



SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### BOARD MINUTES

Regular Meeting

July 22, 2009

3:00 p.m.

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

1. **Call to Order**      The meeting was called to order by Board President, Patrick Mullen at 3:02 p.m.
2. **Roll Call -  
Establish  
Quorum**              Board Members  
Patrick W. Mullen, President  
Angela Mitchell, Vice President  
Gaye Galvan  
Per Mathiesen  
Marie Kiersch (absent)
3. **Approval of  
Agenda**              **Motion to approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the agenda, as presented.
4. **Recess to  
Closed  
Session**              The Board recessed to Closed Session at 3:08 p.m.
5. **Reconvene in  
Open Session  
& Pledge of  
Allegiance**          The Board reconvened in Open Session at 4:20 p.m. Trustee Mitchell led the pledge of allegiance.

**BOARD MEMBERS PRESENT**

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

**ADMINISTRATION PRESENT**

Dave Pelham, Superintendent/President  
Sande McLaughlin, Exec Dean, NCC and SCC  
Annette Loria, Exec Dir, HR and Labor Relations  
June Stephens, Exec Dir, Foundation / Inst Adv  
Deborah Wulff, Dean  
Pamela Ralston, Dean  
Gil Stork, Interim Dean

**VISITORS SIGN-IN**

Patrick Schwab  
Bart Topham  
Sharon Brazell  
Janice House  
Joel Carlson  
Peter Dill  
Chris Green  
Bea Anderson  
Karen Reyes  
Ann Caffrey  
Judy Beier  
Dina Ebeling  
Robin Crawford  
Becky Mavety  
Guadelupe Beanway  
Diane Limon  
Denise McDonough  
Debbie Milner  
Andrea Devitt  
Ilene French  
Steve Leone  
Alejandra Garcia  
Cheryl Ziehl  
Haila Hafley-Kliver  
Alex Lau

Sarah Mitchell  
Steve Leone  
Kirk Carmichael  
Jay Thompson  
Nancy Webb  
Nikki Rocha  
Carla Maitland  
Michelle Bach Peters  
Cathie Babb  
Susan Dominguez  
Mary Hastings  
Susan Owen  
Virginia Findley  
Joy Chambers  
Chintana Mainous  
Beth Wimer  
Terry Reece  
Paul Sullivan  
Ryan Cartnal  
Karen Linn  
Joyce Davenport  
Linda Overton  
Mark Stengel  
Marie Larsen

John Fetcho  
Linda Brizzolara  
Mark Wilwand  
Kathy Nelson  
Lynn Maul  
Susan Harris  
Jackie King  
Maryanne Zarycka  
Gary Scott  
Judy Rittmiller  
Sara Kennedy  
Gaye Steil  
Greg Baxley  
Mike Holmes  
Linda Scott  
Peppe Rose  
Angela Clay  
Peggy Hudson  
Darlene Sawyer  
Marcia Scott  
Peggy Lipe  
Lori Yoshiyama  
Linda Baggett  
Maryann LaCross

**6. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

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

- All classified/management actions were approved as presented.
- All faculty actions were approved as presented.
- Instruction was provided by the Board to the President and staff regarding current labor negotiations.

**Supt/Pres  
Evaluation**

**SUPERINTENDENT/PRESIDENT**

- a. Agency Negotiator: Patrick Mullen  
Instructions Regarding Unrepresented Employees: Superintendent / President;  
general evaluation

**Classified/  
Management  
Personnel  
(Attachment )**

**CLASSIFIED/MANAGEMENT PERSONNEL**

**Motion to Approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Classified/Management personnel:

**Appointments, Classified/Management**

- a. Short-term, Hourly Employees

- b. Job Developer, Workforce Economic Development
- c. Clerical Assistant III, NCC 50% FTE
- d. Supervisor Tutorial Services
- e. Job Developer, Workforce Economic Development

Retirement

- a. General Maintenance Worker
- b. Foundation Support Coordinator

Public Employee Discipline/Dismissal/Release

- a. Clerical Assistant II, Student Learning 50%

**Academic Personnel**  
(Attachment )

**ACADEMIC PERSONNEL**

**Motion to Approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Academic personnel

Appointments

- a. DSPS Specialist Full Time Tenure Track, Academic Support DSPS
- b. Counseling Summer 2009 Assignments
- c. Fall 2009 Instructional Assignments

**Labor Negotiations/  
Terms &  
Conditions**

**LABOR NEGOTIATIONS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND UNREPRESENTED EMPLOYEES**

- a. Human Development Agency Negotiator: Annette Loria  
Instructions Regarding Classified Employees; Negotiations
- b. Agency Negotiator: Annette Loria  
Instructions Regarding Academic Employees; Negotiations
- c. Agency Negotiator: Patrick Mullen / Dave Pelham  
Instructions Regarding Unrepresented Employees, Superintendent/President, Confidential, Managers, Supervisors: Contract, Superintendent/President; Voluntary furlough for Assistant Superintendent/Vice Presidents; Interim Contract, Director Public Safety.

**7. REPORTS FROM EMPLOYEE ORGANIZATIONS**

**Academic Senate**

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

- He expressed his compassion towards classified employees. With little to no answers to many questions and little information regarding criteria and with the rumor mill going on, it is upsetting to come to a meeting like this not knowing what the end result will be.
- The reason the Academic Senate exists is to ensure due process.
- We are worried that the budget crisis will be used to throw out process when vital components of programs are considered for suspension and during consideration of programs on campus. The reason we feel that may be occurring now is that proper planning did not successfully occur in the fall 2008 and spring 2009 academic year.
- The senate has spoken to other colleges. For their strategic planning, they considered worst case scenarios. Some of those organizations and campuses were prepared to make the hard decisions over the summer. Many of them knew what the hardest decisions might be.
- Our campus had very little idea of what the worst case scenario might be. The District planned for a deficit of \$1.4 million and there were a number of other factors that were not considered. We need a strategic plan that addresses long term planning. It is the Senate's hope that this will be the priority for the college in the coming year. The primary concern is that the college may be setting a precedent for budget reductions in the future. Due process must be followed and the process must be defined more consensually throughout the college to ensure programs are

maintained and remain integral to the mission of the college. The words fiscal crisis should not be used as a justification for budget reduction, especially without all the specific fiscal data to support such a claim. We need clear criteria for program reductions. We realize over the summer that does not exist. He met today with Dean Deb Wulff and Kevin Bontenbal to revisit our program viability process. Some clear goals were generated at that meeting for fall 2009. We will examine the process, procedure and definition of program reduction, program discontinuance, program elimination, and program revitalization with consideration of models from other campuses throughout the state. This is in part a response to the nine recommendations noted in the ACCJC evaluation report. It will be used to revisit our program viability process. The definition of program used most often is in Title 5. It is defined as a series of courses that leads to a terminal degree. A program is not necessarily limited to that definition. There are a number of programs on this campus that would not be considered as such under that definition. Humanities has an entire discipline that does not have a terminal degree.

- The Senate has been working on the accreditation report over the summer. Mr. Leone said he and Dr. Greiner had an illuminating discussion with Jack Pond and Steve Maradian of the ACCJC last Wednesday. They discussed and clarified a number of issues regarding the recommendations in the evaluation that were not clearly written and had been interpreted in various ways by members of the steering committee. There is a much clearer understanding now.
- The committee discovered a theme that was shared with Jack Pond and Steve Maradian. We need to have a clear set of long term planning goals, and it needs to be assessed annually, and that assessment needs to be evaluated. Those three steps will become the primary theme.

Trustee Mullen thanked Mr. Leone regarding long term planning.

- Mr. Leone said the reason he mentioned program elimination was in response to the women's tennis program being suspended. He said many variables were certainly carefully considered before that decision was made, but the primary concern is that the decision may not have been vetted through a program reduction process. Women's tennis could be defined as a program if it is considered with how academic programs have been defined on this campus. The college does not have a succinct definition of what a program is. The primary concern is not with the end decision itself but process used to make that decision.

## **CCFT**

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

- She extends her support and commitment to her peers in the CCCUE.
- One of the benefits of choosing to embrace a new role is that one continues to learn about one's self and what an organization means. She has learned that unions are necessary and most critical at times like these. Unions protect the bottom line. If the budget is discussed as an end sum game and numbers are moved around on a spread sheet, every one of those numbers represents someone's family, livelihood, and the ability to contribute to the community in a meaningful way. Removing those numbers removes the ability for someone to do that. Unions protect the ability for someone to be a viable, thriving member of the community, whether that is our education community or the community at large.
- When an organization enters crisis mode the first thing considered is how to move the numbers around on the spreadsheet. A Union protects its members ability to contribute. She thinks very often we get caught up in rhetoric about adversarial positioning or protectionism but what unions due is protect community. What CCCUE is doing tonight and what CCFT has been striving for is to protect their members so they can serve our students in the most meaningful way possible. You cannot do that when your salary is cut ten percent, you cannot do that if you do not

have a job at Cuesta College. She understands the tension and the budget but there has to be a better way.

- Regarding the CCFT, the unit is reasonable, they want to make it work. They realized early on that the list created in early spring was not going to be enough. She is willing to get into a room and roll up her sleeves and figure out where to cut from the 15 to 30 percent which is not salary or benefits, to try to make it work. She has been told that the largest amount of money spent from the budget is on salary. It should be. She said we deliver a service and are about people. If the college could take the part of the budget which is not salary and figure out a way reduce from there and maximize it, we could reduce the hurt to one another. That is what we all want. The CCFT is willing to do the work to minimize the damage to people.
- The unit has not finished negotiations on 08-09, nor have they negotiated salary reductions. They have not even formally discussed salary reductions at the table. The unit is not there yet. She will not be there until her unit has returned and every voice is heard. That is the commitment she has made to the members.

Trustee Mullen thanked Ms. Merzon for her comments.

## **CCCUE**

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

Good afternoon Dr. Pelham and members of the Board. This has been the toughest month that I have had since I became the President of CCCUE. The uncertainty and fear that all of the classified employees are expressing due to the projected layoffs of so many of us has been debilitating for me and all of the leadership of CCCUE. The effort that has been expended in attempting to answer the questions that have arose, to dispel the rumors that have circulated, to assuage the fear of what is in store for each employee and their job status, has made coming to work a daunting proposal.

What has brought us to this state? We quite frankly are disappointed in the lack of transparency and the appearance of a lack of planning for this crisis. We spent a considerable amount of time during the Spring semester formulating budget suggestions that we still do not see any evidence of those being implemented. Where is the list stating what has been done and how much has been saved? The list that appears on the President's channel of myCuesta, which the general public does not have access to, is just the final compendium of what was voted on in the Spring. Nowhere is there any list that states this is what Cuesta has done, this is what Cuesta has saved. I asked about this at the June Board meeting, I am still waiting for an answer.

As far as I can tell, the only action undertaken with regard to the budget suggestions is an effort to reduce the number of temporary hourly employees. However, there does not appear that there was any action taken until June and the District's effort is not sufficient. When you are talking about layoff approximately 50% of your permanent classified employees, to propose to layoff only 40% of your temporary hourly employees is an insult to all of the classified employees. This is not an appropriate way to balance the District's budget, especially not when the District is proposing to both unions that salary reductions be implemented.

I would like to remind the Board of the Guiding Principles of budget planning, as listed in the agenda of the March 17<sup>th</sup> joint Planning and Budget/Shared Governance Committees meeting where we voted on the budget suggestions.

### **Guiding Principles**

- Protect as much as possible of the core curriculum, programs and services needed to fulfill the mission for the District and California Community Colleges
- Maintain student access and service throughout the District as much as possible.
- Protect permanent employee positions insofar as possible – lower personnel costs

by standardizing and/or reducing hourly positions and by reevaluating and/or delaying hiring for permanent positions.

- Reduce, combine, suspend, or eliminate services, programs, positions, or other costs farthest away from students, instruction, and the support needed for student success.
- Develop Budget Reduction Plans at different levels in response to changes in budget projections at the state and local level.
- Stay flexible, plan for contingencies, and recognize that decisions at the state level may not be made in a timely manner, acknowledging that all units must work together as a college.
- No employee group will be exempt from one or more reduction strategies.
- Communicate civilly, gather facts, weigh options, listen, and deliberate together when difficult choices have to be made.
- Use the Budget Reserve for emergencies such as failure to meet funded growth, major facilities failure, or unexpected late-year state apportionment or property tax shortfall, but not for on-going costs.
- What we don't understand is when the District will be declaring a fiscal emergency, why are we adding an Aerospace program? Is this a benefit to our college or a negative? What does Cuesta get out of this? As we cancel other classes as a cost saving measure, why are we adding a new program?

While I congratulate Dr. Pelham on the birth of your grandchild, I would be remiss if I did not tell you that your absence in the midst of this crisis was duly noted and commented upon by many employees in the classified unit.

I would like to also address the air quality in the 3100 building. The air circulation is negligible and the temperature frequently climbs into the 80s. The lack of planning and foresight on the part of the District has led to illness and injury on the part of our members. Why weren't the affected employees relocated during this period when there is no air conditioning to this building? In our eyes, this reflects a complete lack of consideration for the health and welfare of all of the affected employees and students.

We have tried to address this at the campus level, but all that has been done is to bring in more fans. We are asking you, the Board of Trustees, to direct the Administration to get this taken care of before a serious injury occurs. If that means moving the Financial Aid department and the Admissions and Records department until the repairs are completed, so be it. However, if nothing is done, our next step is to contact the county Health Department and OSHA.

We understand that this is a difficult time for everyone, and that difficult decisions need to be made. We want to be a part of the solution - but not by sacrificing our jobs. We would like to work with the District to encourage state legislation to permanently fix the budget crisis by implementing progressive taxes to major corporations, close tax loopholes for big business, tax the richest citizens of California and change the super majority for passing a state budget and for increasing state revenues. We will be working with the CCFT to prepare a resolution to this effect for the next Board meeting - we can no longer just sit back and hope that our state leadership makes the right decision for our students and our colleagues. We must all take a stand to protect and defend education.

Trustee Mullen thanked Mr. Fetcho for his comments.

**Management Senate**

Management Senate President, Jay Chalfant presented the following to the Board:

- He is honored to represent Management Senate, and thankful for their trust
- He thanked the Board and the Administration for the opportunity to speak at this venue so he may put forth the interests and concerns of the Management Senate.

- He recapped the structure and intent of the Management Senate.
- Management Senate constituency comprises all Managers, Confidential, and Supervisor totaling about 47 employees, all volunteers. (No release time.)
- The mission of Management Senate is essentially threefold:
  - to represent the interests of MS constituents as employees
  - to address concerns and opportunities on behalf of the district
  - to engage in philanthropic activities for the good of the community
- One primary purpose of the Management Senate, as stated in its constitution, is "To promote communication and mutual understanding among the students, faculty, classified staff, Board of Trustees, administration, and other interested persons concerning the welfare of the college." This statement was adopted over a decade ago. Mr. Chalfant said he believes this principle is as important now as it has ever been.
- The Management Senate has, for some time now, been seeking to promote communication and mutual understanding regarding the budget. We have engaged in processes set forth by the district, for example the joint Shared Governance and Planning and Budget committee. We have also tried to foster a sense of unity across all employee groups through informal discussion and through formal actions. In May the Management Senate offered to match any across the board wage reduction adopted by both of the unions. Regrettably, the Management Senate has been unable to help develop a unified response from all employee groups.
- The Management Senate is and has been deeply concerned by the potential for damage this budget crisis may bring to the institution. We are concerned not only by the immediate operational impacts caused by decisions that must be made to balance the budget, but also by the potential of this crisis to damage the college's sense of community, and potentially to create rifts and divisions across the various employee groups. We sincerely believe that were this to occur, this would only double the hardship we all face. Management Senate will do everything in its power to avoid this outcome and to preserve the unity of the college community. Nonetheless, without a unified response at hand, we recognize we can only speak and act for ourselves, and that we as Management Senate must now take our part to shoulder the burden for the situation at hand, which is not the fault of anyone at this institution.
- With this understanding the Management Senate has adopted a resolution offering voluntary furloughs by all Management Senate employees (Attachment A). This was signed and presented to Dr. Pelham yesterday. We understand this resolution will be presented at the August board meeting.
- Management Senate Resolution 02-09 was read.

**8. REPORTS FROM BOARD MEMBERS**

**Trustee Mitchell** No report.

**Trustee Mullen** No report.

**Trustee Galvan** Trustee Galvan presented the following to the board:

- She attended the Bridge to Success Program graduation. She thanked Matthew Green for his efforts in supporting this program.

**Trustee Mathiesen** Trustee Mathiesen presented the following to the board:

- The auto symposium that took place earlier in the month was well attended by

vendors but felt the event was under-advertised.

- He has attended the Planning and Budget meetings and is surprised at the planning. The budget was balanced and there were no layoffs. There should be no criticism regarding the lack of planning.
- Trustee Mathiesen said the District cannot plan for a budget crisis that is unknown. The state did not provide adequate funds to the college and now the District has to do something else. Don't blame anyone at the college.

**Trustee Kiersch** Absent

**Student Trustee Shepherd** Trustee Shepherd presented the following to the board:

- Regarding the women's tennis team, he said it was unfortunate that such a successful team was eliminated. He received little notification regarding this action, which was done by Coach Mike Napoli in person on July 6.
- The process did not appear to coincide with program remediation and review procedure, and should have included the faculty and administration.
- The definition of tennis as either a program or a service may have contributed to that decision.
- In light of the budget situation, this will most likely be only the first of many possibly similar decisions. A clear process and full disclosure will mitigate anxiety and distrust that may arise in such situations.
- His role in this is to help mitigate such issues and preserve the learning environment for the students.

**9. Report from Supt/Pres (Attachment)** In addition to the following written report, Dr. Pelham presented the following to the Board:

- Dr. Pelham responded to Ms. Merzon's comment regarding her willingness to get together and work on budget issues. He offered a meeting tomorrow with her and the other bargaining unit. A meeting was immediately arranged.

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

None.

**11. Hearing of Public Comment**

Joy Chambers, Director Admissions and Records presented the following to the board:

- Reducing hourly employees up to 40 percent in a department such as admissions and records, where they have relied heavily on part-time help over the years, is critical. This will negatively impact the department's ability to maintain service the students and get the job done. Admissions, registration, front line counter, and records, all only have one full-time staff employed. The evaluation section has four full-time staff that take care of veterans, nursing, and all transfer degrees and certifications. Hourly employees were critical in the implementation of banner.
- Department efficiency will suffer.
- She wants everyone to know hourly employees have done a tremendous job for the college and she is concerned about how service levels will be effected.

Steve Leone, Cuesta faculty presented the following to the board:

- Responding to Trustee Mathiesen's report to the board, Mr. Leone said the entire campus should take responsibility for the failure to properly plan regarding the budget.
- He attended a leadership institute this summer and spoke to a number of his colleagues from other institutions regarding the looming fiscal crisis. Many institutions considered the full spectrum of possibilities, best case to worst case. This was vetted across their campuses and that is what did not

happen here.

- He said we need to think more long term and not react to issues from Sacramento. He hopes that this is a consideration in the near future as the District continues to make hard decisions.

Trustee Mathiesen asked Mr. Leone who conducted the planning on the campuses he mentioned.

- Mr. Leone said various groups were involved, mostly driven by the administration on those campuses and vetted out in similar shared governance processes.
- The biggest concern here is that there are too many unanswered questions, e.g., what criteria is being used to determine certain cuts and what is the actual data on the budget and projected reductions. If we could have known that in spring 2009, there would not be so much anxiety now about what is going on.

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

- She respectfully offered this as a teachable moment for Trustee Mathiesen regarding planning and budget.
- We are facing the worst fiscal crisis Cuesta College has ever faced.
- She agrees with his notion to give planning and budget more influence over long range planning and the implementation of that planning. The reality is that the planning and budget committee only has authority over approximately \$250,000. The circle of influence on that committee is extremely limited.
- Endless hours were spent on program planning and review to bring the District in line with accreditation but really so we could cannibalize \$250,000. The committee has attempted to do some long term planning; the guiding principles are a good example. The people who sit on that committee do not have implementation power. There is a real disconnect between the money it is their charge to oversee and the power to actually make anything happen.
- Using the planning budget that was presented April 30, 2009, the District has already overspent over \$1 million in non-salary categories. That number is climbing. That has to be added to what the state is asking for in reductions. We are not only looking at a crisis from the state but at a crisis on this campus regarding implementing the plans already recommended. That is where people are truly frustrated. We need the facts.

Mike Napoli, part-time instructor/women's tennis coach presented a statement to the board regarding the suspension of the women's tennis program:

- He resigned as the coach for the women's tennis team but had no idea that it would result in suspending the activity.
- Over his past 22 years at the college the team has won 12 conference titles, placed 11 times at state and been recognized nationally. The team has also received four academic awards. Only one team receives this recognition and the team will get it again this year because their grade average is 3.1. and has won back to back titles. Who will be there to accept it?
- He summarized the budget for the activity.
- He has had a 90 percent transfer rate among his players.
- The average player carries 16 units.
- We are over FTES and have accepted another program from Alan Hancock, so we will be that much further behind in funding.
- Program appears to be a dubious word. Athletic teams do classify as programs. The athletic director is required to submit an intercollegiate athletic program review every five years. Included in that report is a history of the gender equity improvements that have been made in women's programs. In the report, we're called a program. As such, it should be reviewed under a due process for program viability and remediation. That process should be occurring instead of one entity making the decision.
- He addressed Title 9 gender activities. There was a complaint and investigation in 1993. Men's golf and tennis and women's tennis were suspended. The college had to reinstitute the program and provide women's facilities.
- Cuesta College is committed to adhering to the philosophy of gender equity. Athletic spending guidelines have been developed for the sports teams to provide equitable spending for both men's and women's teams. Cuesta college has consistently provided equitable opportunities and resources which are clearly stated in our federal guidelines disclosure report. In that report is a history of gender

equity improvements. We have never been in full compliance with Title 9 and operated under a variance of Title 9. Now suspending the women's tennis team has further pulled the college to the fringe of that variance. Do we want to go down that road.

- We have 1200 more women than men on campus and have taken one more venue away from them.
- Why wasn't this spread over all sports? Why was one program taken.
- He thinks it should be reinstated.
- We use gender equity in hiring, administrative, faculty and classified but where is the gender equity for the students.

Hanna Spencer, Cuesta student presented the following to the board:

- She will be a sophomore in the fall.
- She declined her admission to UC Davis to continue her career as a tennis player at Cuesta.
- She said it was difficult to pack up and leave home.
- She said she was terrified when she first walked on the court. As the year progressed, the eight girls on the team developed into a team that represented Cuesta College and also into a family. That family stood by one another and supported each other in everything they did. We won our conference and went undefeated.
- She wants to welcome incoming freshman with open arms and give them a sense as to what Cuesta is all about. There is no better way to do that than to get people involved in extra-curricular activities and allow them to start their family away from home.

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

- He addressed the budget and provided information as to why things are so desperate and why things are worse than they seem.
- He downloaded the figures from the Community College League. He said to those who thought planning was too difficult to do, that these figures had changed very little from what was received in the May revise. He said we could have been using these numbers as our worst case scenario but now they are the real numbers. They add up to \$4.2 million. That is what the state is taking away from the District.
- He said the college has its own deficit carrying forward, which results in a total figure of about \$5.8 million. One of the alternatives is laying-off personnel. He said we don't know how much that action will save. It could possibly result in a reduction of approximately \$1 million.
- One percent of all the permanent personnel salaries equals \$277,000. That excludes hourly and part-time employees.
- He doesn't agree with the concept of furloughs for salary employees. If every full-time permanent employee at Cuesta took a 10 percent reduction in pay, that would equal \$2,770,000. That is not quite half of what is needed. To completely mitigate the deficit, everyone would have to take a 20 percent reduction. That is not going to happen. It cannot happen.
- All the talk about salaries is fine but it is not going to be enough. The District will have to cut deeper in different ways. No one has mentioned any plan to address that issue. That type of planning could have occurred in May when everyone was here.
- The news is very bad. The faculty is not here. The numbers for the classified have not been disclosed. Where are we going? That is what we need to be talking about.
- The College League has mentioned mitigating categorical cuts with federal funds. That number equates to approximately 32 percent of the deficit.

Trustee Mullen said he appreciates the comments regarding planning. The board can always learn to do things better going forward and improve on how things are accomplished. He appreciates everyone showing up tonight. It sends home the impact of the tough decisions they face ahead.

## 12. Reports

None

**BUSINESS AGENDA**  
**ACTION / DISCUSSION ITEMS**

**1. SLOCCCD  
Resolution 12-09;  
Declaration of  
Fiscal Crisis**

**Motion to approve:** Galvan — **Passed** by those members present, by roll call vote, to approve SLOCCCD Resolution 12-09; Declaration of a Fiscal Crisis, as presented.

Yes - Mullen, Mitchell, Mathiesen, Galvan, Shepherd

Absent - Kiersch

Trustee Mullen noted a correction in paragraph one on page O.1.1. "California Community Colleges" should read "Cuesta College"

Trustee Mullen asked Dr. Pelham to summarize the practical effect of this action will have on the District.

Dr. Pelham said there had been some concern that this action might invite the Chancellor's office to be more involved with the internal operations of the College. That is not the case and this is simply a declaration that the District is facing a unique and serious budget situation and carries no further requirements.

Trustee Mitchell asked if it would affect the District's credit rating. Dr. Pelham said it would not.

**2. Memorandum of  
Understanding  
(MOU) with College  
of the Sequoias**

**Motion to approve:** Mitchell, **Passed** by those members present to approve the MOU with College of the Sequoias for pilot training at the Paso Robles Center, as presented.

Dr. Griener presented the following to the board:

- This is an agreement with College of the Sequoias in Tulare which is susceptible to restricted visibility.
- This action is cost neutral to the District. They simply need a space to operate and need to request to do so in our District.

**3. Board Policy  
Review - BP 7340  
(4300); Vacation /  
Leaves**

**Motion to approve:** Shepherd, **Passed** by those members present to approve Board Policy 7340; Vacation / Leaves, as presented.

Annette Loria presented the following to the board:

- This change presented to the board is a result of a survey conducted by the Management Senate. Some language needed to be changed regarding managers and classified as well. It brings the policy and procedure in line with the current collective bargaining agreement for classified and adjustments to the management group through the survey.
- Todd Frederick said procedure was removed from the current policy, cleaned up and subsequently approved by cabinet. It is presented with the revised board policy as a courtesy.
- Responding to Trustee Mathiesen, Dr. Pelham said the board would not have to act on any changes in the bargaining unit agreements because procedure was removed from the policy. Any action as a result of changes in the contract would be effected by the Superintendent/President in the administrative procedure.
- Trustee Mitchell asked if the item could be brought back to the board for approval in the consent agenda.
- Dr. Pelham said this has been pursued by the Management Senate for over a year. When changes to classified accrual took place there were questions about implementation for management senate. He would hope the board would consider moving forward.

- This action applies to supervisors and confidential employees.
4. **Cuesta College Vision, Values, and Mission Statement** **Motion to approve:** Mathiesen, **Passed** by those members present to accept the revised Cuesta College Vision, Values, and Mission statement, as presented.
- Dr. Pelham presented the following to the board:
- This was developed after extensive input was solicited from the campus and the community at large.
  - A sub-committee of the shared governance committee was formed and a draft was developed based on the input that was received. That was forwarded to the college via electronic survey. That input was reviewed and included as appropriate. The final draft was submitted to shared governance where it was approved. It is presented to the board for approval/adoption.
  - Responding to Trustee Mullen, Dr. Pelham said this was in fact part of the strategic planning process discussed early last year.
  - Trustee Mullen asked if the process also included an estimate of potential budget and revenue and if the strategic plan could be used as a vehicle to give a longer view over the horizon regarding the budget. It could assist in planning for best case, worst case scenarios.
  - Dr. Pelham said it could. Ultimately it comes down to the goals that are developed during that process and the plans put in place to implement those goals. Those tie into other planning activities on campus. In that way, to the extend of our vision, yes it could be included.
5. **Reclassify One Classified Position; Admission/Records Assistant** **Motion to approve:** Mitchell, **Passed** by those members present to approve the reclassification of one classified position from Admission/Records Assistant to Admissions and Records Technician, as presented.
- Dr. Pelham said this was a continuation of the reclassification plan to ensure equitable treatment of all employees.
6. **Job Description Revision and Salary Increase, Payroll Technician** **Motion to approve:** Mitchell — **Passed** by those members present to approve the job description revision and salary increase, Payroll Technician, as presented.
- Dr. Pelham said the same remarks made to Item O.5 apply to this item.
  - John Fetcho said the people in these positions have been working out of class in this range for 18 months.
7. **Agenda Items for Next Meeting** A preliminary list of proposed agenda items for the August 5, 2009 Regular Board meeting is presented for review.
- The board agreed by consensus to accept the proposed agenda items, as presented.
- Trustee Galvan requested a report on the Independent Living Program. That report will be available in September.
- For the next College Planning and Budget Development update, Trustee Mullen asked for clarification on the budget shortfall amount, and a summarization of the budget reduction recommendations previously determined and any new recommendations.

<b>BUSINESS AGENDA</b> <b>INFORMATION ITEMS</b>
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**8. College Planning and Budget Development**

Toni Sommer presented the following to the board:

- She presented a power point document reflecting the budget data provided by the California Community College League (Attachment B).
- She recalled a conversation she had with Trustee Mathiesen in early May, during which he asked her what she thought the budget deficit was really going to be. She said she responded at that time, saying possibly \$3.5 to \$4 million. She is reminded that it was not nearly that high in early May.
- She was on vacation for a good portion of June and discovered upon her return, she had been nearly correct. The only stable numbers have been reported from the College League.
- She reported that while visiting Laos she overheard people discussion the severity of the California budget crisis and its effect on the U.S. and world economies. This would not be significant if was not for the fact that she was in one of the ten most underdeveloped countries in the world. That is evidence that this is a global situation.
- If the state passes a budget, the immediate effect on Cuesta will be a \$1.1 million cut from apportionment this fiscal year. Mid-year cuts from last year will also be affected for \$1.4 million. The shortfall to the general fund is \$3,344,500. Selected categorical cuts equal over \$1.4 million. Where those cuts will occur will determine the strategy with which the District will address them.
- There is some hope that a federal backfill will take place.
- She recommends appropriate planning take place regarding the \$1.4 million in categorical cuts, then, if subsequent funding becomes available, those cuts can be adjusted.
- The District also has local liabilities include increases in workers comp., licensing fees for banner and recently approved emergent needs.
- Responding to Trustee Mitchell, Ms. Sommer said the overages on the Theater Arts Building were not included in the local liabilities.
- Dr. Pelham said regular increases in step and column are also included in the local liabilities. He does not anticipate that the District will have a budget deficit this year once the books are closed and reconciled.
- Ms. Sommer said there was always a plan to have a carry over.
- She thanked Chris Green for his work on securing the TRAN.

**9. Theater Arts Building Project**

Toni Sommer presented the following to the board:

- The project has not been without its problems but she wants to use those issues as a learning opportunity and not use the project as a scapegoat.
- She presented a power point presentation addressing the history and summary of the Theater Arts Building project. (Attachment C)
- Trustee Mathiesen asked if the District received any credit for the shared scaffolding. Mr. Wilwand confirmed that the District did receive credit regarding that item.
- The structure is at approximately 95 percent occupancy.
- There have been three motors installed for the elevators. They keep failing.
- Ms. Sommer said two problems were discovered within the past week. Specifications for the handicapped lifts have been modified by the state agency that regulates them. It is anticipated that a wall will have to be replaced for the lift accessing the seating deck. The stage is now required to support 46,000 pounds instead of 20,000 pounds.
- Trustee Mullen asked if the state architect was making the changes. That is a

- step change strengthening a wall to hold 46,000 versus 26,000 pounds.
- Mr. Wilwand said the handicapped lifts are more regulated than they used to be. They must meet the requirements set by the same agency that regulates elevators.
- Trustee Mullen asked which agency had oversight, state or federal. He said that was a significant change in the requirements.
- Trustee Mathiesen asked if all the lifts on campus needed retrofitting. Terry Reece said that was correct. It is part of an ongoing project.
- Temporary solutions to parking are being addressed. A specific number of handicapped parking spaces are required.

**10. Accreditation  
Evaluation  
Response Report**

Cathleen Greiner presented the following to the board:

- Steve Leone has begun the process to create the editorial voice for the accreditation response.
- There are over 20 faculty and administrators on the steering committee. The recommendations have been divided among them.
- They are working on creating consistent language on all the responses.
- The meeting with Jack Pond and Steve Maradian that Steve Leone referred to in his report to the board was a good pulse check. The college has moved very aggressively since the notice was received from the ACCJC. During the meeting Mr. Pond and Mr. Maradian affirmed the college focus on planning was a good direction for the college to go.
- She was able to address differences in the teams report out and the commission's response.
- Documents have also been reviewed from colleges who have successfully been removed from warning status. The focus on planning appears to be a recurring theme and one which warrants pursuit.
- Trustee Mullen asked Dr. Greiner to include the recommendations in her next update and provide the status for each.
- Dr. Greiner said the draft document would in fact be ready for the board in September with a final draft for submission to the commission in October.
- Responding to Trustee Mullen, Dr. Greiner said the key issues were planning and budget and student learning outcomes. Technology and sustainability were also a point of focus.

**CONSENT AGENDA**

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

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| <b>1. Consent Agenda</b>      | <b>Motion to approve:</b> Mitchell — <b>Passed</b> by unanimous vote of those members present to approve the consent agenda, as presented. |
| <b>2. Approval of Minutes</b> | Approve Draft Minutes of the June 3, 2009 board workshop and self-evaluation, as presented.  |
| <b>3. Approval of Minutes</b> | Approve Draft Minutes of the June 3, 2009 regular board meeting, as presented.   |

**4. Approval of Warrant Listings** Approve warrant listings, as presented:

5/22/2009	\$ 93,311.39
5/27/2009	\$ 16,723.44
6/1/2009	\$ 597,201.28
6/3/2009	\$ 154,012.43
6/10/2009	\$ 92,855.68
6/15/2009	\$ 33,217.63
6/17/2009	\$ 281,962.13
6/22/2009	\$ 381,361.93
6/24/2009	\$ 229,073.66
6/29/2009	\$ 377,820.64
<b>TOTAL</b>	<b>\$2,757,540.21</b>

**5. Approval of Payroll Orders** Approve Payroll Orders, as presented.

<b>Academic/Classified Hourly</b>	\$	302,184.02	488
<b>Academic/Classified Monthly</b>	\$	1,828,983.89	450
	\$	2,131,167.91	938

**6. Approval of Gifts to the College** Approve gifts to the College, as presented.  
 a. Books (44) donated by Norman Mendel for use by the Learning Resources Department.

**7. Administration Services for the Hollister Bridge Replacement Project** Approve Cannon contract for administration services for the Hollister Bridge Replacement Project, as presented.

**8. Change Orders for the Theater Arts Building** Approve change orders (11-21, 11-23, and 13-03) for the Theater Arts Building, totaling \$6,444.46, as presented.

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**Q. DISCUSSION**

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1. What went well?
  - Trustee Mitchell – She said it was a highly productive meeting. She appreciated everyone being here and sharing their thoughts. The different perspectives on any given topic give breadth to the discussion. She said in as much as possible the board conducts meetings in such a manner as to achieve things effectively and efficiently. It is something that the board continues to improve on with each meeting.
  - Trustee Mathiesen - He has been on the board for 12 years and he finds that he continues to learn something every meeting and sometimes finds that he has been incorrect in his assumptions.
  - Trustee Galvan - The meeting went well. She appreciates people showing up and expressing their concerns. She said the board's concerns are the same. This year has been the most difficult in her experience as a board member. These decisions are not easy and the more information received by the board the better. It will help them make better decisions. Everyone will not always agree with them but at least their voice will be heard. She said the board does a good job in conducting meetings that meet their purpose effectively and efficiently. She appreciates the orderly fashion in which people presented their ideas. That courtesy is greatly appreciated.

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- Trustee Mullen – Based on the reports presented to the board, he has learned a lot and it will help him during the difficult times to come. It is helpful to hear comments, even though a thorough discussion may not take place. It helps generate questions during follow-on conversations with others provides a broader picture of the issues at hand.
  - Trustee Shepherd – The diversity of opinions is strength within a group. When all ideas are homogenous is when he begins to worry. Then you have to start looking under rugs and dig further into issues.

## ADJOURNMENT

**Adjournment** The meeting was adjourned at 6:43 p.m. Unless otherwise announced, the next meeting of the Board of Trustees will be held on Wednesday, August 5, 2009, in room 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California



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Dave Pelham  
Superintendent/President