MINUTES

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

January 13, 2011

SPECIAL MEETING/STUDY SESSION
Room A218
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 Haslund called the meeting to order.

1.2 ROLL CALL

Members present:
Marty Blum
Marsha Croninger
Peter Haslund, President
Morris Jurkowitz
Joan Livingston
Lisa Macker
Luis Villegas, Vice President

Others present for all or a portion of this meeting:
Dr. Andrea M. Serban, Superintendent/President and Secretary of the Board of Trustees
Alarcon, Ignacio, Pres Academic Senate
Alsheimer, Cornelia, IA
Dr. Arellano, Ofelia, VP Cont Ed
Auchincloss, Liz, President CSEA
Bailey, Jack, Cont Ed Director
Beall, Andy, Oaks PCW
Dr. Bishop, Paul, VP IT
Curtis, Allison, Admins & Records
Dyruff, Jane, ACES
Edwards, Bea
Ehrlich, Sue, VP HRLA
Dr. Friedlander, Jack EVP Ed Prgrms
Galvan, Joan, PIO
Garey, Tom, Theater Arts Faculty
Griffin, Leslie, Controller
Harper, Andrew, Cont Ed Director
1.3 WELCOME

President Haslund extended a cordial welcome to all.

1.4 HEARING OF CITIZENS

Mark McIntire: I noticed that on your closed session, Item 3.2 is again on the agenda, it was on the agenda last time and now it is on the agenda again. The reason I'm here is because, especially for the new Board members who got elected, congratulations and you got elected by policy of openness and fairness and transparency and ever since the last meeting that we had of the Board, I've been hearing from individuals a concern that this item 3.2 concerns a sub-committee of this Board of Trustees that has as its assigned business to reformulate the process by which the Superintendent/President of the College is going to be evaluated. The concern was that I keep hearing this and people asking me, "Do you know anything about it?" "Who's on the committee?" "Is there a committee?" and the reason I'm here today is because I think that rumors when they pop-up, if this is false, complete benign thing, these kinds of rumors need to be addressed, because otherwise it is going to undermine the very campaign pledges and commitments that were recently put forward about transparency. It's a very simple thing, is there a sub-committee that is charged with formulating the procedure for evaluating the President?

President Haslund: Is that a question we would like to answer?

Trustee Croninger: I believe that it's not something we're able to comment on, but that doesn't mean that we are not in favor, as we have always been on transparency and openness. There are certain exceptions to that and we need to adhere to them and we fully intend to make it transparent and open at the proper time.

Mark McIntire: What am I going to tell people who say, "Is there a committee to do this?" What am I suppose to say? It's none of my business, or it's none of their business.

Trustee Blum: Let me just add something very straightforward. The main thing that we do up here as trustees is to hire and to evaluate the President, we don't have any other employees, that is what I've been told. So her evaluation is due in June, the four of us have not done that yet and so we're meeting in a sub-committee to figure out how we're going to do that. There was a closed session last time and the sub-committee was established then to figure out how to do that, the sub-committee will report back, it's not rocket science, it's not secret, one of the provisions of the Brown Act says that you do personnel things in closed session which makes a lot of sense to me, if I was being evaluated I won't want everyone in the world to hear it, I think it's really wrong to do it that way.

Mark McIntire: But if this is about a procedure shouldn't we all be involved in the discussion?

Trustee Blum: Since we only have one employee then the procedure is about that employee, so it becomes something for closed session. I'm finding the rumor mill here, as kind of funny and I appreciate the fact you want to check on it and I have a feeling that this is going to produce many more rumors. It's very straightforward we're just preparing for the one thing we're supposed to do which is to evaluate our one employee.

Mark McIntire: Thank you for addressing it because now I can say there is a committee and
you'll have to attend the board meetings to find out what is going on.

Trustee Livingston: There is a committee, the committee members, this should all be public information, the committee members are Trustee Croninger, Trustee Blum and Trustee Villegas. Now my understanding as a board member, it has been meeting in closed session, so I as a board member am also equally clueless about this or even why it's meeting in close session.

Mark McIntire: Thank you for that that helps me to understand what is going on and I appreciate that. Thanks to Mr. President and congratulations once again on your election to be President of Trustee.

1.5 MINUTES OF THE SPECIAL MEETING OF NOVEMBER 4, 2010

Upon motion by Mr. Villegas, seconded by Ms. Ridgell, the Board approved the minutes of the special meeting of November 4, 2010. Trustee Livingston, Trustee Croninger, Trustee Blum, Trustee Macker, Trustee Haslund, and Trustee Jurkowitz abstained.

1.6 MINUTES OF THE SPECIAL MEETING OF DECEMBER 6, 2010

Upon motion by Trustee Blum, seconded by Trustee Croninger, the Board approved the minutes of the special meeting of December 6, 2010. Trustee Livingston and Trustee Villegas abstained.

Upon motion by Trustee Villegas, seconded by Trustee Croninger, the Board approved adjourning into study session.

2. STUDY SESSION


Superintendent/President Sarban reported that this was a very good audit once again, we have had an outstanding record in our audits and it doesn't just happen it's the result of very capable staff and the work being done in our Business Services and Accounting offices, thanked staff for their work. These audits are a tremendous amount of work, thanked Leslie Griffin for her work on this.

Vice President Sullivan also acknowledged the work of Leslie Griffin, Controller, who is responsible for the audit and does an excellent job year after year. Introduced Allen Eschenbach, the audit manager who spoke on the audit.

Allen Eschenbach provided some background on the process they go through and how some of the reports are developed. There are three reports being looked at in the financial statement and compliance audit, relative to the whole district, one report is specific to the bond measure and the use of bond funds and the third is the parking fees programs. The auditors work with a number of departments, facilitated through the Accounting office, by starting the process in April through May and there are a variety of levels. The financial statements for the district are on the governmental basis of accounting; it differs from a traditional for profit business basis of accounting. Some of the key things that are different are that they are historically done on a cash basis, or modified cash basis that is for the public accountability side. In the past five years there was a significant new government standard that tried to bridge the gap between the
two, GASB 34 or GASB 35 and the financials are presented on an entity-wide basis. Within
those financial statements you have a fund basis and then you've got an entity-wide basis that
bridges that to a full accrual and there are differences in the revenue, the expenditures, the net
assets or the fund balances, different terminology is used, there is a reconciliation provided in
the report. The key goal relative to the audit of the district is to provide an independent review
of the financial statements and provide you assurance that the standards that are appropriate
for the district are being applied are generally accepted GAP (Generally Accepted Accounting
Principles). Tests are done that are substantive, but the audit is started by doing a lot of tests of
controls, routine processes, and other internal controls. At the end of the audit, the auditors
issue their audit opinion that reflects the clean or unqualified opinion covering the district, also
provided is the Management Discussion Analysis related to the activity during the year. There
is a significant state compliance work done, the State Controller's office provides a compliance
guide that includes a layout of the different areas that are required to be tested and how they
are tested. The positive feedback is that the district complied in all respects.

In addition to state compliance, there is federal compliance, there is a single audit act
established at the federal level that states while the auditors are there, they want them to test
the monies that are received from the federal government or from federal programs. The
outcome of the work related to federal compliance results in two separate reports, one is on
internal control over financial reporting and there was a clean opinion related to those items and
the second report is the compliance with the requirements to each major program where they do
specific tests, the first report is general controls, the second report is major programs that were
specifically tested and the district complied in all material respects in each of those major
programs, these were very clean, very positive results.

The findings are summarized and there were two: the first finding 10.2 is a control finding
related to the student financial aid cluster grant, Academic Competitiveness Grant, was not
included in the schedule of federal awards. This is not a non-compliance issue; it's a matter of
simply being able to properly identify funds that are being received as federal, if they are. The
second finding relates to courses identified with incorrect census dates that were used to report
student attendance. The investigation determined that there were two courses with unusual or
irregular meeting times that were not properly captured by the District's Banner system and
further investigation determined that there was no impact on the FTES reported, therefore, there
was no monetary impact. Leslie Griffin reported that this error is being looked at and the
Banner system will be fixed so that this does not happen again.

Mr. Eschenbach touched on the bond report. They worked with the Citizens' Oversight
Committee that is tasked in overseeing the spending of the bond money. Superintendent/President Serban acknowledged Ed Heron who was in the audience, Ed Heron has been the Chair of the Oversight Committee since November of 2008 and he has done a
great job. Mr. Eschenbach reported that this was a collaborative process and there were two
pieces to the report, there is a financial audit and there is an agreed upon procedure report
which is where there were some specific requests, there's latitude in what the Oversight
Committee has to say and collaboratively a scope was developed and those items are looked at
and reported on. The general feedback was no issues, no exceptions.

2.2 Board Policies and Administrative Procedures

2.2.1 BP 5075 Course Adds, Drops and Withdrawals (Attachment 3)
2.2.2 AP 5075 Course Adds, Drops and Withdrawals (Attachment 4)
2.2.3 AP 6900 SBCC Bookstore (Attachment 5)
The above three items have come through the Board Policy and Administrative Procedure committee. Allison Curtis reported on Board Procedure 5075 and Administrative Procedure 5075 addressing Course Adds, Drops and Withdrawals. It may appear that a brand new procedure is being presented and it is, in name and in number, but much of what it contains has been extracted from prior policies. What is not new in this document are things that were formally covered in BP 4025 Program Changes that was appropriate at the time it was written, but this is what is being recommended now. Additionally, they took appropriate portions out of existing BP 5043 Non Evaluative Symbols and that is now included in this policy. Ms. Curtis highlighted what is new in the procedure that was not included in the procedure before.

Sue Ehrlich, Vice President of HRLA, spoke on Administrative Procedure 6900 SBCC Bookstore. This has now been properly codified as procedure rather than policy, the bookstore is a business operation of the College, the modification to this includes the addition of some headings to make it easier to read and find information and it has been updated to include information that is applicable to the day to day operation of the bookstore.

2.2.3 BP 2015 Student Member(s) (Attachment 6)

Superintendent/President Serban spoke on Board Policy 2015 Student Member(s). This item was discussed at the November Board study session and regular meetings, respectively, where this was brought for approval; at that time it was requested that it be returned to a study session for further discussion because Nicole Ridgell, Student Trustee, raised the question and asked for the same compensation as the Board of Trustees. Dr. Serban provided a brief history regarding this request; Ms. Ridgell attended the Student Trustee Workshop in August 2010 that included discussion on the compensation of student trustees in other districts, Ms. Ridgell rightfully noted that other college districts pay their student trustees more than what the College pays. Historically, the College has provided the student trustee a book stipend of $250 per semester. Part of the attachment included is the most recent survey from the Community College League for compensation of regular board of trustee members and also the student trustees. The student trustees in most of the community colleges are paid half the rate of what the regular trustees receive, the rational for that was explained by Superintendent/President Serban.

Ms. Ridgell presented her proposal and explained why she feels that her request is fair. The proposal being that the student trustee should receive the same compensation as the regular trustees and she would forgo the $250/semester stipend, also asked that the new compensation be retroactive to August 27, 2009 that is the date her term began. Ms. Ridgell explained her duties as a student trustee, feels that the work and the effort she has to put in is very important and equal to the regular trustees, and is the student voice on the board. Is willing to accept whatever decision the Board makes.

The board members agreed that they value the voice of the student and that representation. Discussion of this item resulted in various outcomes, some agreed that the student trustee should be compensated; others agreed that the student trustee should be compensated at half the rate of the trustees and they felt that they would not be able to approve the payment retroactively. The consensus of the Board was to bring to the next regular Board meeting two versions of this policy, one would include the wording that states payment of $100 per meeting and the other would include the wording to state payment of $200 per meeting and would not include the wording for retroactive pay nor the book stipend.

2.2.4 Charge and members of the Board Policies and Administrative Procedures Committee (Attachment 7) This item was postponed to a future study session.

Item 2.6 was taken at this time.

2.3 Tuition fees for out-of-state and international students for 2011-12 (Attachment 8)

5
Joe Sullivan, Vice President Business Services reported on the tuition fees for out-of-state and international students. Every year the Chancellor’s Office requests that the College submit its tuition fees for out of state and international students for the next academic year starting with the next fall term. There are several options that can be used to calculate those fees, the issue is the short notice provided by the Chancellor’s Office because this is received the first week in January and the Board needs to approve the fees at their January Board meeting. The Student Senate met this year and agreed with the recommendation presented by the administration. Vice President Sullivan reviewed the options that were provided and the process used to arrive at the figure presented. Based on the current legislation and the projected increase in the U.S. Consumer Price Index the proposed fees for 2011-12 are $190/credit for out of state students and $210/unit for international students. These fees will go into effect Fall 2011. This will be presented to the Board for approval at the January board meeting.

2.4 Applications for membership in the Measure V Citizens’ Oversight Committee (Attachment 9)

Superintendent/President Serban provided an overview of the formation of the Measure V Citizens' Oversight Committee. The Board will need to make a decision at the January 27 Board meeting as to whom will be chosen to serve on this committee. There are some applicants that are the only applicants that fulfill certain categories and there are some applicants who will be serving part of a second term, those being Lanny Ebenstein and Nicole Ridgell.

President Haslund recommended that at the January Board meeting that a time frame be fixed in which discussion can take place and have presentations by the board members and decide on the basis of votes who will serve on the committee. The Board agreed with this recommendation.

2.5 Restoration of a Director of Continuing Education Position (Attachment 10)

Dr. Ofelia Arellano provided an overview of this item and provided two organizational charts. One noted the reporting structure to the VP and the Dean, the second chart included the re-shifting of several areas to the proposed restoration of the fifth Director Continuing Ed and included very detailed information for the five different director positions. Currently, the Cont Ed Division is functioning with three fewer management positions than in 2008-09. Dr. Arellano reported that it was important that everyone understands that based on Governor Brown’s current budget proposal that pending reductions are a concern to all of them and that they have been asked to do more with less. They acknowledged the impact on colleagues’ workload and budget reductions, however, in Continuing Educations they have been asked to do the impossible with less and commended the staff and faculty for the current collaborative efforts taking place to continue to serve students. Dr. Arellano provided an overview on what had taken place in Continuing Ed with regards to key recommendations made by past Vice Presidents that were made and how they led to different organizational structures. Dr. Arellano reviewed some of the key priorities that were highlighted in the attachment that included; meeting accreditation standards and recommendations; program reviews; there is currently no faculty evaluation process in place; the College Plan for 2011-14: critical enrollment management considerations to meet FTES target and status; schedule development to provide four schedules per year; responding to the community’s request for new courses and new program development; responding to community needs for workforce training and more certificate training programs. Dr. Arellano is proposing the restoration of the director position and if the position is not restored, critical direction will be needed in terms of what will not be accomplished in terms of the priorities noted.

Jack Bailey, Cont Ed Director, noted that while administrative support has been reduced, substantial new responsibilities have been added to the administrative workload in the last
several years. Without the appropriate resources they will continue to struggle to address serious compliance and accreditation issues and reviewed those. It was also reported that additionally without appropriate support Continuing Ed would not be able to focus on program development that is crucial to the health of the division, program development to address the FTES loss due to courses no longer funded by the state. Is confident that the work can be done there are many solutions and with the reinstatement of the director and additional support they can do the job and they can get to the place where they need to be.

Ken Harris, Cont Ed Director, reported that he currently is responsible for 127 instructors who teach 239 sections that is a lot to look at and pay attention to and do an excellent job at keeping them at their best. Another director would help, it won’t solve it, but would help the workload and make this much more manageable and hopefully provide better success in the whole program.

Andy Harper, Cont Ed Director, thanked the Board and Dr. Serban for considering the workflow and the workforce at Continuing Education. Welcomes the opportunity to work together to find solutions to the problems that have to do with three areas: community requirements of students who require a deserved continuation of excellent courses, excellent programs; the compliance issues related to the course outlines of record and the requirements from the Chancellor’s Office; and the accreditation requirements of faculty evaluations and student learning outcome assessment. Mr. Harper is responsible for the student registration in 140 courses, with 110 instructors every term and has one half-time admin assistant to help. The issue is that it is impossible to maintain a high quality program with this kind of workload and the other directors’ work equally hard and they cannot sustain this kind of pressure. Without assistance, they are going to have to consider what their priorities are and what they can continue to do and what they can’t continue to do. The concern is how they can meet the demands of community requirements, state requirement, and accreditation requirements without additional help.

Carol Flores, Cont Ed Director, reported that they can tell you everything they do, they can show amazing charts of all of their responsibilities, what she would to do is invite the board members to shadow them for a day, go and see what they do, talk to the faculty, see how many students they help, see how many faculty they work with, they love their jobs and they would love it even more if they were doable. Between 2003 through 2008 there were a total of five certificated directors, now there are four, there were two deans, now there is one, there was a full-time director for the Omega Program, now there is none. Everyone shared the scheduling load, and even the deans had instructional programs under them, that is no longer the case. Encouraged the Board to support them and restore this position.

Trustee Croninger feels that this item needs more discussion and has no doubt that the four program directors are doing too much and at the same time is not confident that we are being as smart as we need to be in what that work is and how it’s distributed. There is a need for a better and longer conversation about this and knows the concern about time. Suggested that this be given to Educational Policies and have them talk about these issues and then come back to the Board with the results of that discussion. This is a tremendously important discussion with policy implications at a number of levels including the budget.

Trustee Blum would like to have the Continuing Education discussion at the state level and find out what we should be doing at Continuing Education. Also this position should have been noted as an empty box in the organizational chart that they were given on Continuing Ed. Trustee Blum was wondering how many other empty boxes the College is going to try to fill with a shrinking budget.

Superintendent/President Serban reported that there are several issues; we as a college made a concerted effort to try to function with fewer management positions since 2008. There are few opportunities when the college can try alternative structures, primarily when employees retire or resign. We had an opportunity in Continuing Ed due to three retirements to try a different structure and have three fewer managers. After almost two years of trial, we determined that we
need one of the management positions restored. We tried this with the understanding that if this did not work out, Cont Ed staff had the assurance that the position would be reinstated. This was all done in good faith by the college employees to try to save the college money and to see if they could function with fewer managers, with the understanding that if this didn’t work the position would be reinstated. Superintendent/President Serban noted that this type of decision should be made at the operational staffing level and should not be such a big discussion with the Board. The administration needs to be able to make decisions on what it takes to run the operation of this College. There were some consequences, we saved money and tried to work with less staff, however, it didn’t work out and this recommendation to reinstate the director position needs to move forward. Superintendent/President Serban recommended that another study session be added so that more discussion could take place so that they can move quickly on this item. This position is really needed and we need as the administration of the college to be able to run the College. Superintendent/President Serban requested that the administration be allowed to proceed with this reinstatement of position.

Trustee Jurkowitz appreciates the fact that everyone pitched in and tried to save the College money and what has been presented by the directors and Superintendent/President Serban makes good sense to him and his position would be for them to proceed with the position.

Trustee Croninger agrees that the four directors are doing a terrific job, they’re overworked, however, is not convinced that the work being assigned to the current directors is properly distributed among the resources and handled in the most efficient and cost effective way. She asked that each director not work more than 40 hours/week. This is an important policy decision, and it has impact on the budget. The Board needs to take the time to understand this program and the historic way this program has been run. A conversation needs to take place so that we can all try to reach a common understanding. This conversation would provide a sound explanation for our stakeholders in our community as to what we’re doing and why we’re doing it.

Trustee Livingston supports restoring the position, doesn’t want to get into a discussion of administrator versus classes, each one is a stand alone topic. Everyone is requesting more classes and also recognizes that we tried to do a lot more with less and not only did we do a lot more, in the last few years the administrative demands on Continuing Ed have radically changed. The document provided with the agenda for today’s meeting was excellently presented and appreciated that the document was tied in to the accreditation standards, tied it in to all of our operating college policies, this is the assessment of our professional staff that we have some major deficiencies and the administrative paperwork that we have not done in the last several years has caught up with us. Part of it is that we have a whole new group of people; you have to give them some time to get to know the program itself, let alone to go do all the paperwork. If we look from 2005 on, Lynda Fairly was Vice President, then Pablo Buckelew was in as interim, then he was in as a full vice president then he retired, then Ben Partee was interim and then Dr. Arellano came in February 2009, we haven’t had any top level stable oversight over a long period of time until Dr. Arellano came in as vice president and also at the same time that we are being hit by all of these budget issues and compliance issues, it’s just huge and supports the reinstatement of this position.

Trustee Croninger noted that the basis to the comments just made by Trustee Livingston reflect a view that has led us to where we are now. I don’t share the view of the new requirements and I don’t share the view that we are in a situation that is being described to us about Continuing Ed, the overwhelming paperwork, the need for compliance and that’s part of why we need to have this conversation because if we are doing things we don’t need to do, if we have classes that we don’t need to bring into compliance, because they are in compliance we need to have that discussion, because we are wasting money and people’s time doing things that we don’t need to do. That’s why I want to have that discussion and I do not want our people to be suffering in the mean time. I do think that they can make some choices about priorities; I’m not going to make them for them and move forward with less of a workload for a brief period of time to make sure we are on sound footing.
Dr. Arellano reported that we have approved course outlines, some approved by the state, the issue at hand in Continuing Education is that there are state regulations for meeting minimum conditions for claiming funding. This means that there are seven regulations that require that you must have courses approved by the state; you must ensure that all of these course outlines have gone through the local approval process, meaning the Curriculum Advisory Committee and the Board of Trustees, you must have verified signatures on the course outlines. We are out of compliance in claiming state funding for many courses, we cannot locate any records documenting that these courses were approved by CAC, or the Board of Trustees, verifying that the course have been approved locally to claim state apportionment. This has significant consequences for us to continue to report these hours to the state for courses that do not qualify for state funding.

Trustee Croninger: Do you consider that to be the case for cooking classes?

Dr. Arellano: We have six approved cooking classes, the issue at hand is that the courses we were offering were recipe style courses, the course outline was approved for 30 hours, we were claiming 80-90 hours for apportionment, that is not appropriate.

Trustee Croninger can see that a more detailed discussion is needed, didn’t want to take everybody’s time but we’ve got an issue here that is important and we need to resolve it, because when I look at the document I don’t see what you’re seeing. It would be much more helpful to have this discussion in Ed Policies.

Carol Flores noted that they all work hard and this is an incredibly productive and high standard College, it is on the credit side and on the non-credit side. Her position now was in the past two people, there use to be a director of student services that was full-time for two years. She does that position plus half of a previous director and that was barely manageable for the full-time person and on top of that the half-time instructional position that I had when I came, Continuing Education received notice that the adult high school program needed to follow new regulations, nothing was done. When she came, they could not admit new students in the adult high program for an entire year because they did not have that program approved, so to get a high school program approved is an incredible cumbersome process. Ms. Flores stated that there is a great need to just get the day to day done and there is a whole lot more that needs to be done that they don’t even have time to do, not even with one more director position.

Trustee Croninger answered that she hears Carol and agrees with her and she is not talking about what Carol is doing, what she is saying is that you’re overworked, you have too many things you’re trying to do and I’m hearing that and I believe that. What I’m not comfortable with at this point is that the work distribution among all the people that we have is not making sense and that we need to have a good understanding of what is cost effective, as to who does what tasks, we had faculty coordinators at lower rates at one point, and did that make more sense? How do other colleges handle that? We need to be really smart about it and we need to make good budget decisions.

Trustee Livingston brought a copy of Lynda Fairly’s campaign statement and brought a print out from the Citizens for Santa Barbara website and recognize that there are huge gaps of what we would call facts. Trustee Livingston noted; You’re operating from one set of facts and we’re operating from another understanding of the same issues. At some point we need to talk about these, but as far as cutting these people off at this point for this type of discussion, because each one of these will go off in a lot of discussion, but I think this would be a good starting place because this is the message you are putting out to the public about Continuing Ed. Can we segregate this? These people are in extreme need, I have been with the College for a long time, I know Continuing Ed as a student and observer. Can we give them some breathing room to get some of this stuff done and then have this discussion? The statements made on the Citizens for Santa Barbara website that include links to Lynda Fairly’s article in the News Press and so called statement of facts from the instructors’ Association are in opposition to what we the
continuing Board members know to be accurate, and I want to know do we need a hearing process, what do we need, because we do need to operate from the same set of facts, as we efficiently deliver things, but at this point I think we need to give the staff and the administration the support they need.

President Haslund noted that he felt that there wasn’t consensus and there were two positions; moving forward with this position and the other being taking more time to discuss it. Is there a middle ground? Can we set a time limit so that we can have the conversation and still within a reasonable period of time offer this position in a regular way.

Trustee Croninger asked when this position would be coming to the Board for an actual hiring under normal procedures. Superintendent/President Serban understands that this is a transition period and understands that she needs to be sure that the Board has the same base of knowledge, but normally, for this type of situation this would not even come to the Board for discussion, it is not a new position, it is a restoration of a position; there are other positions that have been advertised for and filled. This is a managerial, day to day operation of the College and I understand that Continuing Education has become a sensitive topic but based on how this College operates and that this really falls under management responsibility, this is not a policy making, Board-level decision. In good faith we have opened the position and the position is currently being advertised, however, we would not want to put anyone through the employment process and then be told that we cannot fill the position. The position is open until February, then we put together an interview committee, there is a first level interview and then there will be a second level interview, so probably by April we would finish the actual recruitment and hopefully we would have a qualified applicant that we would like to offer the job to. We could extend the date for applications if we had to.

Trustee Macker suggested; given the time frame it sounds like your talking about this process beginning in February, where we would actually be engaging with potential applicants. Suggested not closing this off, I really hear what you are saying and it’s an impossible situation to be working that many hours, on the other hand I’m hearing this strong conversation that has been going on for however long. I’ve talked to several people individually; I was more new to this whole topic. But the strengths of these emotions make me lean towards more discussion first with an end date so that staff knows that it’s going to be handled in a timely manner and that you can still move ahead, if that is the inclination after the discussion. I really think that this discussion is important, even during the parent-child workshop it’s disturbing for me as a board member to be sitting up here and have one group saying one thing and then the other half of the room shaking their heads. We know we’re not working with the same set of facts and so there’s this tension in the room and would much rather see those tensions resolved in as quick a manner as we can, to both give you the relief and to dissolve the tension and not have people arguing facts anymore. Can we just come together and have a really short time frame to air some of these issues to discuss them and get to the bottom of them? Leaving this position on the table and extending the closing date a couple of weeks.

Trustee Villegas asked what the target date was to have someone in place for this position. Superintendent/President Serban reported that everyone would be happy if the person could be in place by July 1 or sooner, if possible. Trustee Villegas reported that the discussion regarding Continuing Ed can take place and look at all of that, but I won’t want this Board to be one that would question what we just heard and question that the staff don’t know what they’re doing and maybe they’re doing things wrong and they should be doing other things. The staff knows best, they are the professionals hired to do the work, they know best what they are doing and what their jobs are etc. and the fact that there is a need for another individual to help alleviate the situation. We can talk about Continuing Education from a policy stand point but this is hiring to fill and to do work that is required and that maybe is not being addressed or is being overloaded on these individuals. The impression is that we don’t believe you and I certainly hope that that is not the case. Trustee Croninger and Trustee Blum noted that he was the only one saying that. Trustee Villegas; ok but the comment was made earlier that you don’t know whether they should be doing what they’re doing and maybe they’re overloaded because they are not doing
the right thing. We can have that discussion separately, but it appears to me that it is evident, based on the directors coming before us that there is help required and it was recognized before, so I don't see any see any reason to really stop the process to hire anyone, our job is not to hire, and determine who gets hired by whom. Our job is to look at the program how it's running, so if you want to get into the policy level discussion as you indicated we can.

Trustee Croninger: I recognize and I support that we are talking policy here. We're talking budget here, we're talking budget which is one of the most important things we do and we're talking policy like these people are overworked and I don't think that is a good thing as a policy matter. At the same time we need to work smart, we need to make our best effort to be cost effective here and I'm looking at the Ed Code that says "The Governing Board at each community college district shall do all of the following: employ and assign all personnel". So I don't feel uncomfortable talking about these things. Superintendent/President Serban noted that there is a certain expectation of delegating the actual running of the College, day to day operations to the administration. Because if the Board decided on every position and you did the analysis, then you are actually doing the administrative work of the College. Trustee Croninger responded that she was just saying that this is their job in a broad sense and they're entitled to talk about it. Trustee Villegas: And you are being informed that is what study sessions are for, that is what committee meetings are for etc.

President Haslund so the issue is whether we have enough time in a study session, or whether we need another study session.

Trustee Croninger said that an Ed Policies meeting is needed first then a study session. I don't see how you can sit down and do the kind of talking that we need to do in this context. We really need to have the informal discussions that are supposed to be where our Ed Policies and other committees work in order to bring forward information to the Board.

Superintendent/President Serban proposed a date for an Ed Policies meeting for January 31, 2011. Trustee Blum requested a list of all of the upcoming issues on future Board agendas because she wants to be able to see ahead of time what's coming up. This date worked for the committee members so the meeting will be scheduled. Superintendent/President Serban noted that if more information was needed, other than what was included under this item, she asked the members of the Ed Policies committee to e-mail her. In the mean time the position will be left open and the date extended by two weeks.

2.6 Status of relationship between SBCC and four parent child workshops and SBCC non-credit parent education course taught at each of the parent child workshops (Attachment 11)

Jennifer Mansbach, Chair of the Starr King Parent Child Workshop, provided a presentation on reinstating support for Parent Child Workshop. Ms. Mansbach noted that everyone agrees that the parent-child workshops are of tremendous value and they recognize that the College is not receiving apportionment for these parent education courses and they are here today because they would like to address this issue and develop a dialogue on how to resolve it and how to continue to strengthen the collaborative relationship. Ms. Mansbach provided a handout for the Board to follow along with her presentation. She presented the key reasons for why the parent-child workshops are of great value to this diverse district, what the community leaders and experts had to say about continuing these programs and the dire impact the funding cuts have had to the viability of the parent-child workshops future. The presentation also included a proposal for the Board of Trustees and was one that the parent-child workshops were willing to discuss with them.

Dr. Ofelia Arellano, Vice President of Continuing Ed provided a status of what they understand the issue to be. The College too is committed to providing parenting education courses in the local community and value the long term partnership with the parent-child workshops. The current model is that the college does offer two parent education courses at each of the four
workshops; they are not state approved courses at this time. Dr. Arellano provided information on enrollment and hours for the lab courses and also noted that parents are also responsible for completing other work required by the parent-child workshops that are not part of the SBCC courses. There are three key topics of interest in looking at the relationship between the parent-child workshops and the College: Clarifying the relationship between SBCC and the parent-child workshops as 501(c)3 non profit corporations; the instructional component provided by SBCC Continuing Education; and the responsibilities of SBCC employees working and teaching at the parent-child workshops. Dr. Arellano reported that a critical question had surfaced as to who was responsible for what. There was a lack of a formal agreement and this has created situations for both parties in having to address problems or consequences, including litigation and costs to the College, examples were provided by Dr. Arellano. The most significant and challenging component at this time is the course outlines of record. The previous course outline that was developed was not eligible for claiming state apportionment and the two most recent outlines submitted were not approved by the Chancellor’s Office, indicating that the course outlines were written more appropriately for students wishing to pursue a child-care provider type of education or a short-term vocational program. There are four course outlines that are being written and submitted to the Curriculum Advisory Committee for review and will come to the Board for approval at the January meeting. Dr. Arellano reported on what the College’s responsibility is for providing the parent-child education courses and how the College was reimbursed by the state. Also provided was information on the historical overview on how the positions have evolved from hourly positions to now tenure positions. Dr. Arellano noted that the College does value the partnership; it is a significant partnership with the local community. Significant efforts have been made by staff and faculty and administration to strengthen this partnership and to work on the instructional component of producing course outlines that will be approved by the state Chancellor’s Office. Dr. Arellano highlighted some information that was provided in the packet that included how the college has subsidized $320,000 in this fiscal year for the parent-child workshops; and that the College will need to make some critical budget decisions since they lack apportionment reimbursement for these enrollments.

Superintendent/President Serban noted that this was a hefty agenda and that was because we were trying to include everything that has been received so that the Board would have all the information available.

Trustee Livingston expressed her concern about the huge gap in information that she is still getting from the parent-child workshops in regards to what the issue is and the issue is money and it has always been money and the source of the funding. We have lost state funding and we will need to find a source within our college’s general fund that is dedicated to credit students, or if there is any money leftover in non-credit. Where do we get this money from?

Trustee Macker noted that the money hasn’t been lost permanently we’ve lost the money because course outlines were not approved. In reviewing the course outlines that were submitted they didn’t resemble the program that she took when she was a parent in one of the parent child workshops herself. The funding was lost because the course outlines submitted that didn’t reflect the operations of the PCWs. Dr. Arellano noted the course outlines submitted were in collaboration with faculty and that administration did not write them. Yolanda Medina-Garcia, Cont ed Instructor at the Starr-King Parent Child Workshop reported that yes they did provide input, however, the recommendations they felt very strongly about were not included and they were advised that the content added and submitted would most likely be approved by the Chancellor’s Office.

Superintendent/President Serban clarified that because the College didn’t give notice to the parent-child workshops by the December 31 deadline, the College is now obligated by the memorandum of understanding to continue offering these courses in 2011-12.
Trustee Livingston's concern is still funding, where's the money coming from and the Board needs to focus on that. The other concern is the way the Chancellor's Office reads the course outline submitted, if we don't change their perception how is it going to get any better?

Trustee Macker felt that the new course outlines are different and hopes that we would get response in a timely manner. Superintendent/President Serban reported that the course outlines will be submitted to the Curriculum Advisory Committee on January 20; they would then come to the Board at the January 27 board meeting and then submitted to the state Chancellor's Office. The state never guarantees a return time, it could take three to four months. Trustee Macker would like to be reasonable and take one step at a time and make judgments about the current fiscal year allotment. It was felt that discussion of how the parent-child workshop would be funded should occur when the Board works with staff to develop the budget.

Cornelia Alsheimer asked if there was an approved course outline, but the course still was 150 FTES over cap would the College actually get more funding if we had an approved outline for these FTES or not? Superintendent/President Serban reported the College is subsidizing the parent-child workshops this year. Normally for any other type of course, if it wasn't state approved, the College would not offer it. Anything that the College subsidizes normally goes through the participatory governance consultation and this should have been put out to the Academic Senate, the College Planning Council, and other groups, the groups make a recommendation and the recommendation is presented to the Board. This year that couldn't happen because we were already engaged in offering the courses and on September 29, 2010 the denial from the state was received and because we did want to support these programs in spite of the fact that they are not approved it was decided to proceed and subsidize the programs. If the College is to continue to subsidize these programs this would be something that would be put on the budget proposal and the participatory groups would be asked for their input and depending on what the other college priorities are, these groups may or may not feel that this is where the College should subsidize, ultimately the decision is up to the Board.

Superintendent/President Serban reported that the Board will have to think about subsidizing the parent-child workshops for 2011-12, either because the approval comes late or there is no approval and this would become part of the budget process.

Trustee Blum noted that the outlines that have been written are very good and hopes that we send strong direction to Curriculum Advisory Committee and that the outlines submitted would be the ones written by the faculty. Secondly this goes so far back, they have to go back to what was fair as far as what the cuts were to Continuing Education vs credit and has never hear that discussion. The overall picture needs to be looked at and then the Board needs to agree what is going to be done with the parent-child workshops and the other Continuing Education courses cuts and they need to be more equitable when making cuts.

Kathy O'Connor, Curriculum Vice Chair wanted to clarify a couple of things and to assure the Board that the review will take place a week from Friday: What you refer to as administration driven outlines really, what we reviewed initially were developed by me and three of the parent-child workshops instructors, there was a director present who said very little. When we were reviewing the work to put into these outlines, we actually took material from other districts in the state and we took almost the exact wording from the Chancellor's Office materials about parent-child workshop development and I was surprised and shocked when the outlines were not approved because they were not written by the administration, they were written by the faculty, there were some, what I call sort of squishy things that we did not include that we wouldn't have approved at curriculum anyway because they were not curriculum material. They were items that are done at the workshops that are not considered really instructional, but otherwise I
thought the outline that we developed and submitted was good and our curriculum committee approved it and the Chancellor’s Office didn’t. The Chancellor’s Office now, they’ve gone through a huge transition; we’ve submitted some other outlines that have been denied that we’re now resubmitting because there’s been some difficulty even within their office as to what is ok, what isn’t ok, I mean they’re learning a whole new way to do business also. So Randy Bublitz and I, Randy’s the chair of Curriculum, we met with Bonita Schaffner today and we actually reviewed the outlines, the three outlines and they look good to us, so I don’t anticipate there is going to be a problem next Friday with our committee approving them and sending them forward, but I have to say that given the instability of some of the review processes and the lack of maybe the understanding on the part of some of the people reviewing them that there may be some issues that we will have to deal with again and we will do that.

Trustee Croninger: I just would like to clarify that we have what appears to be consensus here to put forward the three faculty driven course outlines and that’s it, am I correct, to CAC?

Trustee Jurkowitz: I believe that’s correct. Trustee Croninger: And there was a request also to renegotiate the MOU that would follow from submitting those outlines and I think that should be obviously not done by this group, but we should ask that the process of discussing that begin and I would also request that it be done in a collegial way without lawyers on either side.

Superintendent/President Serban asked: Shouldn’t we wait to see if we get approval for any of these courses, because if we don’t it’s a very different conversation.

Trustee Livingston: It needs to be in the MOU, one thing that we didn’t consider in the last one, is that we wouldn’t get approval.

Trustee Croninger: I’m suggesting that we begin the process of revising in anticipation of approval, it maybe that it doesn’t get signed by that time, but we can start the process. We don’t have to wait to talk about it.

Trustee Livingston: But it should be built into the contract because this contract did depend on approval.

Trustee Villegas: It really didn’t, initially when we were trying to get the other courses approved we were told that the MOU’s were one thing and the course outlines were another and neither one of them depended on each other.

Trustee Livingston: Well they do read the contract.

Trustee Villegas: Well they’re in there now but one of the other requests was to remove that from the MOU and that’s what is being proposed to discuss. I want courses approved first and then we can then develop the dialogue after that.

Trustee Livingston: And I guess what I’m saying is that when we go to an MOU that we keep both possibilities written into the MOU.

Trustee Villegas: I don’t know that I agree with that because I think the MOU is between the non-profit and the educational institution.

Trustee Livingston: Yeah but it’s a commitment of funds whether we subsidize them or not.

Trustee Villegas: Correct for the instruction, right. So we get course outlines approved that determines what that number will be and that’s, but the relationship is separate from the courses.
Superintendent/President Serban: Well only to the extent that assuming these courses don’t get approved, worst case scenario, hopefully not, but if they are not approved and you commit to continue to provide these courses then you commit to fully subsidize if we don’t get reimbursement. So that is actually something that could potentially happen.

Trustee Villegas: Right it could potentially happen, but as soon as we hear from the state, now what was the average time frame when we submitted the other ones, right.

Superintendent/President Serban: It took about two months to get something back.

Trustee Macker: Earlier I had three or four months, so two months sounds encouraging. Can I just be an here and I would go along with what Marsha said and let’s consider that, or just hope for that the course outlines do get approved and we’ll move forward with the discussions about developing the MOU to fit the course outlines and as she said in a collegial way, so that at the moment that we do get that notice back that they’ve been approved then we can just put this behind us, this has been from what I understand a two year dialogue and it would be nice to have everything in motion and everything in ready, so that when the course outlines are approved we can just have everything else on the table to ready to be packaged up.

President Haslund requested that in the interest of time wanted to move ahead.

Trustee Croninger: And the directive that we start discussions?

President Haslund: With the discussion of the MOU? I don’t see any problem with that.

Trustee Macker: So administration would begin their discussion of renegotiating.

President Haslund: yeah we’re not dictating speed or distance for any of this.

*Item 2.3 was taken after this item.*

**2.7 Proposed additional Board of Trustees workshops and study sessions**

2.7.1 Workshop on Brown Act – date to be coordinated with Liebert Cassidy Whitmore
2.7.2 Study session on budget – possible date March 3, 2011
2.7.3 Study session on continuing education – possible dates February 3 or February 17, 2011

**2.8 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.**

2.8.1 Revision of BP 2365 Recording and AP 2365 Recording (Attachment 12)

Superintendent/President Serban reported that this item was put here because of an issue that was brought up by Trustee Croninger as it relates to the archiving of recordings of meetings. These are set by Board Policy 2365 and Administrative Procedure 2365 and to change this policy a discussion would have to take place to review the changes. Superintendent/President Serban also noted that she is currently working with Paul Bishop and Doug Hersh to put together a proposal of other options that were suggested, such as televising and other options such as how much does it cost and who can do it. Hope to have some analysis and costs available for the February study session. Trustee Croninger also requested that an analysis be included for the cost of equipping BC214 for study session audio recording. A request was
made to bring to the Board a policy with the change in it to reflect that the recordings would be held for a five year period.

Trustee Croninger requested that these items be added to future agendas:
- Further discussion about sub-committees – this would be for the January 27 meeting.
- BPAP committee structure
- College plan results – February 10 study session

3. CLOSED SESSION

Upon motion by Trustee Livingston, seconded by Trustee Jurkowitz, the Board approved adjourning to study session. President Haslund announced the issues to be discussed as listed below.

a. ADJOURN TO CLOSED SESSION

3.1 Pursuant to Government Code Section 54956.9(a)

Conference with Legal Counsel-Existing Litigation two matters:

Santa Barbara Community College District and Teamsters Local Union No. 186
Case No. LA-55-1175-E

Santa Barbara Community College District and Teamsters Local Union No. 186
Case No. LA-RR-1177-E

3.2 Public Employee Performance Evaluation Pursuant to Government Code Section 54957 (b)(1) - Superintendent/President

b. RECONVENE TO OPEN SESSION

President Haslund reported that on item 3.1 the Board was briefed by its legal counsel on both matters. On item 3.2 there is no reportable action.

Trustee Livingston moved to adjourn. Trustee Villegas seconded. Meeting was adjourned.

4. ADJOURNMENT

The next Regular Meeting of the Board of Trustees will be held on Thursday, January 27, 2011 at 4:00 p.m. in A211. A retreat of the Board of Trustees will be held on Friday, January 14, 2pm-6pm in BC 214 and on Saturday, January 15, 9am-12pm in BC214.

APPROVED BY THE BOARD OF TRUSTEES ON  April 14, 2010

[Signatures]

President, Board of Trustees

Superintendent/President

Secretary/Clerk of the Board