Call to Order

The regular meeting of the Board of Trustees of the Kern Community College District was called to order by Mr. Stuart O. Witt, President, at 10:35 a.m., in the Collins Conference Center, Bakersfield College, 1801 Panorama Drive, Bakersfield.

Roll Call

Members present: Trustees Stuart O. Witt, President; Rose Marie Bans, Vice President; John A. Rodgers, Clerk; John S. Corkins; Pauline F. Larwood; Kay S. Meek

Member absent: Trustee Dennis L. Beebe

District Administration: Ms. Sandra Serrano, Chancellor
Mr. Thomas Burke, Chief Financial Officer
Mr. Abe Ali, Vice Chancellor, Human Resources
Mr. Frank Ronich, General Counsel
Mr. William Hornback, Counsel, Schools Legal Service

Adoption of Agenda

It was moved by Mr. Rodgers, seconded by Mrs. Meek, and carried that the Board adopt the agenda, as submitted. A copy of the agenda is on file in the Supplementary Minutes File.
PUBLIC COMMENTS—CLOSED SESSION

Public Comments

There were no requests for Public Comments.

CLOSED SESSION

Adjournment to Closed Session

The meeting was adjourned to Closed Session at 10:38 a.m.

A. Public Employee Discipline/Dismissal/Release/Reassignment—[Government Code Section 54957]

B. Employee Matters—Anticipated Litigation [Government Code Section 54956.9(b)]

C. Employee Matters—Discussion of Negotiations with CCA, Exclusive Representative for Academic Employees

D. Employee Matters—Discussion of Negotiations with CSEA, Exclusive Representative for Classified Employees

E. Management Association – Meet and Confer Issues

F. Business Matters—Anticipated Litigation [Government Code Section 54956.9(b)]

G. Business Matters—Conference with Real Property Negotiators: Kern Community College District; Property: Portions of APN 034-200-10, APN 034-200-11, and APN 034-200-12; Agency Negotiators: Mr. Tom Burke; Under Negotiation: Site Disposition [Government Code Section 54956.8]

H. Business Matters—Conference with Real Property Negotiators: Kern Community College District; Property: Portions of APN 005-421-01; Agency Negotiators: Mr. Tom Burke; Negotiating Parties: District and CB Richard Ellis; Under Negotiation: Site Disposition [Government Code Section 54956.8]
I. Business Matters—Conference with Real Property Negotiators: Kern Community College District; Property: APN 382-360-02 and 024-280-04; Agency Negotiators: Mr. Tom Burke; Under Negotiation: Site Disposition [Government Code Section 54956.8]

J. Public Employee Performance Evaluation—Position: Chancellor

Adjournment

The President adjourned Closed Session at 12:10 p.m., to reconvene in the Levan Center, Bakersfield College, 1801 Panorama Drive, Bakersfield.
Cerro Coso Community College:
Dr. Mary Retterer, President
Mr. Matthew Crow, Academic Senate President

Porterville College:
Dr. Rosa Carlson, President
Dr. Jeff Keele, Academic Senate President

Guests: Various staff members

Pledge to Flag

Mr. Corkins led members of the Board of Trustees and audience in the Pledge of Allegiance to the Flag.

Reports of Actions Taken in Closed Session

The President reported that the Board of Trustees met in Closed Session regarding Item 1f, and that the Board acted to approve action by Legal Counsel to initiate, defend, or intervene in, any action related to the Bakersfield College Baseball Softball construction project. The vote was 5 ayes; 0 nayes; and 1 abstention.

Approval of Consent Items

The President asked if any member of the Board of Trustees or the audience wished to remove an agenda item from the consent agenda for discussion. Mr. Beebe asked to pull Business Services Consent Item 4c.

There were no further requests. It was moved by Mr. Corkins, seconded by Mrs. Bans, and carried that the Board approve the Consent Items for Business Services, Educational Services, and Human Resources.

Approval of Minutes

It was moved by Mrs. Larwood, seconded by Mr. Rodgers, and carried that the Board approve the minutes of the Special Board Meeting of February 24, 2010, (change meeting date); the Special Board Meeting of February 24, 2010, (Closed Session); the Regular Meeting of March 3, 2010; the Special Board Meeting of March 19, 2010; and the Public Hearing, November 5, 2009, as submitted.

California Community College Trustees Board of Directors Election, 2010, Approval of Ballot

Mrs. Larwood reviewed the ballot and suggested that the Trustees support three individuals on the California Community College Trustees Board of Directors election ballot, 2010. It was moved by Mr. Rodgers, seconded by Mrs. Larwood, and carried that the Board approve voting for Ms. Isabel Barreras, Dr. Donald Singer, and Mr. Walter Howald, on the California Community College Trustees Board of Directors ballot, as shown in the Administrative Report. A copy of said Report No. A-5-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Kern Community College District – Board Presentation of Commendations to Retirees

Ms. Sandra Serrano, Chancellor; Mr. Stuart Witt, President, Board of Trustees; Mr. Tom Burke, Chief Financial Officer; Dr. Greg Chamberlain, President, Bakersfield College; Mr. LaMont Schiers, Executive Director, Administrative Services, Bakersfield College; Ms. Primavera Arvizu, Director, Extended Opportunity Programs and Services; and Dr. Rosa Carlson, President, Porterville College, expressed appreciation to the following retirees for their years of valued service to their respective College and the District.

Bakersfield College

Ann Boyce, Professor, Director, Environmental Health & Safety, effective June 30, 2010, after 21 years of service
Jennifer Caughron, Bookstore Manager, effective April 30, 2010, after 28 years of service
Ruby Covington, Accounting Assistant/Bookstore Assistant II, effective April 30, 2010, after 32 years of service
Paul Demkey, Professor, Business Management & Information Technology, effective May 15, 2010, after 30 years of service
Manuel Gonzales, Professor, Extended Opportunity Programs & Services Counselor, effective May 15, 2010, after 36 years of service
Dale Gradek, Professor, Engineering & Industrial Technology, effective May 18, 2010, after 32 years of service
Rita Ortega, Admissions and Records Technician II, effective April 30, 2010, after 33 years of service

Porterville College

Daniel Dale, Professor, Criminology, effective May 14, 2010, after 19 years of service

District Office

Sondra Moren, Department Assistant II, effective March 31, 2010, after 7 years of service

The retirees receiving commendations but unable to attend the Board meeting were:

Bakersfield College

Randy Fogle, Athletic Trainer, effective January 29, 2010, after 9 years of service
Phyllis Hernandez, Food Service Assistant II, effective April 30, 2010, after 14 years of service
Bruce Sabat, Facility Custodial Coordinator, effective April 30, 2010, after 12 years of service
Thomas Yale, Professor, Biological Sciences, effective March 31, 2010, after 45 years of service
Porterville College

Mary Linda Bailey, Professor/Librarian, effective March 1, 2010, after 25 years of service
Thomas Bethurum, Publications Coordinator I, Effective June 30, 2010, after 28 years of service
Matthew Davis, Facilities Custodial Coordinator, effective June 30, 2010, after 24 years of service
Donna Pendleton, Child Development Center Teacher, effective June 30, 2010, after 29 years of service
John Roan, Plant Engineer, Auto/Plant Equipment Technician, effective February 10, 2010, after 27 years of service
John Schultz, Facilities/Grounds Maintenance Supervisor, effective April 30, 2010, after 15 years of service
Carol Wilkins, Professor, Disabled Students Programs and Services, effective May 16, 2010, after 24 years of service

District Office

Karen Sallee, Administrative Secretary, effective June 30, 2010, after 17 years of service

A copy of said Report No. A-6-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

It was noted that retirees from Cerro Coso Community College would be recognized at the next Board meeting to be held at the Cerro Coso Community College campus on May 6, 2010.

Correspondence and/or Communications to the Board of Trustees

The Chancellor advised that there were no correspondence and/or communication items for the Board of Trustees.

WORK STUDY SESSION

Presentation of the Accountability Report for Community Colleges (ARCC), Mr. Marc Beam, Director, Institutional Research

The Chancellor introduced Mr. Marc Beam, Director, Institutional Research, to present the Accountability Report for Community Colleges (ARCC). Mr. Beam advised that this report is part of the State mandate that there be conversations annually with the Board of Trustees about the performance of our students, both District-wide and at each College, regarding how they compare with the statewide measures for student success in various areas. He reported that he had prepared a large amount of data for the Trustees to review along with the self-assessments of each of the Colleges. He shared a power point at the meeting.
Mr. Beam explained that peer groupings are used to compare colleges with similar uncontrollable factors and the data is a cohort based study. He further explained that persistence is measured fall to fall; the annual course success rates in basic skills and vocational courses are reported for the last three years; and the cohorts for measuring improvement in basic skills and ESL courses are compared. He advised that the Student Progress and Achievement Rate (SPAR) and the percent of students earning at least 30 units are based on cohorts over the last six years. He indicated that SPAR is the percent of first-time students who show intent to complete any of the following outcomes within six years: Transfer to a four-year university/college; earn an AA/AS or certificates (18+units); or achieve transfer directed or transfer prepared status.

Mr. Beam advised that the Student Progress and Achievement Rate for 2010 indicated that all three colleges are at or below 50% and that the statewide rate is 52.3%. He indicated that Bakersfield College had 47.8%; Cerro Coso Community College had 50%; and Porterville College had 42.4%; with the peer group averages at 47.9% for all three Colleges. He also shared the following data:

- The statewide percent of first-time students earning at least 30 units in six years is 72.4%; Bakersfield College 73.8%; Cerro Coso Community College 62.9%; and Porterville College 70.9%.

- The statewide percent of students returning anywhere in California Community Colleges, fall persistence rate is 68.7%; Bakersfield College 67.2%; Cerro Coso Community College 53.8%; and Porterville College 63.1%

- The statewide average for vocational course success rates is 77.6%; Bakersfield College 77.1%; Cerro Coso Community College 65.1%; and Porterville College 76.2%.

- The Basic Skills Course Success Rates statewide average is 61.5%; Bakersfield College 59.5%; Cerro Coso Community College 55.1%; and Porterville College 58.1%

- The statewide Basic Skills Improvement Rate is 53.8%; Bakersfield College 44.8%; Cerro Coso Community College 52.9%; and Porterville College 57.7%.

- The statewide ESL Improvement is 50.2%; Bakersfield College has 63.5%; Cerro Coso Community College, has no data; and Porterville College has 66.7%.

The Board President asked Mr. Beam what numbers caught his attention in reviewing this data and he responded that in the past many colleges prepare this information but do not disaggregate all of the information; many colleges show only the aggregate SPAR rate which averages around 50-52%. He indicated that he purposely disaggregated the SPAR information so that Trustees and staff would be aware of outcomes for each type of award. For example, approximately 3% of students earn certificates within six years at two of our colleges, while 11% earn certificates at Porterville College.
Mr. Corkins asked about the SPAR rate, stating that the District remains below the State average and asked how concerned should the District be related to this. Mr. Corkins asked what was deemed acceptable - not counting the statewide average. The Board President asked audience members if they considered themselves average. He commented that the District has spent a considerable amount of time and funds over the last five or six years attracting new students to the District; however, the completion rates are below the State average. He stated that he would like to set a bar much higher than average and commented on the fact that the District has spent funds on recruiting, and did believe funds had been spent to retain.

Mrs. Larwood commented that when she first joined the Board of Trustees, she did not recall seeing this type of data and stated that this information will assist the District to make better decisions and work towards improving the numbers. She appreciated the information as critical and that the bar [for success] must be set higher.

Mr. Beam responded to Mr. Witt’s comments, stating that California Community Colleges have done an excellent job in student access with low tuition and offering many courses that students may enroll in regardless of their educational backgrounds or goals; the Colleges need to now focus on success. The Chancellor reported that conversations will be occurring, just as they have in the past after receiving this report, with the Chancellor’s Cabinet which includes the College Presidents; the Vice Presidents’ meetings; and the Consultation Council meetings. This will be a topic in the Chancellor’s Cabinet Retreat, where members will be addressing how to make improvements in a concerted effort. She indicated that since the ARCC reports have been available, each of the College Presidents have built into their evaluation process demonstrating improvement; in some areas, not all at once. The Colleges will have to address the issues of student success as well as improvements related to basic skills and in particular the transfer readiness. Ms. Serrano called attention to the fact that each of the self-assessment reports indicate that being average is not good enough and the Colleges need to develop strategic initiatives that will actually in some cases get the Colleges to average and in other cases beyond that point.

The Board President announced that the Board of Trustees has asked the Chancellor and staff to provide outcome data so that the Trustees can make informed decisions about where to apply resources. He commented that this is a snapshot of one piece of data and he cautioned everyone. He stated that this data tells him that experts are collecting the data and analyzing the data, [but] are we asking for the right data; are we asking the right questions; and at some point should we be critical of the data before drawing conclusions? He stated regardless, if this is the only yardstick available at this point in time, in looking at the statewide average, the Colleges have room for improvement.

The Chancellor commented that the District is not looking to blame anyone. The purpose of having this information is to look at the reasons behind the data; why it is at that level and then identify what can be done to make improvements.
Mr. Beam responded that he believed that the ARCC report is asking the right questions; he believes that the accountability measures have been vetted across the State and have some value to them. In reference to the question as to whether the District is at a place to be critical of the data; he responded that he believed that there is valid criticism on some of the measures. He referred to a presentation by Dr. Janet Fulks, Bakersfield College, at the Board meeting last fall when the Basic Skills ARCC report was presented. She had asked questions about the basic skills data, and he advised that the data was in the process of being cleaned up and corrections had been submitted this week. He indicated that the ARCC report did not contain all of the corrections especially for basic skills.

Mr. Beam shared the following considerations:

- Bakersfield College compares well to its peers and has a high vocational course success rate within its peer group and this is attributed to the College’s outstanding vocational programs.
- Cerro Coso Community College is below peer group averages on all measures except SPAR; online courses have lower success rates, and CC Online is about half of all courses at the College. Also, the College has reduced course offerings of credit ESL.
- At Porterville College, the basic skills improvement rate has increased from 49.8% to 57.7% over three years as the College has a high vocational course success rate compared to peers.
- DR grades are implemented unevenly across the State, and participation in the statewide recoding of basic skills courses will improve the rate.

Mr. Corkins expressed appreciation for the generation of the data and this data provides a tool; and as stated by the President of the Board, this is a snapshot of what is happening but life and death decisions cannot be made as a result of this snapshot. He stated that he liked the trends that were shared and asked that the data continue to be reviewed and corrected. He stated that the Board shares the view as noted by the Chancellor, that it is not about access, it is more about success; however, the budgets are driven by access.

A copy of the presentation, Report No. E-12-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Presentation of the Safety, Repair, and Improvement District’s (SRID) Financial Statements for Year Ended June 30, 2009, as Conducted by Shinault Baker & Company, Certified Public Accountants – Mr. Tom Burke, Chief Financial Officer

Mr. Burke, Chief Financial Officer, shared the Safety, Repair, and Improvement District’s (SRID) Financial Statements for the year ended June 30, 2009, as conducted by Shinault Bakers and Company, Certificated Public Accountants, as shown in the Business Services Report. Mr. Burke advised that this annual financial review is required by Proposition 39 for the Safety, Repair, and Improvement Bonds. He reported that the audit was an unqualified audit and he indicated that the assets total about $70.5 million and that the District issued $130 million and there remains about $50 million to be issued in the future. He highlighted the revenues including interest income, expenditures, and non-financing sources.
Mr. Burke referred to an interfund transfer, and indicated that the Attorney General found that the refunding of bonds was not consistent with Proposition 39 and even though the District was grandfathered in its previous action, the Trustees took the step to move the additional construction funds back into the debt service fund. He noted that the funds will be there to service the debt, probably the last payment of the bonds.

Mr. Burke shared the findings, stating that the Facilities Department, with the assistance of the Bond Legal Counsel did an evaluation of all the projects and determined that some projects were not consistent with the bond language. He stated that some of the confusion related to was dealing with the bond language itself, as there is some vague language in the bond. He reported that with the assistance of bond counsel, the District arrived at a methodology, a matrix for going forward to be able to clearly determine that a project meets the bond language. He stated that the Facilities Department uses that matrix daily on every project proposed to be funded by SRID funds and will do until the funds are exhausted.

Mr. Burke reported that this audit was also reviewed by the Board Finance and Audit Committee earlier in the month. Mr. Corkins stated that he understood the change under the current year findings and he could see the repayment; however, when it is stated that a receivable was established to have the remaining balance reimbursed by the College, Bakersfield and Porterville Colleges must take the funds out of the reserves, how are the SRID funds repaid. Mr. Burke stated that it was a combination of general funds, some funded by Foundations funds, and some funded by a temporary loan from District reserves to the Colleges.

A copy of said Reports No. B-25-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth.

PUBLIC COMMENTS—OPEN SESSION

Bakersfield College, Ms. Natalie Bursztyn, Faculty Member

Students Brian Rathfelder addressed the Board of Trustees and read letters from fellow students regarding Ms. Natalie Bursztyn citing what a wonderful Geology teacher she has been for all students. She was commended for her teaching, assisting students, forming and advising the College Geology Club, and other college activities. Mr. Rathfelder expressed concern by many students about awarding her Visa and allowing Ms. Bursztyn to continue teaching at Bakersfield College.

The Board President stated that he believed that the Trustees were not aware of the issue, asked Legal Counsel if the Board has purview over a Visa, and could the Board hear testimony on this issue. Mr. Frank Ronich, Legal Counsel, advised this was a personnel matter, a confidential matter, and he recommended that the Trustees not take any action or make comments. He stated that the Board can take comments on any subject matter within the jurisdiction of the District; however, when it is a specific personnel matter which may be confidential his recommendation was to not respond to that and appropriately refer the issue to legal counsel.
Students Ms. Miranda Slaydon and Ms. Raisa Lora, described the impact of Ms. Bursztyn on their lives and expressed support for her to continue teaching at Bakersfield College.

The Trustees again asked for some clarification on the issue. Mr. Ronich, General Counsel, advised that it was an issue of visa status and employment status. He stated that in the public session the Trustees have had no opportunity to review this, but he had received legal correspondence related to the issue; however, it is not to be discussed in public and asked that it be referred to his office to respond to the letter he received without discussing in public this employee’s personnel file, Visa status, or any actions related to that. Mr. Ronich advised that Ms. Bursztyn could address the Board; however, he indicated that his advice was about the Board considering or reacting to her comments.

Ms. Natalie Bursztyn, faculty member, reported that she is on an employer-sponsored work Visa and she has not been given a written response, just a verbal response, which my employer will not pay for the Visa. She stated that the Visa expires in June 2010 and she would have to retain an immigration attorney.

Mr. Rick Brantley, faculty member, addressed the Trustees, stating that the College was very lucky to have Ms. Bursztyn teaching at the College. He asked that the District pay for the Visa.

Cerro Coso Community College, Theater Program

Mr. Brandon McGinnis, student, Cerro Coso Community College, commented on how important the Theater program was to him and others. He indicated that he felt the process for reducing and/or eliminating the Theater program has been very sneaky and students are having difficulties in finding out the real reason for the reduction.

Ms. Chelsia Acevedo, student and a lighting technician for the Theater program reported that the College is not allowing the Theater program to order light fixtures for the next Theater presentation.

Ms. Christian Sherman, student, advised that she needed one class for her degree, and she expressed concern about the statement that the Theater teacher did not want to teach at the College any more and why there could be no more Theater productions because of the lack of money. She stated that the students raised funds with their productions to be used if necessary. Ms. Sherman shared copies of letters and signed petitions in support of retaining the Theater program.

Mr. Chad Terry, student, apologized for addressing a Cerro Coso Community College issue at the Bakersfield College campus. He asked the Trustees to review the mission and philosophy statement and ask themselves if it holds true now as the students feel they are being ignored. They have asked for answers and are receiving no answers or pat answers; students have also asked for ODS records, productivity reports, and a Fire Marshall Report, which he believed initially started the shut down of the Theater program.
Bakersfield College, Concerns about the Notice of Possible Layoff to Dr. Dan O’Connor, Dean of Instruction, as a Result of the Reduction/Elimination of Services

Mr. Rick Brantley and Dr. Peggy DeStefano, faculty members, Bakersfield College, expressed concern about the Notice to Dr. Dan O’Connor, Dean of Instruction. It was noted that Dr. O’Connor’s has taken on additional responsibilities from two other positions in their absence over the past few years. It was reported that the College President met with 60 faculty and staff to hear concerns about the reductions and that there had been 100 signatures presented voicing their concerns about the reductions. Dr. O’Connor was commended by the speakers for his tireless energy and his generous spirit.

The Trustees were asked to question the recommendation and to focus on Dr. O’Connor’s visibility on campus, in the community, and what he has done to enhance the image and advance the mission of Bakersfield College.

The Board President closed the Public Comment session and stated that the Trustees appreciated the testimony, the Trustees heard their comments, and appreciated the comments from the passionate students.

The Board President asked the Chancellor for a report on whatever the issue was related to the Geology Professor, at or before the next Board meeting. In regards to Theater Arts, he stated he thought that action had been taken at the last Board meeting, and he would also like to know more where the District stands on the Theatre issue.

Public Comments

There were no further requests for Public Comment.

BUSINESS SERVICES ITEMS

Approval of Proposed Revisions to the District Board Policy Manual, Section Three, Business Services, Policy 3A1, Budget

It was moved by Mr. Rodgers, seconded by Mrs. Meek, and carried that the Board approve the proposed revisions to the Kern Community College District Board Policy Manual, Section Three, Business Services, Policy 3A1, Budget, as recommended in the Business Services Report. The proposed revisions were vetted through the Board Finance and Audit Committee, Chancellor’s Cabinet, and District Consultation Council. The proposed revisions were presented for information at the Board meeting of March 3, 2010. A copy of said Report No. B-26-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Bakersfield College, Awarding of Contract for the Science Technology Engineering and Mathematics (STEM) Grant Renovations

It was moved by Mrs. Larwood, seconded by Mrs. Bans, and carried that the Board award a contract to Don Kinzel Construction, Inc., for the Science Technology Engineering and Mathematics (STEM) Grant Renovations, Bakersfield College, in the amount of $118,745.00, as recommended in the Business Services Report. A copy of said Report No. B-27-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

BUSINESS SERVICES ITEMS—CONSENT

Consent Items: The Business Services items listed below require approval to authorize the Chief Financial Officer to execute agreements to procure construction services above $30,000 or to procure goods and services other than construction services above $50,000, in accordance with Board Policy 3A9A. Earlier in the meeting, it was moved by Mr. Corkins, seconded by Mrs. Bans, and carried that the following Business Services items be approved on the consent agenda.

Construction Items

Bakersfield College, Golden Empire Transit (GET) Station, Authorization to Execute a Work Authorization for Architectural/Engineering Services and Related Items

The Chief Financial Officer was authorized to execute a work authorization for Architectural/Engineering services for the Golden Empire Transit (GET) Station and related items, Bakersfield College, to BFGC Architects, in the amount of $77,000.00, as recommended in the Business Services Report. All costs will be reimbursed by GET. A copy of said Report No. B-28-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Baseball Softball Modernization Project, Change Order Number One

The Trustees approved Change Order Number One to the contract with Golden Construction and Excavation for the Baseball Softball Modernization Project, Bakersfield College, as recommended in the Business Services Report. This change order is the result of improving safety for spectators, site utilities, and Department of State (DSA) requirements. The original contract amount is $980,957.00. The Change Order increases the contract by $133,002.76 which is 13.55% of the original contract amount. The cumulative change to the project contract is a 13.55% increase. A copy of said Report No. B-29-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Bakersfield College, Baseball Softball Modernization Project, Change Order Number Two

The Trustees approved Change Order Number Two to the contract with Golden Construction and Excavation for the Baseball Softball Modernization Project, Bakersfield College, as recommended in the Business Services Report. This change order is the result of accommodating the bleachers to our site, to provide ADA access, numerous site changes had to be made including the access ramp, concrete walk under the metal ramp and concrete work at stairways to the field level. The original contract amount is $980,957.00. The Change Order increases the contract by $24,810.00 which is 2.52% of the original contract amount. The cumulative change to the project contract is a 16.08% increase. A copy of said Report No. B-30-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Baseball Softball Modernization Project, Change Order Number Three

The Trustees approved Change Order Number Three to the contract with Golden Construction and Excavation for the Baseball Softball Modernization Project, Bakersfield College, as recommended in the Business Services Report. This change order is the result of substantial site change requirements to accommodate the bleachers to the site. In addition, the baseball project was separated from softball to allow the team to play games on the field. The original contract amount is $980,957.00. The Change Order increases the contract by $241,726.48 which is 24.64% of the original contract amount. The cumulative change to the project contract is a 40.71% increase. A copy of said Report No. B-31-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Baseball Softball Modernization Project, Authorization to File a Notice of Completion

The Chief Financial Officer was authorized to file a Notice of Completion for Golden Construction and Excavation for the Baseball Softball Modernization Project, Bakersfield College, as recommended in the Business Services Report. A copy of said Report No. B-32-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Main Building ADA Door Hardware, Authorization to Execute a Work Authorization for Architectural/Engineering Services and Related Items

The Chief Financial Officer was authorized to execute a work authorization for Architectural/Engineering services for the Main Building ADA Door Hardware and related items, Cerro Coso Community College to Ordiz-Melby Architects, Inc., in an amount not to exceed $50,000.00, as recommended in the Business Services Report. A copy of said Report No. B-33-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Items Other than Construction

Kern Community College District, Authorization to Accept a Grant from the U.S. Department of Labor, Employment and Training Administration

The Chief Financial Officer was authorized to accept a grant on behalf of Kern Community College District Clean Energy Center and the U.S. Department of Labor, Employment and Training Administration, as recommended in the Business Services Report. This project will train 650 utility, 250 wind and 350 solar operations and maintenance technicians. The term of the agreement is March 1, 2010 through February 28, 2013. The total amount payable to the District is $2,768,572.00. A copy of said Report No. B-34-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization to Accept Renewal Grant Funding from the California Community Colleges Chancellor’s Office, Career Technical Education Initiative—Tech Prep Title II, Perkins IV

The Chief Financial Officer was authorized to accept renewal grant funding between the Kern Community College District, and the California Community Colleges Chancellor’s Office, Career Technical Education Initiative—Tech Prep Title II, Perkins IV, as recommended in the Business Services Report. The Tech Prep Program addresses the urgent demand for highly skilled industrial technicians and other trained workers in technology rich environments in the local, state and national work forces. The term of the agreement is July 1, 2009 to June 30, 2010. The total amount payable to the District is $271,000.00. A copy of said Report No. B-35-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Memorandum of Understanding with Bakersfield Memorial Hospital

The Chief Financial Officer was authorized to execute a Memorandum of Understanding between the Kern Community College District, on behalf of Bakersfield College, and Bakersfield Memorial Hospital, to contribute funds to help secure an increase in enrollment in the Nursing Program at Bakersfield College, as recommended in the Business Services Report. The term of the agreement is July 1, 2009 to June 30, 2014. The total amount payable to the District is $588,000.00. A copy of said Report No. B-36-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Consent Items: The Business Services items listed below require ratification in accordance with Board Policy 3A9A, which authorizes the Chief Financial Officer to execute agreements for goods and services up to $30,000 for construction services or up to $50,000 for goods and services other than construction services, as recommended in the Business Services Report. Earlier in the meeting, it was moved by Mr. Corkins, seconded by Mrs. Bans, and carried that the following Business Services items be approved on the consent agenda.
Construction Items

Cerro Coso Community College, Fine Arts Building Modernization Project, Authorization to Approve the Submission of Contractors

The Chief Financial Officer was authorized to approve the substitution of subcontractors for the Fine Arts Building Modernization Project, Cerro Coso Community College, as recommended in the Business Services Report. A copy of said Report No. B-37-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Items Other than Construction

- Grant Agreement between the Kern Community College District and the California Community Colleges Chancellor’s Office, Economic and Workforce Development Program, Entrepreneurship Career Pathways Project (YEP), to allow the District to host a large event where youth (aged 14-27) can connect with other young entrepreneurs to motivate them towards an entrepreneurship career pathway, December 1, 2009 to June 30, 2010, and the total amount payable to the District is $35,000.00.

Kern Community College District, Proposal with Bachtelle and Associates to Conduct an Evaluation and Assessment of the Current On-campus Food Service Operations

It was noted that Trustee Beebe had asked that this item be pulled from the Consent Agenda. He asked why the District was considering outsourcing the Food Services Operations? Mr. Burke advised that the District determined that it would be in the best interest with regards to evaluation of this function to retain an independent third party with extensive experience and a background to provide the pros and cons of two different areas of management.

The President asked what was the total value cost of the Food Service Operations at the three Colleges, and Mr. Burke he responded approximately $2 to $3 million. The President commented that for $11,000 the District would receive an independent assessment on a $2 to $3 million operation and how to proceed. It was noted that the District is having difficulty in maintaining a break even position with the Food Service Operation.

It was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the Board authorize the Chief Financial Officer to move forward with the proposal between the Kern Community College District and Bachtelle and Associates to conduct an evaluation and assessment of the current on-campus Food Service Operations at Bakersfield College, Cerro Coso Community College, and Porterville College, February 17, 2010 to May 14, 2010, and the total cost to the District is $11,225.00.

- Music License Agreement between the Kern Community College District, on behalf of Bakersfield College, Cerro Coso Community College, Porterville College and the Society of European Stage Authors & Composers (SESAC), for the use of live or performed music on any campus or center within the District, July 1, 2009 to June 30 2012, and shall renew for successive additional periods of one year not to exceed an additional two-year period, and the total estimated cost to the District is $9,033.35.
- Renewal of the Kern Community College District’s annual membership in the Downtown Business Association, at a cost of $250.00, as recommended in the Business Services Report.

- Renewal of the Kern Community College District’s annual membership in the Central Valley Higher Education Consortium (CVHEC), at a cost of $1,000.00, as recommended in the Business Services Report.

- Rental Agreement between the Kern Community College District, on behalf of Bakersfield College, and the 15th District Agricultural Association, to participate in the Kern County Fair September 24, through October 1, 2010, and the total cost to the District is $1,000.00.

- Amendment to the Pearson VUE Authorized Center Agreement between the Kern Community College District, on behalf of Bakersfield College, and Pearson VUE. The amendment adds two Logitech Quickcam Pro 9000 PC cameras to enhance the integrity of the testing process, and the total cost to the District is $200.00.

- Allied Health Education Program Agreement between the Kern Community College District, on behalf of Bakersfield College, Porterville College, and Cerro Coso Community College and Hall Ambulance Service, to allow students the use of clinical facilities suitable for the educational needs of the Allied Health Programs, July 1, 2009 through June 30, 2011, and there is no cost to the District.

- Authorization for the Chief Financial Officer to declare the items listed from the Bakersfield College Maintenance and Operations Department; as identified in the Business Services Report, no longer required for school purposes as surplus property, per Education Code Section 81450, and to dispose of said property through public auction, private sale or donation, per Education Code Section 81452.

- Grant Letter to the Kern Community College District, on behalf of Cerro Coso Community College, Eastern Sierra College Center LVN Program, from The Donald M. Slager Sunset Foundation, to support education and health careers in the Bishop area, in the amount of $35,000.00.

- Consulting Agreement between the Kern Community College District, on behalf of Cerro Coso Community College, and Pro-Tech Safety Consulting, Inc., to offer safety consulting and classes through Community Education to individuals within the communities it serves, March 1, 2010 to February 28, 2011, and the amount payable to the District varies with each course/service, and the total cost to the District is $70.00 an hour plus $70.00 an hour for one-way travel.

- Contract between the Kern Community College District, on behalf of Cerro Coso Community College (CCCC), and AmeriGas, to deliver propane to the CCCC Mammoth Center, on a floating rate of $.70 per gallon over laid in cost of Market Index Terminal #466, for a term of one year. It is estimated that the protected rate will save the college $12,000.00 to $15,000.00 per year.
- Service Agreement between the Kern Community College District, on behalf of Cerro Coso Community College (CCCC), and Casa Java, to provide coffee cart beverage and snack service in the Learning Resource Center at CCCC, March 9, 2010 to June 30, 2010, and the total estimated income to the District is $2,500.00.

- Agreement for Services between the Kern Community College District, on behalf of Cerro Coso Community College (CCCC), and California City Studios, to offer classes, workshops, and training programs related to film making to individuals within the communities it serves through Community Education, April 5, 2010 to April 4, 2011, and the total amount payable to the District is 50% of student fees.

- Accept a donation to the Kern Community College District, on behalf of Cerro Coso Community College from Jacobs Technology, Inc. The donation was used towards expenses in support of the Employer’s Summit, held February 26, 2010.

- Lease Agreement between the Kern Community College District, on behalf of Porterville College and the Tulare County Superintendent of Schools, to lease the District’s real property located at 100 E. College Avenue, Porterville, CA, for the purposes of constructing a shade structure for operating a severely handicapped community-based instruction class, January 1, 2010 to December 31, 2050 and the total amount payable to the District is $1.00.

- Membership Agreement between the Kern Community College District, on behalf of Porterville College, and EXTREME ENTREPRENEURSHIP EDUCATION, LLC. to bring the Extreme Entrepreneur Tour (a one-half day conference) to Porterville College, January 28, 2010 to April 12, 2010, and the total cost to the District is $9,000.00.

- Agreements with Independent Contractors for 2009-10 for Kern Community College District, Bakersfield College, Cerro Coso Community College, and Porterville College to provide various services, as recommended in the Business Services Report. The total cost to the District is $47,762.00.

A copy of said Report No. B-38-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

District Order Reports

The following District Order Reports were approved and payments were authorized, and copies of the same, designated as Report No. B-39-10 in the Supplementary Minutes File, are hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

General Fund: Numbers: A-8: 36 – 39
General Fund: Numbers: 3011088 - 3012772
Student Financial Aid Fund: Numbers: 3011502 - 3012774
Student Financial Aid Direct Deposit: Numbers: !3028989 - !3038674
Measure G Building Fund: Numbers: 3011086 – 3012622
EDUCATIONAL SERVICES ITEMS

Presentation of Proposed Revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4A6, Admission to Impacted Programs, and Policy 4A7, Limitations on Enrollment in Courses or Programs

The Vice Chancellor, Educational Services, presented proposed revisions and additions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4A6, Admission to Impacted Programs, and Policy 4A7, Limitations on Enrollment in Courses or Programs. These proposed revisions and additions to the Policy were vetted through the District Vice Presidents, Chancellor’s Cabinet, and District Consultation Council, to bring the District’s policy into compliance with Title 5 regulations. The proposed revisions and additions will be presented to the Trustees for approval at the Board meeting of May 6, 2010. A copy of said Report No. E-13-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Presentation of Proposed Revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4C4D, Course Repetition

The Vice Chancellor, Educational Services, presented proposed revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4C4D, Course Repetition, as shown in the Educational Services Report. These proposed revisions were vetted through the District Student Services Committee, District Vice Presidents, Chancellor’s Cabinet, and District Consultation Council, to bring the District’s policy into compliance with Title 5 regulations. The proposed revisions will be presented to the Board of Trustees for approval at the Board meeting of May 6, 2010. A copy of said Report No. E-14-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Approval of Proposed Revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4D2, Certificates

Mr. Corkins asked if this Policy came from the discussions of the presentation made to the Board of Trustees in February and that the District is moving forward with wording of documented workplace needs and standards. He asked if this Policy is to tighten up what the District will be setting up as a Job Skills Certificate in the future? The response was yes.

It was moved by Mr. Rodgers, seconded by Mrs. Larwood, and carried that the Board approve the proposed revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4D2, Certificates, as shown in the Educational Services Report. The proposed revisions were vetted through the District Vice Presidents, Chancellor’s Cabinet, and District Consultation Council to bring the District’s policy into compliance with Title 5 regulations. The proposed revisions were presented for information at the Board meeting of March 3, 2010. A copy of said Report No. E-15-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Bakersfield College, Approval of Emergency Closure of the Loma Linda Preschool Child Development Center

It was moved by Mrs. Larwood, seconded by Mrs. Meek, and carried that the Board approve the emergency closure of the Loma Linda State Preschool Child Development Center, Bakersfield College, located at 703 Mt. Vernon Avenue, Bakersfield, on Monday, February 22, 2010, as recommenced in the Educational Services Report. It was noted that this was a procedural issue related to reimbursements from the State. A copy of said Report No. E-16-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Approval of the Revisions to the 2010-11 Catalog

Mr. Corkins reported that he had spoke with Dr. Givens about this subject and had made a suggestion that might be helpful for the Trustees. He stated that in the future when these actions come forward, especially on the Certificates of Achievement, that when it was noted that a three-unit rewriting for food services production and management, that possibly the full certificate be outlined below, and noting that this was part of a 24, 17, and 23 unit process so that the Trustees will understand where that is moving into and moving forward as noted in previous discussions. He commented that whenever he sees a Certificate of Achievement, Career Technical Education, or UC/CSU transfer attached to it, he feels much better about approving the action.

It was moved by Mr. Corkins, seconded by Mrs. Meek, and carried that the Board approve the revisions to the 2010-11 Bakersfield College Catalog, as recommended in the Educational Services Report. New Title 5 regulations require that local Governing Boards approve new courses before they are offered. These courses were reviewed and approved by the Bakersfield College Curriculum Committee on February 4, February 18, March 4, and March 18, 2010. A copy of said Report No. E-17-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Approval of the Revisions to the 2010-11 Catalog

It was moved by Mr. Corkins, seconded by Mrs. Larwood, and carried that the Board approve the revisions to the 2010-11 Cerro Coso Community College Catalogs, as recommended in the Educational Services Report. New Title 5 regulations require that local Governing Boards approve new courses before they are offered. These courses were reviewed and approved by the Cerro Coso College Curriculum Committee on December 4, 2009, January 29, February 26, and March 12, 2010. A copy of said Report No. E-18-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Porterville College, Approval of the Revisions to the 2010-11 Catalog

It was moved by Mr. Corkins, seconded by Mr. Rodgers, and carried that the Board approve the revisions to the 2010-11 Porterville College Catalog, as recommended in the Educational Services Report. New Title 5 regulations require that local Governing Boards approve new courses before they are offered. These courses were reviewed and approved by the Porterville College Curriculum Committee on February 23, 2010 and March 9, 2010. A copy of said Report No. E-19-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Porterville College, Approval to Deliver Contract Education Classes

It was moved by Mrs. Bans, seconded by Mrs. Meek, and carried that the Board approve to deliver Contract Education classes, as recommended in the Educational Services Report, and authorization for the Chief Financial Officer to execute the Agreement for Services on behalf of Porterville College. A copy of said Report No. E-20-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Approval to Deliver Community Education Classes

It was moved by Mr. Corkins, seconded by Mr. Rodgers, and carried that the Board approve to deliver Community Education classes, Cerro Coso Community College, as recommended in the Educational Services Report. The classes listed will provide students with educational opportunities in areas of interest within the community. A copy of said Report No. E-21-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Porterville College, Approval to Deliver Community Education Classes

It was moved by Mrs. Bans, seconded by Mrs. Meek, and carried that the Board approve to deliver Community Education classes, Porterville College, as recommended in the Educational Services Report. The classes listed will provide students with educational opportunities in areas of interest within the community. A copy of said Report No. E-22-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

EDUCATIONAL SERVICES ITEMS—CONSENT

Consent Items: The Educational Services items listed below require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. Earlier in the meeting, it was moved by Mr. Corkins, seconded by Mrs. Bans, and carried that the following Educational Services items be approved on the consent agenda.

Designation of Board of Trustees Representatives for College Commencements

Following discussion, the following Board of Trustee representatives for College commencements will be as follows:

<table>
<thead>
<tr>
<th>College</th>
<th>Date</th>
<th>Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakersfield College</td>
<td>May 14, 2010</td>
<td>Mr. John A. Rodgers</td>
</tr>
<tr>
<td>Cerro Coso Community College</td>
<td>May 14, 2010</td>
<td>Mr. Stuart O. Witt</td>
</tr>
<tr>
<td>Eastern Sierra College Center</td>
<td>May 7, 2010</td>
<td>Mr. Stuart O. Witt</td>
</tr>
<tr>
<td>Porterville College</td>
<td>May 14, 2010</td>
<td>Mr. John S. Corkins</td>
</tr>
</tbody>
</table>
HUMAN RESOURCES ITEMS

Presentation of Proposed Revisions to the District Board Policy Manual, Section Eleven, General Personnel Administration, Policy 11F, Whistleblower Protection

The Vice Chancellor, Human Resources, presented proposed revisions to the District Board Policy Manual, Section Eleven, General Personnel Administration, Policy 11F, Whistleblower Protection, as shown in the Human Resources Report. The proposed additions will establish District policy where none currently exist and were vetted through the Chancellor’s Cabinet and District Consultation Council. The proposed additions will be presented to the Board of Trustees for approval at the Board meeting of May 6, 2010. A copy of said Report No. H-6-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.


The Vice Chancellor, Human Resources, presented proposed revisions to the District Board Policy Manual, Section Eleven, General Personnel Administration, Policy 11J, Emergency Planning, Preparedness, and Response Policy, as shown in the Human Resources Report. The proposed additions will establish District policy where none currently exist and were vetted through the Chancellor’s Cabinet and District Consultation Council. The proposed additions will be presented to the Board of Trustees for approval at the Board meeting of May 6, 2010. A copy of said Report No. H-7-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Approval of the Appointment on Mrs. A. Jill Board, President, Cerro Coso Community College

It was moved by Mrs. Larwood, seconded by Mr. Rodgers, and carried that the Board approve the appointment on Mrs. A. Jill Board to serve as the President, Cerro Coso Community College, as recommended in the Human Resources Report. A copy of said Report No. H-8-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Adoption of the Collective Bargaining Agreement with CSEA

Mr. Ali, Vice Chancellor, Human Resources, acknowledged the negotiating team members on both sides of the table for their support during the negotiation process. It was moved by Mr. Corkins, seconded by Mr. Rodgers, and carried that the Board adopt the Collective Bargaining Agreement between the Kern Community College District and the California School Employees Association CSEA effective July 1, 2009, through June 30, 2011, as recommended in the Human Resources Services. A copy of said Report No. H-9-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Adoption of a Resolution Reducing Classified Services

Mr. Ali reported that the District continues to look at its resources in budgeting personnel and the recommendations brought forward will be implemented July 1, 2010.

It was moved by Mr. Beebe, seconded by Mr. Corkins, and carried that the Board adopt a Resolution, Reduction of Classified Services, as recommended in the Human Resources Services. A copy of said Report No. R-8-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

The Board President called on those individuals wishing to make public comments regarding this issue. They included Mrs. Kathy Freeman, Dr. Nick Strobel, Mr. David Moten; Mr. Stephen Smith, and Mr. Rene Trujillo, faculty members; Ms. Janeen Smith, adjunct faculty member; and staff member Ms. Cynthia Quintanilla speaking on behalf of Department Chair Ms. Kimberly Van Horne.

Comments included the cuts were unfair and unwarranted as the District has millions of dollars in reserves; and the Board recently approved the expansion of the District Office, employing a General Counsel and advertising for an Executive Assistant for the General Counsel’s Office, as well as advertising an Associate Chancellor, Communication and Government Relations, to lobby on behalf of the District. Speakers reported that the individuals currently in the proposed eliminated positions are some of the hardest working employees on the campus, they are unsung heroes, they are rarely recognized for what they do, yet their jobs were being cut in a resolution as if their services simply do not matter.

Speakers shared the importance of the role of Department Assistants in various departments across the campus serving as the first contact for students, as a liaison between the students and faculty members, answering questions and assisting the students when needed, ensuring classes are scheduled, materials are prepared, etc.

It was stated that there is an apparent disconnect between the beliefs of staff that any cuts made should be as far from the students as possible. The six positions, five Department Assistants, and one Lab Technician, are filled by staff members that have day-to-day contact with the students. Even though the District Office reduced its budget by the same percentages as the Colleges, the budget reductions should be a higher percentage for the District and less for the Colleges as they directly provide the services for the students to have access and to be successful.

It was commented that often staff at the Colleges do not have all of the information and that it was the responsibility of District Office leaders to articulate the rationale behind the decisions and demonstrate how those decisions meet the District’s mission to meet the needs of students.

The Public Comment was closed.
Mrs. Larwood asked how the recommendations were reached, and the Chancellor responded they were campus decisions based on budgets except those positions listed at the District Office. They were all developed according to potential budget scenario based on reductions of allocations of 5%, 10%, and 15%. The positions presented were those that will be affected if in fact the California Community College budget, and the Kern Community College District and the three Colleges experience up to a 10% reduction. The District is in the process of budget development and the District does not know what the final allocation will be. The process for eliminating classified positions requires a minimum of 45 days notice; and the District is waiting for the May revise. This action will prepare the District to take any actions that must be implemented by July 1.

Discussion ensued about the fact that it is very likely that there will not be a budget by July 1, 2010, whatever the allocation is, whether greater than 10% or less than 10%, it will be a budget that has to cover all of the costs beginning July 1, 2010. The proposed action triggers a minimum of a 45 day notice it does not trigger the effective date of the notice, it just cannot occur prior to the 45 days and can occur later than July 1, 2010.

Mr. Witt commented on the issues that had been addressed during the Board meeting and stated that they all seemed to revolve around education. He stated that it is very important to keep the staff apprised of what is going on. He commented that there are many unknowns and the District is trying to manage through three separate scenarios and the Trustees are trying to provide direction to manage the three financial scenarios that could occur in the next six months, the reductions of either 5%, 10%, or 15%. Mr. Witt stated that it was obvious that the department chairs were not asked the question about the employees; was there a process that accommodated that discussion in the development of the budgets.

Dr. Chamberlain replied that the discussions were among the management team and that is where the feedback occurred reviewing statistics. He commented that where there was not much communication was with the faculty chairs directly. The concern is how the needs are going to be met. The next step, as outlined with the Senate, will be looking at all of the functions under all of the Deans and attempt to make that equitable in terms of support.

Mr. Rodgers stated that he thought there had been a process established for more involvement by staff in the budget development, considering that the Colleges have reserves. He thought the process was different. Dr. Carlson reported that they have a budget committee that includes members of the faculty, administrators, and classified staff, and that was the committee that started those discussions the prior year when the categorical funding was reduced. She commented that the categorical staff would be reduced and there have been several retirements announced, so the amount of reductions that keep changing. She advised that everyone at Porterville College knew up front that there would be some reduction of positions and then there is also an impact by the bumping process. She commented that with the possible variety of changes, no names have been released or shared with staff.
Mr. Witt stated he thought the campuses had carryover funds this year that was at the discretion of the campuses, and he asked if during the decision-making process before recommendations are made to the Chancellor and the Board, had the Presidents given consideration to where they would like to spend the discretionary funds. Dr. Chamberlain indicated that all the scenarios had been discussed and that Bakersfield College was using $1 million in carryover and $1 million in matching from the Board; otherwise Bakersfield College would be finding reductions for $2 million.

Mr. Corkins commented that he understood what the Presidents have done, but probably more than those that addressed the Trustees. He stated that someone had asked for articulation of the rationale and he appreciated that comment. Mr. Corkins stated that the articulation of that rationale as directed by the Board, was that there were no faculty being reduced; they are trying to manage to the students and to coordinate the best delivery system. He stated that this does two things, the Colleges still maintain access, because access does generate funds; and if faculty are eliminated on a widespread basis, the District eliminates access and funds start decreasing, and there is a self-fulfilling prophecy.

Mr. Corkins called attention to the fact that the District has no control over categorical cuts from the State and then very difficult decisions are made by the College Presidents, and their management groups. Also, because of how the budget is handed and the way the contracts are written, it makes it very difficult on how to start laying off people. He stated that the Board of Trustees spent many hours reviewing the budget, they pledged $1 million in reserves for each campus, and have asked the College Presidents to hold that $1 million up and try to salvage the budget. Mr. Corkins commented that even though it does not make everyone feel much better, the District is in much better shape than most of the community colleges in the State of California.

Mr. Witt commented that in his eight years on the Board of Trustees, there has never been anyone approach the podium and tell the Board what to cut, they point at other programs, other areas.

The Chancellor asked to provide the District Office perspective, stating that the District Office budget is handled different from the Colleges and it is because instruction occurs at the Colleges. She commented that in regards to budgeting at the District Office level, every year the District Office needs to justify its expenditures within its allocation including any budget reductions. The District Office does not have a carryover in order to get through leaner years. She advised that this year the District is in fact making 10% reductions and they also recognized the need for a General Counsel position. The Chancellor stated that the District has had to justify this position even though after being filled one more time by presenting numbers to the District Consultation Council on April 13, 2010. Ms. Serrano referred to a comment earlier that the District also has an Assistant position being advertised and she explained that there is also a reduction, as the District Office looks at the organization, and determined it is a priority and where can we cut in order to fund this other priority. This will allow the resources for the Executive Assistant with a legal background for working with the General Counsel.
The Chancellor reported that one of the reasons for the closing of the Associate Chancellor, Communication and Government Relations position, was scheduled for the end of April was so that the Board was not taking any action for a position that is already in the budget before the District became aware of the May Revise. The District Office wanted to be aware of the May Revise to determine whether in fact the District may have to make any additional reductions or if we might have more revenue to be used for positions that are necessary.

Ms. Serrano indicated that she had talked with representatives of at least two Districts in terms of the return on investment on Communication and Government Relations. She stated that one indicated that as a result of his position over the course of his career at that institution, he had been able to bring in $125 million in grant funding. She referred to another individual talked about not only the grant funding but some of the other benefits in terms of working with media and building a reputation in the community as a result of relationships with various constituents.

The Chancellor stated that the District Office is very cognizant of the fact that the needs of the communities need to be service and recognizing the fact that today, the Colleges are meeting the needs of approximately 3,500 students, 2,000 FTES more than what will be reimbursed by the State. The District Office does appreciate the work of the Colleges, but it also takes work at the District Office to deal with the legal mandates and minutiae that comes from a large organization. She commented that if everything was on the table maybe different decisions could be made; however, everything is not on the table. Management and classified are on the table; the faculty are not on the table unless it is programmatic issues; and there are some administrative functions among faculty positions as well that have not been considered.

### HUMAN RESOURCES ITEMS—CONSENT

Consent Items: The Human Resources items listed below require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. Earlier in the meeting, it was moved by Mr. Corkins, seconded by Mrs. Bans, and carried that the following Human Resources items be approved on the consent agenda.

Approval of Employee Transactions for Academic, Classified, and Confidential and Management Employees

The Board approved the employee transactions for academic, classified, and management team staff, as recommended in the Human Resources Report. A copy of said Report No. H-10-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

NOTE: Mr. Witt left the meeting at this time.
Faculty Reports

Dr. John Gerhold, Academic Senate President, Bakersfield College, reported Mrs. Andrea Garrison, CCA President, had to leave the meeting and he would read her report. She indicated that this meeting would have been her last opportunity to address the Board of Trustees as the CCA President; however, she had to attend a very important meeting. She commented that as she leaves the position she had reflected on the effectiveness of her working relationship with the Board. She indicated that she was thrilled that the Trustees really tried to listen at the meetings with various discussions; even so she was saddened when she realized that the issues close to her heart really had not improved. This includes safety in the District as it is lacking at the level closest to the students, the continued lack of safety telephones in the classroom. Another symptom is the continued administrative resistance a faculty member encounters when trying to maintain Cal OSHA standards in a CTE shop class. Another issue is the administrative positions are still growing at the District Office at the detriment of the positions closer to the students. She also was concerned about the centralization of decision-making at the District Office on issues of curriculum, departmental organization, etc., is stifling faculty voices and impedes the decisions that should be made at the College level with the local student cultures in mind.

Dr. Gerhold commented that one of the Board’s Goals is making the Colleges and the District function in a more cohesive and consistent matter; however, there needs to be consideration of different students in different locations, and those cultures really to have an impact on how those Colleges need to operate.

Dr. Gerhold continued reading Mrs. Garrison’s comments and stated that given all of this, she knew she had worked hard to represent District faculty, of which she was proud, and wished she had had a bigger impact on making the District culture better and a safer place to learn.

Dr. Gerhold reported that he had not run for re-election as the Academic Senate President, as this was his fourth year as President, and he was conflicted about the decision not to run again as he enjoyed serving his colleagues. He reported that the newly elected Academic Senate President was Cornelio Rodriguez who has been serving Bakersfield College for the last 20 years.

Dr. Gerhold commented that even though the District Office does not have carryover, and there are discussions of the needs of the District Office at Consultation Council, he disagreed that the group really has an opportunity to change what the District needs. He stated that when it comes to the needs for hiring and projects are presented at Consultation Council, if the faculty or classified representatives have concerns about those expenses, they may raise the concerns, but they very rarely have an impact on the decision. He stated that it seems the system works that when the District presents a proposal for what is needed to run the operation those needs are funded. He stated that carryover is not needed because when the District runs short or another need is identified that will be met, and when those costs are allocated out across the District, and it is the College budgets that fund them.
Mr. Matthew Crow, Academic Senate President, Cerro Coso Community College, extended a welcome to the Board to visit Cerro Coso Community College for the next Board meeting and also to attend the Student Awards luncheon. He expressed appreciation for the willingness of the Board to listen to students, whether Cerro Coso Community College students or the Bakersfield College Geology students, because the Trustees are affording them the opportunity to participate in what is probably one of their best educations which is that they are the voice in the governance of themselves. He also commended the Board of Trustees and the Chancellor for their wisdom in hiring Mrs. Jill Board as the new President of Cerro Coso Community College. He indicated that he had served on the Presidential Screening Committee and he was glad that the Board and Chancellor took the Committee’s recommendation.

**Classified Staff Report**

There were no Classified Staff reports.

**Management Association Report**

There was no Management Association report.

**College Reports**

**Porterville College**—Dr. Rosa Carlson, President, thanked Dr. Chamberlain for the wonderful luncheon during the visit to the Bakersfield College campus. She reported that faculty and staff, on their own time participated in a 60’s concert for a full house and she stated it was a very fun event.

Dr. Carlson reported that Board of Registered Nursing was on the campus early in the week completing one of the final reviews to determine if the College is ready to start the R.N. Program in the fall. She stated that the College is in the process of building the skills lab so that will be in place and the College is in the process of hiring a R.N. faculty member and an Associate Dean, Allied Health. The College will hear about the final determination in May or June, and when provided the clearance, students will be selected to start the program in August.

Dr. Carlson reported that the following week, Mr. Jim Carson, faculty member, as well as Mr. John Means, and Mr. Bill Henry, will meet on campus with local area Porterville business and industry to talk with educators as well as Counselors and Career Counselors of Porterville High School to talk about the future trends and needs in business and industry.

**Cerro Coso Community College**—Dr. Retterer thanked the Bakersfield College staff for a wonderful luncheon and commented on the new Levan Center. She welcomed everyone to Cerro Coso Community College on May 6, 2010.
**Bakersfield College**—Dr. Chamberlain officially welcomed everyone to the Norm Levan Center for the Humanities and stated that staff were proud to have everyone attend the meeting in the Center. He invited everyone to take a tour of the facility following the Board meeting. He reported that he was excited to be at the Delano Center for the first English as a Second Language (ESL) Summit organized by Mr. Rich McCrow, Director, Delano Center Campus, faculty, and staff, bringing together various community organizations dealing with ESL Programs along with the high schools and adult school. There was very good discussion about how all the entities should probably not be doing different things and maybe working together would be more beneficial.

Dr. Chamberlain advised that at 5:30 p.m. there was the opening of the annual student art show in the art gallery. He also announced that the Bakersfield College Students in Free Enterprise (SIFE) were in San Francisco earlier in the week and returned as Regional Champions and are now eligible to compete in the national championships.

Dr. Chamberlain reported that the College is involved in the screening process for faculty to begin in the fall to fill some of the vacant positions.

**Chancellor’s Report**

The Chancellor extended thanks to Bakersfield College and the students of the Culinary Arts Program for the luncheon as well as the presentation by the Allied Health Program and the music provided by the students. She extended a welcome to Mr. Frank Ronich, General Counsel and Mrs. Jill Board, President-elect of Cerro Coso Community College.

Ms. Serrano referred to legislative issues, budget matters, and the like, she stated that it was coincidental that some speakers mentioned that whether or not funding might be based on census as it is now or on accountability factors. She stated that there is currently a bill being considered which was presented by the Chair of one of the Budget Committees. The bill proposes an accountability factor where funding would be based not only on the number of students enrolled as of the census date but the number of students that successfully complete the course at the end of the term. She stated she just wanted to share that in terms of the advocacy work that will be taking place over the next few months.

**Board of Trustees Reports**

Mr. Moline commented that Mr. Witt was very perceptive in stating that there was a lack of communication with the student populace and the students would very much like to have more communication about decisions being made on the campus and the fact that they could not access the information when asking for it.

Mr. Beebe stated that the Board has a responsibility to the constituents in the communities, to the students, and the employees to justify the decisions being made by the District. There will be difficult decisions made and there is a responsibility to provide information. The information related to the decisions needs to be disseminated and explained to those asking.
Mrs. Meek agreed with Mr. Beebe and commented how much easier it would be if the District had a budget to work with, and begin the year knowing what the funding will be for the year. She commented that she believed that education is a business and without students there would be no need for faculty, classified, or administrators. She thanked the Bakersfield College staff and students for their hospitality. She commented that she had known Dr. Levan for a very long time and the Levan Center was a wonderful tribute that turned out very well.

Mr. Rodgers thanked Dr. Chamberlain and for the wonder Culinary Arts Program. He commented that whether in a hospital with nurses from Bakersfield College, or in restaurants with waitresses and cooks from Bakersfield College, it was always a pleasure meeting students of the College. He stated that he appreciates the fact that when there are difficult issues to be discussed, the discussion can take place with everyone listening and asking questions. He commented that everyone needs to work together to move forward and get the message to the dysfunctional legislature.

Mrs. Larwood commented that meetings like this one are uncomfortable because the Board must make decisions they really do not want to make. She stated that she asked the question about how the budget decisions were being made on the campus was that she wanted to be sure that the decisions had gone through the proper process.

Mrs. Bans stated that it had been a long week and a tough Board meeting. She stated that the Trustees cannot engage in dialog, but she wanted staff to know that the Trustees come to the Board meetings informed. She stated that the Chancellor is really the only person that works for the Board and Ms. Serrano is very good at keeping the Board members informed of issues and discussing proposed solutions.

**ADJOURNMENT**

Adjournment

The meeting was adjourned by the President at 4:40 p.m.

____________________________, President
Stuart O. Witt

____________________________, Vice President
Mrs. Rose Marie Bans