BP 5120 Dual (Concurrent) Enrollment Policy

Reference(s): Education Code Section 48800-48802; 76000-76002

The Superintendent/President, in consultation with appropriate participatory governance groups as stipulated in BP 2510, shall establish procedures defining the admission of high school or younger students at SBCC which shall be legally compliant.
AP 5120 Dual (Concurrent) Enrollment

Students concurrently enrolled in a California public or private school:
(a) may enroll in a maximum of 9.0 college units (Seniors up to 12 units) in order to enrich their educational experience;
(b) must have official written approval of the counselor or administrative official of the school the student attends;
(c) must have written parental consent;
(d) must have availed himself/herself of all opportunities to enroll in an equivalent course at his or her school of attendance;
(e) must enroll in courses classified at the college level, as determined by the college district;
(f) must have satisfied skills eligibility and/or prerequisites. In the absence of a transcript demonstrating academic achievement, the College shall require assessment in English and/or math to evaluate the student’s ability to undertake college level work;
(g) home school students deemed eligible must meet one of the following criteria:
   1) affiliation with a county department of education program,
   2) must be taught by a person holding a California Teaching Credential,
   3) must hold a current private school affidavit filed with the State Superintendent of Public Instruction (Ed. Code 33190).

The College may delineate courses which are not available to high school students.

Dual enrollment students demonstrating advanced scholastic standing may appeal maximum unit limitations limiting enrollment to non-senior dual enrollment students to a maximum of 9 semester units and senior dual enrollment students to a maximum of 12 semester units. This appeal process would allow students to register in a maximum of 12 units OR a maximum of 3 courses.

Criteria for Appeal:
1) Student must establish and maintain a minimum GPA of 3.0 with no grade below a “C” in an academic class (high school and college, if applicable, transcript required).
2) Student must demonstrate eligibility for ENG 110/120 and MATH 107.
3) Appeal and approval process is term based.
4) Dual Enrollment students registering in over 11.9 units would be subject to payment of all enrollment fees.
5) The appeal process will be administered through the Dual Enrollment Office.

Students eligible to enter 9th grade or higher but who are not enrolled in a regular (public or private) school:
(a) must petition the Superintendent/President or designee, the Director,
Admissions and Records, to authorize the attendance of the student as a special part-time or full-time student on the grounds that the pupil would benefit from advanced scholastic or vocational work that would thereby be available;

(b) must submit the recommendation of the administrator of the school last attended by the student;
(c) must submit a written request and be available for a personal interview by the designated college official;
(d) must satisfy all prerequisites
(e) must have scores from SBCC assessment (indicating eligibility for English 110 and higher than intermediate algebra, Math 107);
(f) may be required to submit additional evidence of the student’s academic ability.

The college may delineate courses which are not available to students eligible to enter 9th grade or higher but who are not enrolled in a regular (public or private) school.

Students not eligible to enter 9th grade or higher:
(a) must submit a petition to the Superintendent/President, or designee, the Director, Admissions and Records, for evaluation:
(b) must submit a written request from parent or guardian;
(c) must submit a written request from administrator of the school student attends;
(d) must have scores from SBCC assessment (indicating eligibility for English 110 and higher than intermediate algebra, Math 107);
(e) must have demonstrated advanced standing in the discipline. In general, advanced standing refers to eligibility for transfer level and for courses for which an entry level college course is a prerequisite;
(f) must demonstrate compelling and extenuating reasons to attend SBCC (i.e. educational opportunity not available);
(g) must participate in a personal interview by the designated college official.

The college may delineate courses which are not available to students ineligible for ninth grade or higher.

After qualifying through the assessment test(s), the request will be evaluated based upon:
(a) submitted documents;
(b) all school transcripts;
(c) evaluation of college's liability;
(d) approval based on reasonable pedagogic and instructional criteria of Educational Programs Dean, Department Chairperson and faculty member;
(e) interview with the Dean of Educational Programs or designee.

Students not eligible to enter 9th grade or higher may enroll into Music 132-133, Theater Arts 141-144, 175 without completing the steps above.

Special part-time and full-time student shall receive credit for the community college courses completed in the same manner as regularly enrolled community college students.

Special part-time students who are legal residents of the State of California will be admitted
tuition free.

In accordance with Education Code Section 76001, special part-time students (enrolled up to and including 11.9 units) enrolled in the secondary schools and attending Santa Barbara City College are exempt from paying the enrollment fee. Mandatory fees that are required for on campus courses are the health fee, transportation fee, and tuition, as applicable. Special-admit full-time students (12.0 units and above per semester) may not be exempted from the enrollment fee; they may, however, be individually considered for the BOG Fee Waivers Part A, B or C. Special-admit full-time students who do not qualify for a BOG Fee Waiver will be required to pay the enrollment fee.

In accordance with Education Code Section 76002(a)(4) enrollment in physical education classes will be limited to no more than 10 percent per class section of special part-time or full-time dual enrollment students.

In accordance with Education Code Section 48800(d) summer session enrollments will be limited to 5% of the total number of pupils who completed that grade immediately prior to the time of recommendation for enrollment. It is the responsibility of the K-12 district to ensure that this limitation summer school enrollment is honored.

In accordance with Education Code Section 76002 courses offered on a high school campus will:

(a) be open to the general public;
(b) be advertised as open to the general public in one or more of the following ways:
   (i) The college catalog;
   (ii) The regular schedule of classes;
   (iii) The web schedule of classes for a minimum of 30 days prior to the first meeting of the class.

Academic Senate History:
Xxxxx

Board History: Formerly BP 5120 Dual Enrollment (K12) Revised: BP 512028 formerly BP 312028, 1/22/87; BP 512074 formerly 312074, 12/16/94 Revised Policy was approved by the SBCC Board of Trustees on Sept. 22, 2005
BP 2365    RECORDING

Reference(s):  Government Code Sections 54953.5, 54953.6; Education Code 72121(a)

If the Board causes any audio or video recording for whatever purpose of an open and public meeting, the recording shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Section 6250, et seq. The Superintendent/President is directed to shall enact administrative procedures to ensure that any such recordings are maintained for at least thirty days following the taping or recording.

Further, the Superintendent/President is directed to shall enact administrative procedures to allow access by the public to such recordings of regular meetings of the Board or Board special meetings/study sessions or Board committee meetings by placing the recording on the District’s website for a period of five years thirty days after the regular or special or committee meeting.

Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the President of the Board to stop.
AP 2365  RECORDING

Reference(s):  Government Code Sections 54953.5, 54953.6; Education Code 72121(a), BP 2365

Audio recordings of Board open and public meetings are not official records of the meeting and are made for the sole purpose of facilitating the production of minutes of the meeting. The audio recording shall be maintained by the Office of the Superintendent/President for a period of at least thirty calendar days following the meeting.

The Superintendent/President is further directed to shall allow access by the public to audio recordings of regular Board meetings, Board special meetings/study sessions and Board committee meetings (and any special meetings of the Board at which action is recommended by the Superintendent/President) by placing the recording on the District’s website for a period of thirty calendar days after the meeting beginning with the first business day following the Board meeting. These recordings will be archived on the District’s website for a period of five years after which they will be removed from the District’s website after the thirty-calendar-day posting and will be discarded.

Reviewed Board Study Session August 12, 2010
BP 2015 Student Member(s)

The Board discussed revising BP 2015 Student Member(s), specifically increasing the compensation of the Student Trustee at the following meetings: November 4, 2010 study session, November 18, 2010 regular Board meeting, January 13, 2011 study session and January 27, 2011 regular Board meeting.

At the January 13, 2011 study session, two versions were discussed and were recommended to be brought at the January 27, 2011 regular Board meeting for Board consideration and approval (one of the two versions would be approved):
- version 1 provides for compensation for the student trustee at the rate of $100/meeting for study sessions and regular Board meetings;
- version 2 provides for compensation of $200/meeting for study sessions and regular Board meetings. This is the same compensation per meeting as provided to regular Board members.

At the January 13th study session, a question was asked regarding the stipend amount that the Associated Student President received when requested by the Associated Student President and approved by the Student Senate. Most recently the following three Associated Student Body Presidents received a stipend for their service: James Carter, Joey Williams, and Omar Damacela-Friend.

Omar Damacela-Friend was ASB President for the academic year 2003-2004; James Carter was ASB President for the academic year 2004-2005; and Joey Williams was ASB President for the academic year 2005-2006.

If the Associated Student Body President requests a stipend the Student Senate selects and assigns a student employee hourly rate at 19.5 hours per week, in accordance with the Associated Student Body By-Laws, Article II, Section 8.K. which reads: To submit weekly written report of hours worked to the Vice President of Operations and Finance when receiving a stipend.

Once the total amount was calculated the amount would be placed on an agenda and voted on by the Student Senate. Once approved, the money would be transferred to a district account and time cards would be submitted to accounting. Therefore, a set stipend amount has never been established for the Associated Student Body President, and the amount they receive was contingent on amount of hours worked and rate assigned with approval by the Student Senate.

Based on this additional information, several Board members requested that this policy be brought back for further discussion in study session.
BP 2015  STUDENT MEMBER(S)
Version 1

Reference: Education Code Section 72023.5

In addition to the regularly-elected members of the Board of Trustees, and in accordance with Education Code Section 72023.5, one non-voting student member who is enrolled in Santa Barbara City College and who is a resident of California shall have the right to attend each and all meetings of the Board of Trustees, except that the non-voting student member shall not have the right, or be afforded the opportunity, to attend closed sessions of the Board of Trustees.

Selection and service of the student member of the Board of Trustees shall be in accordance with the following provisions:

- The student member of the Board of Santa Barbara Community College District shall be required throughout the term of his or her appointment to be enrolled in the district for at least five semester units, or its equivalent, and shall maintain the minimum standards of scholarship for community college students prescribed by the community college district.

- The responsibilities as the student member of the Board may not be delegated.

- The student member of the Board will be elected and/or recalled through procedures approved by the Board of Trustees and consistent with the Bylaws to the Constitution of the Associated Students.

- The term of the student member of the Board shall be for one (1) year beginning June 1.

- The student member shall be entitled to mileage allowance prescribed by to the same extent as regular Board members. In accordance with Education Code Section 72425, the student member shall be entitled to a compensation of $100 per meeting for each regular Board meeting and each Board study session the student member attends.

- The student member shall be seated with the members of the Board of Trustees and shall be recognized as a full member of the Board at the meetings, including receiving all materials presented to the Board members (except those pertaining to closed session matters) and participating in the questioning of witnesses and the discussion of issues.

- The student member shall not be included in determining the vote required to carry any measure before the Board, however, the student shall have the right to cast an advisory vote. A negative vote shall be so noted in the Minutes.
BP 2015 STUDENT MEMBER(S)
Version 2

Reference: Education Code Section 72023.5

In addition to the regularly-elected members of the Board of Trustees, and in accordance with
Education Code Section 72023.5, one non-voting student member who is enrolled in Santa
Barbara City College and who is a resident of California shall have the right to attend each and
all meetings of the Board of Trustees, except that the non-voting student member shall not have
the right, or be afforded the opportunity, to attend closed sessions of the Board of Trustees.

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  regular Board meeting and each Board study session the student member attends.

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  shall be recognized as a full member of the Board at the meetings, including receiving all
  materials presented to the Board members (except those pertaining to closed session
  matters) and participating in the questioning of witnesses and the discussion of issues.

- The student member shall not be included in determining the vote required to carry any
  measure before the Board, however, the student shall have the right to cast an advisory
  vote. A negative vote shall be so noted in the Minutes.
This item and the information included in this attachment were discussed extensively at the January 13, 2011 Board study session.

The extensive analysis in this document provides full and complete explanation as to why the restoration of this position is critical. As requested at the January 13, 2011 Board study session, the recruitment period for the position has been extended by two weeks to provide the opportunity for one more discussion at the Educational Policies Committee meeting on January 31, 2011. The position now closes on February 21, 2011.

The Educational Policies Committee, after extensive discussion at its January 31, 2011 meeting, concurred that the position should be filled.

The item is placed on the agenda for the February 10, 2011 study session to confirm concurrence of the Board as a whole to fill this position and reach closure on this extensive discussion.

Importance of the Director of Continuing Education Position

The restoration of the director position is of paramount importance since it will affect the current workload of the four directors and dean in meeting accreditation recommendations and requirements, College Plan goals and objectives, schedule development, and curriculum compliance issues.

Background

This is a restoration of an administrative position. It is not a new position.

Effective 2009-10, the Continuing Education Division reorganized and reduced its management positions in order to reduce expenditures and seek achieving additional operational efficiencies. This reduction in management positions was primarily made possible by retirements that occurred in 2008-09. A total of eight management positions were reduced to five. Two dean positions were combined into one. The two dean positions in Continuing Education were newly created on June 2002 (approved at the June 27, 2002 Board meeting). These two deans were paid on the same salary schedule as the credit deans. The new single continuing education dean position established effective July 2009 has a new salary schedule, lower than the salary schedule of credit deans in recognition of the differences in job responsibilities and complexity of the position.
Six Continuing Education program director and coordinator positions, whose primary responsibilities are management of programs, course scheduling, program development and student services, were reduced to four positions. The reduction in management positions was done with the understanding that the new structure will be tried for a period and evaluated to see if it works.

Changes in positions such as moving from the two-dean to the one-dean structure are discussed with the Board. The Continuing Education change in the dean structure was discussed with the Board at the Educational Policies Committee meeting on October 7, 2008, at the Study Session on October 16, 2008 and again at the Study Session on February 12, 2009.

See Attachment 1 in http://sbcc.edu/boardoftrustees/files/bot_agendas/AG_101608.pdf pages 30 through 34

See Attachment 4 in http://sbcc.edu/boardoftrustees/files/bot_09_agendas/02-12-09%20Attachments.pdf pages 23 and 24

The need to restore one administrative position at the director's level has become necessary after trying the reduced management structure and determining, after evaluation and review for over a year, that it is not sustainable. Even with this position filled, the Continuing Education division will still operate with two fewer management positions than in 2007-08.

The staff made a good faith effort, as agreed, to function with fewer managers but based on the assessment of workload after more than a year, the trial period of the reduced management structure has shown that it is necessary to restore one position. As an organization, we need to have the flexibility to try such structures and know that if they do not work we can restore positions. There are other areas of the college which agreed to try functioning with fewer positions. Unless our departments and divisions are given this option, there will be no incentive to try alternative structures that save the college money and can improve efficiencies. In addition, in our environment, the opportunities to try such alternatives are rare and they occur only when we have retirements or resignations.

As you know, we operate one of the largest non-credit programs in the state with a lean administrative structure. No new funds are being used to support the restored director position.

Positions which are not new do not normally come to the Board for discussion before advertising them. It is part of managing the college operation. Brand new positions that are newly created and require new funding always come to the Board for discussion and approval before being advertised.
It is important to note the following accreditation requirements and Board Policies as it relates to staffing and organizational structures:

**Accreditation Standard III.A. 2** states “The institution has a sufficient number of staff and administrators with appropriate preparation and experience to provide the administrative services necessary to support the institution’s mission and purposes.”

**Board Policy 3100 Organization Structure** states:

“Reference: Education Code 72400
The governing board of each community college district shall fix and prescribe the duties to be performed by all persons in community college service in the district. (Stats. 1976, c.1010 § 2, operative April 30, 1977. Amended by Stats. 1981, c.470, p 1747, § 82.)

The Board of Trustees delegates the Superintendent/President to establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the District.”

**Discussion of Issues**

**A. Accreditation Considerations**

1) 2002 Evaluation Report Recommendations

*In order to increase effectiveness, the team recommends that the Continuing Education Division implement program review on a regular basis for all programs.*

**Status:**
Partially achieved

Past Recommendations
The College should continue efforts to integrate and articulate credit and non-credit programs.

**Status:**
Some progress made but the CE Division still needs to do more work to implement a successful program for transitioning students from non-credit to credit.

2) 2009 Evaluation Report
The Continuing Education Division conducted program reviews of a number of its components prior to 2008, however, despite a recommendation from the 2002 evaluation team, the college has not completed all program reviews using the new process and does not anticipate folding these program reviews into the college-wide instructional and budget development process until the 2010-2011 academic year, eight years after the recommendation was made.
Status:
Eight years after the 2002 recommendation, CE Program Reviews are "still in progress." This is due to workload issues and the number of instructional programs that need program review. In 2009-10, the directors combined all program reviews under the category of "director" versus doing a review by individual programs.

The CE Division must address this recurring recommendation from two accreditation team visits. A restored director position is needed to help move to fully meet this important accreditation requirement.

3) Course Outlines and Student Learning Outcomes/E-Lumens

Accreditation Standard II. A.1.c
The institution identifies student-learning outcomes for courses, programs, certificates, and degrees; assesses student achievement of those outcomes; and uses assessment results to make improvements.

Status:
CE Division does not meet this standard. Due to curriculum compliance issues, the CE Division is writing new course outlines to ensure that SLOs are appropriately included. The Division has finalized a contract to implement E-Lumens; however, this will take time until curriculum issues are resolved.

B. College Plan 2008-2011 Considerations

Objective 4.7
By spring 2009, implement a Continuing Education faculty evaluation process that aligns with provisions in the Education Code (Section 87663) for providing feedback to instructors and administration so that excellence in the classroom is encouraged and facilitated.

Status:
Not achieved

Due to workload issues, the CE Division has not been able to finalize the draft of the faculty evaluation process to vet this document through the appropriate consultation process.

Of great concern is not having the necessary staffing to evaluate over 350 adjunct faculty in a timely manner. The CE Division has evaluated few, if any, adjuncts. The lack of any evaluation process affects our ability to provide any feedback to faculty who fall within the "needs improvement" area.
C. Schedule Development
The four CE Directors are now responsible for four schedules per year. In the past, two deans, four directors and one faculty coordinator were involved in producing the schedules. Due to overlapping schedule development timelines, the majority of the directors' time is dedicated to the schedule development process.

In the past, directors and deans primarily focused on new course development and producing four schedules per year. Current directors do not have the time to be creative and respond to current requests for courses that are more current and meet workforce development/training needs.

D. Compliance
Status of CE Curriculum (this information was included in the binders for the orientation for new trustees conducted December 9 and 10, 2010)

One of the major challenges for the Division relates to the area of curriculum and compliance issues to meet minimum conditions for claiming state apportionment. Title 5 regulations specifically state that colleges must meet all seven conditions for claiming state apportionment.

Examples of Compliance Issues

(1) Courses that are intended for special populations such as older adults, persons with substantial disabilities, immigrants must meet the needs and interests of a noncredit eligible target population. The course outline of record, particularly the course description, objectives, content, methodology, and evaluation should clearly demonstrate they are meeting the needs of these special populations.

(2) Courses closed to the public and are in conflict with the "open course" (open access) provisions of Title 5 (Sections 51006 & 58051.5) are not eligible for apportionment.

(3) Course outline of record does not demonstrate that the noncredit course went through the formal curriculum committee.

➢ Over 90% of the Division's current schedule of courses, offered throughout the year, does not minimum conditions for claiming apportionment.

(4) Curriculum approval at the state level is to affirm that the colleges have complied with provisions of the California Education Code and Title 5, Regulations for claiming apportionment. Courses not been approved by the Chancellor's Office are not eligible for funding.

➢ The majority of the Division's curriculum has state approval. However, they are not eligible for state apportionment since they lack the appropriate verification of approvals through the District's formal curriculum committee.
The Chancellor's Office denied the revised parent education course outlines offered at the four Parent Child Workshops. These courses are not eligible for state apportionment. The District subsidized these courses during fall 2010. The District will also subsidized the winter 2011 parent education courses.

During spring 2010, SBCC determined that 20 courses did not meet the standards outlined in Title 5, Section 55002. As a result, SBCC decided to convert these courses to community service (tuition) courses. This fall 2010, the Division has identified additional courses that do not meet minimum conditions for claiming apportionment.

The Division administrative team is continuing to review all of the courses in its current inventory (2,711) to ensure that these courses meet Title 5 regulations. This is an ongoing process due to the large number of courses needing review.

The Division has identified a two to three-year timeline for reviewing courses by areas of priority. In addition, due to immensity and urgency of this project, the Division will restore a previously eliminated director position.

Position Description

Position Information

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Essential Functions of Position:

Commencing immediately, a full-time, 12-month Educational Administrator contract position serving as Director is available in the Continuing Education Division. The position of Director, Continuing Education, is under the direction of the Dean of Continuing Education, to plan, organize, control and direct the operations and activities of assigned Continuing Education programs and courses.
coordinate and direct communications, personnel, curriculum and information to meet community needs and assure smooth and efficient program activities; develop and prepare the annual preliminary budget for assigned programs and courses; supervise and evaluate the performance of assigned faculty and classified personnel. Develop and implement programs and activities that support the needs and foster the personal growth of students.

Each Continuing Education director assumes responsibility for specific programmatic areas. Expected areas of responsibility include, but are not limited to, short-term vocational courses, courses for older adults, family and consumer sciences, education programs for persons with substantial disabilities, and community education courses.

Evening and Saturday work is required.

1. Possession of a Master's Degree from an accredited institution, AND
2. Minimum of three years full-time experience in the administration of community-based adult education or related programs.

Required License(s) or Certificate(s):

n/a

Experience as an educational administrator in a community college in the area of continuing education with emphasis in the areas of responsibilities mentioned above.

Familiarity with the use of computer technology in programming classes.

Knowledge of developments in the use of technology in instruction and general operations.

Knowledge of current and developing trends in a comprehensive continuing education program.

Experience in hiring, training and evaluating staff.

Desirable Qualifications

Ability to coordinate and supervise the staff of a comprehensive continuing education program, including both classified and certificated employees.

Experience working with students from diverse cultural, ethnic, socioeconomic, academic, and disability backgrounds.

Grant writing experience.

Knowledge of and commitment to the mission of Continuing Education for adults.

Knowledge of and experience in the evaluation of instruction.

Salary & Benefits:

The current salary schedule range for an Educational Administrator Director position is Salary Schedule 30, Range 152, $82,992-$101,124, plus an earned doctoral bonus of $2,683. Starting salary is commensurate with
academic preparation and full-time paid related experience. In addition to salary each full-time employee participates in a "cafeteria style" Health & Welfare Benefits Program.
SBCC CONTINUING EDUCATION DIVISION

Vice President
Ofelia R. Arellano, Ph.D.

Director of Registration and Technology
Francisco Martin Del Campos

* oversees online registration system (four terms per year)
* coordinate technology upgrades for CE Division
* technology liaison with IT Department and Institutional Research
* responsible for computer labs (Community Technology Centers at Wake & Schott)
* liaison with Augusoft (Lumens)
* monitor budget
* supervise hourly registration staff
* supervise Front Office Staff
* supervise User Support Specialist and Registration Technician

Community Education Center Coordinator
Jose Martinez

* coordinate citizenship education and services
* coordinate collaboration with Mexican Consulate
* coordinate Spanish literacy project (Plaza Comunitaria)
* coordinate Professional Immigrant Academy
* responsible for assisting with promoting ESL, Student Services, Plaza Comunitaria, Professional Immigrant Academy, bilingual programs utilizing Spanish media (radio, print and television)
* coordinate bilingual business seminars
* Advisor for CE Student Association
* supervise hourly staff and volunteers
* manage grants
* monitor budget

Computer Outreach Coordinator
Norma Bahena

* manage daily operations of Community Technology Centers
* responsible for computer repair/maintenance
* prepare FTES reports
* monitor budget
* oversee off-site computer courses (Transition House)
* supervise hourly personnel

Public Information Specialist
Sally Gill

* write, design, and produce advertising and informational materials for print and online media
* design and develop content for CE website
* develop content and manage online templates for online student registration
* oversee production of printed schedule (four terms)
* write, design and place advertisements with local print and online media
* design fliers and brochures for certificate programs
* participate in budget development for CE advertising and marketing
* monitor budget
* liaison between CE and Public Information Office, Director of Marketing and Publications, & IT/Web Services
Proposed New Board Committee: Community Relations Committee

Draft for Board Discussion
January 23, 2011

The Board discussed at the December 16, 2010 meeting the possibility of creating a new Board committee on community relations. At the request of Trustees Haslund and Croninger, this item was placed on the agenda of the January 27, 2011 regular Board meeting. At that meeting, the request was made by several Board members to discuss this item in a study session.

A draft of a proposed charge for this committee is included in this attachment for Board consideration and discussion.

The proposed charge of this committee is to examine various approaches to policy development related to community outreach with the aim of telling our story in a consistent and positive manner. To this end, the committee, in consultation with the Superintendent/President and appropriate college staff, may create draft policies to bring back to the entire Board for discussion. The draft policies would be designed to:

1. facilitate timely communication with the local community about district programs, and issues affecting the district and district programs;
2. encourage and facilitate community interest, input, attendance and participation in college events and programs, including Board meetings;
3. raise community awareness of educational issues;
4. increase and strengthen relationships with community groups and public and private institutions including local K-12 schools, UCSB and other institutions of higher education, city and county government, local businesses and local nonprofits.

Examples of possible discussion topics to develop recommendations to the Board:

- Improvements in accessibility of Board meetings
- Evaluation of long term options for televised coverage and/or web streaming of Board meetings
- Review of college website and information about the college
- Facilitate community input and dialog about college programs and issues affecting the college
- Development of a speakers program for the community
- Assessment of media relations
• Increasing public awareness of college events and programs
• Joint meetings with local school boards, government and community groups.
• Promotion of academic connections with university counterparts
• Increasing outreach to local K-12 schools and community organizations
• Strengthening and expanding ties with local businesses
Proposal to retain outside legal counsel to advise the Board of Trustees

Trustee Croninger requested that the Board retain outside legal counsel to advise the Board on Brown Act related issues and requested that this item be placed on the agenda of the January 27, 2011 regular Board meeting. Trustee Croninger provided the attached information on a proposed attorney - Craig Price, his resume, and a proposed retainer agreement and fees for the Board's consideration.

At the January 27, 2011 regular Board meeting, several Board members indicated that this item was not discussed with the Board and requested that this item be brought for discussion in study session. Specifically, the following questions were raised:

Why should the Board retain additional legal counsel to advise the Board? What is the reason for such a request at this time? The college has legal counsel available through its Vice President of Human Resources and Legal Affairs and outside legal counsel which has assisted the college as needed over time

If additional outside legal counsel is to be retained, what is the process for selecting it? What budget should be allocated for this expense?
CRAIG PRICE, ESQ.

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Santa Barbara, CA 93102-0009
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price@g-tlaw.com
www.g-tlaw.com

PROFESSIONAL:

Partner, Griffith & Thornburgh, LLP, 1979 - present

Martindale Hubbell A-V Rating

Education Practice

Representative Clients:

- General Counsel, Santa Barbara High School and Elementary School Districts
- General Counsel, Santa Barbara County Superintendent of Schools and County Education Office
- General Counsel Counsel, Carpinteria Unified School District.
- Legal Counsel, Santa Barbara County Committee on School District Organization
- Special Assignments, various school districts

Areas of Focus:

- Governance, Brown Act, Public Records Act, board policy, meeting issues and procedures, conflicts of interest, litigation including successful defense of Brown Act claims
- Facilities, including construction and architectural services contracts, project planning and permitting, CEQA compliance, real estate acquisition and disposition, bond and finance issues, dispute resolution including trial practice and successful defense of construction litigation
• Intergovernmental Practice involving compliance issues, negotiation and advocacy with state and local governmental and joint powers agencies; contracts and memoranda of understandings; disputes

• Student issues, discipline, advocacy and constitutional issues, FERPA, special education (IDEA and 504)

• Employment related issues, contracts, labor relations, personnel administration

• Tort claims; defense of claims and suits against agencies, extensive trial experience, risk management and oversight of agency litigation

• Vendor contracts, negotiation, drafting agreements, disputes

• Negotiations and advocacy

Presentations:

• Cyber-bullying (with Santa Barbara County District Attorney), Brown Act, Public Records Act, Records Retention, Meeting Conduct, Charter Schools, Expulsions, Workforce Housing

Civil Jury Trials and Litigation Practice

Licensed in all California trial and appellate courts, United States District Court and Ninth Circuit Court of Appeals.

American Board of Trial Advocates, California Coast Chapter (President, 2005); Masters In Trial, Program Leader, 2004, 2007; American Board of Trial Advocates Foundation, Lifetime Fellow

• Employment Law - Employee Retirement Income Security Act (ERISA), Litigation and successful published appellate decision against insurer for denial of life insurance benefits, Abatie v. Alta Health and Life Ins. Co. 458 F.3d 955 (Ninth Cir. 2006, en banc)

• Civil Rights - Plaintiff's verdict, including punitive damages, in United States District Court, Central District of California, case resulting from wrongful death of jail inmate

• Government Liability - Dangerous conditions of public property: Highway design (including having won seven figure jury verdict against State of California for dangerous condition of U.S. Highway 101); Inadequate Security (cases involving rapes of students at UCLA
and UCSB); Brown Act; Teacher dismissals (including published opinion).

- Wrongful Death - Obtained seven figure jury verdict for negligent entrustment/wrongful death in multi-fatality German auto crash.

- Oil and Gas – Ongoing multi-state litigation involving $50,000,000 lease disputes.

- Environmental Contamination - Significant litigation and administrative proceedings over cleanup costs and insurance for sites contaminated with hydrocarbons and volatile organic compounds

- Construction and Design – Defense of construction defect claims involving design professionals and owners

Real Estate, Contracts and Business - Transactions and disputes

Land Use and Environment – State and local administrative agency representation, including California Environmental Quality Act.

ACADEMIC:

- University of California at Berkeley, Bachelor of Science, Business Administration, 1967

- University of California at Los Angeles, Juris Doctor, 1971

  Chief Justice, Roscoe Pound Moot Court Honors Program
  Order of Barristers

COMMUNITY ACTIVITIES (PARTIAL):

- Santa Barbara Foundation

  Philanthropic Services Committee (current)
  Member Board of Trustees 1988 - 1998; Vice President 1996 - 1998
  Appropriations Committee 1989 - 1998; Chair 1995 - 1996
  Appropriations Review Committee; Chair 1997

- Girls, Inc. of Carpinteria – President, Board of Trustees (current)

- Santa Barbara Education Foundation -Board member (current)
Bond Measures Q and R Fundraising Chair (2010)
Parcel Tax Measures H and I Steering Committee (2008)

- Carpinteria-Summerland Fire Protection District
  (Board President 2008, Vice-President 2011, Elected Director 2000 –
  present)

- Montecito Education Foundation, Co-founder; former President

- Montecito Union School District, Member Board of Trustees 1981 - 1985;
  President 1984
LEGAL SERVICES AGREEMENT

THIS AGREEMENT (Agreement) between SANTA BARBARA CITY COLLEGE (Client) and GRIFFITH & THORNBURGH, LLP (Attorneys) is made in reference to the following facts:

A. Client wishes to engage Attorneys to provide legal services; and,

B. Client is authorized to enter into this Agreement pursuant to the authority contained in Government Code section 53060, and such other provisions of law as may be applicable; and,

C. Client hereby finds that Attorneys possess the training, experience and competence to perform the general counsel legal services provided by this Agreement.

NOW THEREFORE, the parties to this Agreement mutually agree as follows:

1. Attorneys shall provide legal services at the direction and request of Client, or by and through the Client’s designee. The attorney designated to principally perform said services shall be Craig Price, in addition to other attorneys and support staff to efficiently carry out the services to be rendered hereunder. Such services include but are not limited to:

   (a) Advice and counsel regarding legal issues as requested by Client’s President, Board of Trustees, or other authorized official.

   (b) Advice and counsel regarding statutory and regulatory compliance matters including, but not limited to, the Brown Act, Public Records Act, as well as other federal, state and local agency regulatory and code requirements.

   (c) Attendance at meetings upon request, including regular and special meetings of the Board of Trustees.

   (d) Representation of Client in connection with other matters as assigned.

2. In consideration for the rendition of such services, Attorneys shall be compensated based upon the hourly rates set forth in Exhibit A. Attorneys will maintain and furnish Client with itemized statements which shall include a description of work performed, and the amount, rate, and basis for calculation of attorneys’ fees on a monthly basis.

3. In addition to the legal fees to be paid hereunder, Client shall reimburse Attorneys for all actual costs and expenses as itemized on Exhibit A hereto.

4. Client acknowledges that Attorneys do and will continue to provide legal services to other public educational agencies in Santa Barbara County, and expressly
waives any conflict of interest arising therefrom. The parties acknowledge that from time to
time, depending upon the circumstances presented, it will be necessary for substitute
counsel to be obtained to provide certain services contemplated under this Agreement
where it would be a violation of Attorney's ethical obligations to render services to SBCC
and/or Client or where it would be contrary to the interests of either SBCC and/or Client or
Attorney's other clients.

5. Attorneys are duly licensed to perform the services specified herein and are
insured for professional errors and omissions. In performing services hereunder, Attorneys
shall act in accordance with all applicable laws and shall not illegally discriminate against
persons or groups.

6. Client shall promptly pay Attorneys' monthly statements in accordance with its
customary and usual business practices.

7. It is expressly understood and agreed by both parties that Attorneys, while
engaged in and carrying out the terms and conditions of this Agreement, are independent
contractors and not employees of Client.

8. The term of this Agreement shall be January 18, 2011, through January 17,
2012, unless earlier terminated by either party upon thirty (30) days written notice to the
other party.

9. If no notice of termination is provided by either party during the term of this
Agreement, it may be carried over from year to year. Any changes in the hourly rates
and/or expense items specified in Exhibit A must be approved by Client.

10. The parties herein agree this contract may be executed in counterparts.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed
on the dates indicated below.

SANTA BARBARA CITY COLLEGE

By: ______________________  Dated: ______________________

(Signatures continue on next page)
GRiffith & Thornburgh, LLP (Attorneys)

By: Craig Price
8 East Figueroa Street, Suite 300
P. O. Box 9
Santa Barbara, CA 93102
(805) 965-5131

Dated: ______________________
Exhibit A

**Billing Rates:** Client agrees to pay for legal services at the following rates: For a partner's time, $295.00 per hour; for an associate's time, $185.00 per hour; and for a paralegal's time, $100.00 per hour.

**Costs and Expenses:** Client shall reimburse Attorneys for all actual costs and expenses incurred by Attorneys, including, but not limited to, the following: long distance telephone calls, messenger and other delivery fees, postage in excess of $5.00 per item, photocopying at $0.20 per page, parking, mileage at $0.32 per mile, legal research expenses, and costs associated with court proceedings, including but not limited to filing fees.
BP 2340 AGENDAS

Reference: Government Code Sections 54950 et seq., 6250 et seq.; Education Code Sections 72121, 72121.5; BP 2430 Delegation of Authority to Superintendent/President, BP 2210 Officers.

An agenda for the meetings shall be provided by the Superintendent/President. An agenda shall be posted adjacent to the place of meeting at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. The regular order of business may be changed by consent of the Board of Trustees. Items may be added to the agenda by the Board of Trustees and/or the Superintendent/President. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- a majority decides there is an “emergency situation” as defined for emergency meetings;
- two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

The order of business may be changed by consent of the Board.

The Superintendent/President shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Members of the public may place matters directly related to the business of the District on an agenda for a Board meeting by submitting a written summary of the item to the Superintendent/President. The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.
AP 2341  Request by Board Members to Place Matters Directly on a Board Agenda

Reference:  BP 2210 Officers, BP 2340 Agendas,

1. A member of the Board may request that an item be placed on a regular Board agenda or Study Session agenda by either of the following:
   a. Describing the item at a Board Study Session under the agenda item listed specifically for this purpose or
   b. Discussing the item with the Board president who may place the item on the agenda as part of his/her responsibilities pursuant to BP

2. Placement of an item requested by an individual Board member on the agenda of the Board permits the requesting Board member, others on the Board and members of the public to comment upon the matter after notice to the public and to the members of the Board of Trustees.

3. Any such item placed upon the agenda shall initially be for information only. Inclusion of an item placed on the agenda in this manner does not confer upon the requestor the right to direct or require preparatory staff study, analysis, research, or review of material related to the item.

4. Any direction to staff to study or provide analysis, research or review of background material may come only as the result of action approved by a majority of the Board to do so.