if there are no further state cuts, we might want to provide restorations in other areas.

Vice President Sullivan noted that we will be conservative in our spending until a state budget is approved and we know how we stand. Also because we know that we will have deferral payments, we will need to have funds available to cover those deferrals.

2.3 Establishment and Board Recognition of a Student Body Association for SBCC Continuing Education (Attachment 3)

A revised copy of attachment 3 pages 1-9 was handed out. The corrections are on pages 6 and 7, in the original document the headcounts that were used for the demographic data included a number of students who enrolled and then either dropped all classes or their classes were canceled. The figures used in the corrected version are a more accurate representation of the data as it includes only students who were actively enrolled in at least one section of Continuing Education. There were no changes made to the text or narrative of the document.

Superintendent/President Serban reported that due to the improved procedures allowing members of the public to place items on the agenda and as the policy and the administrative procedures state, the items need to come before the Board for discussion before being placed on the agenda. As a result, per the request made at the August board meeting, staff has prepared background materials for this item. The information was provided in a format that included legal and logistical aspects that the Board may want to take into consideration in moving forward with the process of recognizing either one or more student body associations for Continuing Education. Superintendent/President Serban thanked both groups for their interest and for the work they have done internally with their own groups.

Vice President Ehrlich reviewed the document with the Board. This process was begun with the assumption that there would be some blueprint for forming student body associations and it was discovered that there isn’t a blueprint and that there are some precise parameters spelled out in the California Education Code and Title 5 and the information is included in the handout.

It was noted that it is a Board decision and a Board option to allow and recognize one or more student body associations in Continuing Education. All students need to be involved in an election or process in dealing with this. Also there are specific requirements for the election of officers for the association, the requirements being the student would need to be enrolled in a minimum number of units per semester and in good academic standing and that would have to be defined for the non-credit program as there are no units and no grades in Continuing Education. The value would be that the association(s) that the Board would recognize is the representative body for engaging in consultation with the college on policies and procedures of significant impact to non-credit students.

The core of a viable student body association is an election process in which all students can participate and this is where it is extremely important to look at the challenges that our Continuing Education program poses. It is not an impossible challenge and the challenges were reviewed with the Board. The only way to have an election in which all Continuing Education students can participate is that this process will need to be overseen by the Board and the college. There are privacy issues, logistical issues and the cost of dealing with the election.
Vice President Ehrlich noted that in fairness to the two groups, they have both shown energy, initiative, interest and a strong desire to have an opportunity to have input on issues that impact non-credit students, but there is no way that either of these groups can demonstrate that they represent all of the interests of non-credit students. The issue before the Board is should there be one or more associations for Continuing Education and if so what should it look like? There were two options outlined and one was to take a "straw vote" to see what the level of interest is among current Continuing Education students and this was reviewed with the Board. Another possibility discussed was that with a consensus of the credit student body association that there could be a single student body association for Santa Barbara City College that would include both credit and non-credit students. This is something that the credit students would need to vote on and related challenges were explained. The other option would be that if the Board agrees that there should be a student body association, then the logistics would be for the Board to engage in the discussion of what that association should look like. Again, the Board would have to direct the District to support the election of this type of association to allow all Continuing Education students enrolled at the time of the election to vote to establish interest.

Superintendent/President Serban noted that option one would provide input from all currently enrolled Continuing Education students. Option two would put the burden of the decision on the Board of Trustees without giving currently enrolled Continuing Education students the opportunity to express their preferences. If the Board decides to go with option one, the college has the technology to produce and mail a ballot and return envelope to all enrolled Continuing Education students. All returned ballots would have to be verified before counted. It was also noted that once the association is established, there will be a cost incurred by the district, as there would be space cost, staff cost, annual election costs and annual operational costs. Once an association is recognized by the Board, they have the ability to assess a representative fee or conduct fundraising. There are also strict fiduciary guidelines in the code and the funds are managed by the college.

Vice President Ehrlich noted that the issue isn’t about the two groups that have requested to be recognized, the issue is about the challenge of conducting a straw vote and/or an election of officers where all currently enrolled Continuing Education students can vote and it would be difficult for any self-identified group of students to carry out this type of function. When a small group that within its limited confines develops by-laws, a constitution and conducts an election within that group, doesn’t demonstrate or win the right to represent the whole student body.

Liz Auchincloss asked if the election could be done online. Superintendent/President Serban noted that there are too many students who do not have access to computers, for example the jail, elderly facilities, etc. Staff will discuss this option and see if there is a way to differentiate the students who do not have computer access and send them a ballot in the mail and the other students could vote online.

Vice President Ehrlich noted that the ultimate authority for deciding whether or not to recognize this group belongs to the Board. Direction from the Board about what would satisfy the Board in order for the Board to recognize an organization is important. What assurances does the Board want with respect to certain constituencies that should be represented? Or a certain structure of governance that reaches out to various constituencies? Some guidance from the Board is important and that would help staff understand in what direction this selection process is going.

The consensus of the Board was to move forward with the straw vote and bring forward to the September Board meeting a questionnaire for approval that would be sent to all currently enrolled Continuing Education students to vote on.

2.4 Overview of SBCC's Continuing Education Division – continued discussion from August 12, 2010 Study Session (Attachment 4)
This item was deferred to the next study session.

2.5 Discussion of proposed items for future agendas of Board meetings (regular meetings, special/study sessions, or committee meetings). This agenda item is for the members of the Board to discuss proposed or potential items for future Board meetings.

There were no items presented.

Upon motion by Mr. O’Neill, seconded by Dr. Alexander, the Board approved adjourning out of study session.

3. ADJOURNMENT

Upon motion by Mr. O’Neill, seconded by Mr. Villegas, the Board approved adjourning this meeting. The next Regular Meeting of the Board of Trustees will be held on Thursday, September 23, 2010 at 4:00 p.m. in A211. A Study Session will be held on October 14, 2010 in A218C.

APPROVED BY THE BOARD OF TRUSTEES ON October 14, 2010

President, Board of Trustees

Superintendent/President
Secretary/Clerk of the Board