Call to Order

The regular meeting of the Board of Trustees of the Kern Community College District was called to order by Mr. John A. Rodgers, President, at 3:07 p.m., on Thursday, April 3, 2003, in Forum A, Weill Institute, Bakersfield College, 2101 “K” Street Mall, Bakersfield. Mr. Rodgers announced that the proceedings of the meeting were being recorded on tape.

Roll Call

Members present: Trustees John A. Rodgers, President; Dennis L. Beebe, Vice President; Rose Marie Bans, Clerk; Herbert D. Bonds; Pauline F. Larwood; Kay S. Meek; Stuart O. Witt; Gregory D. Lopez, Student Board Member

Members absent: None

District Administration and staff: Dr. Walter Packard, Chancellor
Mr. Thomas Burke, Assistant Chancellor, Administrative Services
Mrs. Lauraine Cook, Assistant Chancellor, Educational Services
Mr. Ray Quan, Director, Human Resources
Mr. Ken Robinson, Associate Director, Human Resources
Ms. Kellie Van Westen, Administrative Assistant, Chancellor’s Office

Bakersfield College:
Ms. Sandra Serrano, President
Mr. Steve Eso, CCA President
Mrs. Susan McQuerrey, Academic Senate President
Cerro Coso Community College:
Dr. Sharon Dyer, President
Mr. James Manion, Academic Senate President

Porterville College:
Dr. William Andrews, President
Dr. Ron Glahn, Academic Senate

Guests:    Mr. Michael Noland, CSEA Labor Representative
Mr. Terry Hart, CSEA Labor Representative
Mr. Patrick Breen, Maas Companies
Various staff members

Adoption of Agenda

The President indicated that there were additions to the agenda including, Preliminary #9, Changing a Meeting Location; Business Services #3A, contract; and Educational Services #7 and #8, Out-of-State Travel. It was moved by Dr. Bonds, seconded by Mrs. Meek, and carried that the Board adopt the agenda as revised. A copy of the agenda is on file in the Supplementary Minutes File.

Pledge to Flag

Mr. Rodgers asked to take a few moments to focus on the day’s somber topics and provide a little bit of perspective. He read a letter from a young serviceman in Iraq written a month before he was killed in action. Mr. Rodgers also talked about a 19 year old woman who was recently rescued. She had been serving as a supply clerk but was involved in a gunfight. He stated that her goal is to be a kindergarten teacher.

Mr. Rodgers asked for a short moment of silence and then led the members of the Board of Trustees and audience in the Pledge of Allegiance to the Flag.

Approval of Minutes

It was moved by Mr. Witt, seconded by Mrs. Meek, and carried that the Board approve the Minutes of the Regular meeting of March 6, 2003, and the Special meeting of March 11, 2003.

Election of California Community College Trustees Board of Directors for 2003

The President collected the ballots marked by the Trustees for tabulation, and the combined ballot will be presented for approval later in the meeting.
Confirmation of the Board of Trustees’ Chancellor Selection Ad-hoc Committee

Mr. Rodgers advised that Mrs. Rose Marie Bans, Mr. Stuart Witt, and he would be serving as the Trustees’ Chancellor Selection Ad-hoc Committee. It was moved by Mrs. Larwood, seconded by Mr. Beebe, and carried that the Board confirm the Trustees’ Chancellor Selection Ad-hoc Committee with members Mrs. Bans, Mr. Witt, and Mr. Rodgers.

Report from the Chancellor Selection Ad-hoc Committee on the Interim Selection Process

Mr. Rodgers reported that the Ad-hoc Committee met before confirmation but did not take any actions that required the approval of the Board. He stated that the process needed to begin as soon as possible. Mr. Rodgers stated that the first concern is to find an Interim Chancellor and then begin the process for the long-term position. He indicated that a position announcement had been distributed asking for applications, letters of interest, or nominations. The announcement was sent internally and externally; emailed to all staff, local newspapers in Bakersfield, Ridgecrest, and Porterville, and the list servers of all California Community College Chief Executive Officers, Instruction, Student Services, and Human Relations Officers. He stated there also will be contact with those individuals indicating an interest to serve as an Interim that are on lists provided by the Community College League of California and Professional Personnel Leasing, Inc.

Mr. Rodgers commented that the position announcement indicates the interim appointment will be for 6 to 12 months; requirements include minimum of a Master’s Degree and sound and demonstrated business acumen; candidates are not eligible for the long-term Chancellor position; compensation and benefits are negotiable. The Ad-hoc Committee would like to receive applications by April 15, 2003 and they will be screening the applications on April 16, 2003. Any reference calls will be made and the Candidates will be notified by April 25, 2003, that they have been selected for an interview by the Board on May 1, 2003.

Mr. Rodgers reported that the Ad-hoc Committee will basically follow the same procedures as followed three years ago. The process will include representatives from all employee groups, students, and community members. The process will be very thorough and extensive.

Mrs. Meek asked about the criteria that the Interim Chancellor could not apply for the long-term Chancellor position. Mr. Rodgers stated that the Ad-hoc Committee felt comfortable with that criteria, so that a candidate would not have an unfair advantage in the application process.

Mrs. Larwood indicated that she would not be able to attend the May 1, 2003, meeting of the Board, she asked to express her opinion relating to what she felt was important for the Interim appointment for the Board’s consideration. She felt that it would be very important that the candidate have considerable administrative experience, since they are coming during a crisis time in California and she recommend that the District find someone to serve as the Interim who has been a Chancellor in the State of California.
Dr. Bonds recommended that the candidate have extensive experience in California because of the budget crisis situation they will not have time to become familiar with California State laws. He commented that usually in this type of process the District will look internally first, then if they decide not to hire internally, they look externally. This allows those applying externally to know that there is not a candidate with an inside track.

Mr. Rodgers stated that the District is looking for candidates with California Community College experience. He also stated that the Interim position was noticed internally and externally as the result of Title 5 regulations.

Mrs. Evie Flowers expressed concern about the selection of the Interim Chancellor, stating that the candidate should not only have the academic qualifications but also experience in managing a three-campus District. Also, they should have experience working in the State of California. She felt these experiences would allow the District to move forward.

Communications

A. Bank of America: Response Regarding Request to Waiver Check Cashing Fees for Checks Issued by the Kern Community College District

Mr. Burke stated that the Bank of America has agreed to waive the $5.00 convenience check-cashing fee not only at Bakersfield College but at the other two Colleges. A copy of said Report No. A-5-03 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 Change Location of Board Meeting Scheduled for May 1, 2003

It was moved by Mr. Witt, seconded by Mrs. Bans, and carried that the Board approve changing the location of the Board meeting scheduled for May 1, 2003, from the Delano College Center, Bakersfield College, to Forum A, Weill Institute, Bakersfield College.

HEARING OF CITIZENS

Mr. Mike Cecil, Committee Chairman, Kern River Valley Advisory Committee

Mr. Mike Cecil, Committee Chairman, Kern Valley Advisory Committee, indicated that several members of the Advisory Committee wished to address the Board.
Mr. Cecil referred to Cerro Coso Community College’s mission statement and philosophy which states that the College is committed to providing equal opportunity for access to quality community college education for all eligible individuals within the service area irrespective of its geographical location. He stated that the Advisory Committee wished that not only the campus remain open but operating at its current capacity. He highlighted the numerous opportunities for community programs that have been successful because of the Kern River Valley Center.

Ms. Mary Barlow, Superintendent, Kernville Unified School District, shared information about the diverse student population of the Kern River Valley Center, and the fact that many have indicated they will not pursue their education if the opportunity is not available in community. They stated that Cerro Coso Community College is a critical component to the economic and social health of the Valley.

Mr. Mike Thomas, owner of Thomas Refuse, stated that the economy of the Kern River Valley cannot become stronger without the College. He asked the Board to make an equitable decision regarding the Kern River Valley.

Mr. James Stratton, Kern County Sheriff’s Department, advised that the Kern River Valley is made up of a very large area of several small town communities. He stated that the very positive program at the College Center is very convenient and economical.

Mr. Frank Raab, student at the Kern River Valley Center, stated he has been a student at the Center for three semesters. He stated that when he first started at the College, he was living in a van and showering at the Salvation Army. He has been on the Dean’s List for the last two semesters, has a part-time job, higher self-esteem, and has become a responsible member of the community.

Ms. Kathi Gutzman, R.N. at Kern Valley Hospital and Instructor of the CNA Program at the College Center, stated that because of the aging population living in the Kern River Valley the CNA staff are very important to the community. State regulations mandate the number of nursing staff that must be at the hospital, and if not adequately staffed, patients must be relocated out of town, which would negatively impact the hospital and the residents who must leave town. Ms. Gutzman stated that the CNA program at the Kern River Valley Center has been highly successful in training individuals, many of whom were on assistance. The CNA certification is a required prerequisite at a majority of nursing programs throughout the State, many graduates have gone on to nursing programs to hopefully ease the nursing shortage; and the Center also has an unique relationship with Kern Valley High School which has formed a career academy for those students interested in health occupations.

Ms. Betty Dupuis, Associated Student Body President, Kern River Valley Center, who currently carries a grade point average of 4.0, came forward to describe her employment situation and stated that the Center has offered her the opportunity to fulfill her dream of becoming an elementary school teacher. She reported that the Associated Student Body, upon hearing about possible closure, began a petition drive to save the Center, and she presented the petition of over 3,000 signatures indicating what the Center means to the community.
Ms. Margie Ruotsala, student and Secretary to the Chairman of the Advisory Committee, advised that she represented one-third of the student population at the Center, those that are single parents. She stated that as a working, single parent of two-children, she is a full-time student striving to maintain a 4.0 grade point average. She expressed concern about the diminishment of the Center’s capacity, stating she may well become a welfare recipient, no longer able to continue her college education or provide adequate care for her children.

Mr. Allen Jaffe, Board of Trustees member, South Fork Union School District, thanked the Trustees and the administration for their efforts to keep the Kern River Valley Center open and continue, albeit reduced. He presented some solutions to the question of how to retain the campus and continue the delivery of focused, quality educational training. He suggested inviting community members to work with the Board to optimize cost reductions; using facilities offered by the Kern Valley school districts and the hospital; expand distance learning; and increase lobbying efforts in Sacramento.

Ms. Jean Pak, Physical Education Instructor, Kern River Valley Center, acknowledged that the first classes to be reduced are usually physical education. She stated that the aerobics classes are very valuable to the community which has a large population of senior citizens.

Mr. Larry Lunce, community member, also talked about the importance of the aerobics classes for his back problems. He also stated that he has been involved in a performing arts class working with young children and they are all looking forward to attending college classes at the Center.

Mr. Rodgers thanked everyone for a very positive display of concern for the Kern River Valley Center and hoped that some of the ideas can be enacted upon.

Cerro Coso Community College, Concerns About the Athletic Programs

Mr. Ron Carter, Mayor, City of Ridgecrest and Principal at Lost Forrest Elementary School, stated he wished to appear before the Board to express support for the Athletic Program at Cerro Coso Community College. He stated that he and others have solutions to create a win-win situation. He indicated that the City Council has met with State representatives to discuss budget issues related to California community colleges. He asked the Board to maintain the Athletic Programs, stating that he knows the area of athletic must make cuts like other programs.

Mr. Carter reported that the Athletic Program at Cerro Coso Community College really generates about 100% of the investment. He stated that the community is ready to commit to fundraising to keep the Athletic Programs and they believe they can raise a significant amount of funds. They are also committed to help remarket the Athletic Programs which will provide additional revenue that will assist the College with other programs. He also suggested a partnership between the City and the College in any programs that may benefit both entities by cutting costs.

Mr. Willie Edwards, business owner and member of the Ridgecrest Fair Board, expressed concern about the men’s and women’s basketball teams and pledged support for the programs.
Mr. Duke Martin, Vice Mayor, City of Ridgecrest, stated he is upset with the actions from Sacramento and the cuts in athletics. He stated that he knows the history of the building of the athletic programs at Cerro Coso Community College and the diligence of the numerous individuals involved; to now hear that the programs will be cut is devastating.

Mr. Chip Holloway, Mayor Pro Tem., City of Ridgecrest, stated that the City is undergoing budget problems and potential cuts. He stated that he is surprised that when reviewing a budget line by line, a program generating income could be cut from the budget. He reiterated that Cerro Coso Community College athletics creates a positive cash flow. He expressed the opinion that this is a short-term problem and suggested reacting to a short-term problem with such long-term ramifications is irresponsible. The College would have to wait three years to apply to reinstate the program, and a schedule cannot be created for ten years.

Mr. Larry Bird, Men’s Basketball Coach, Cerro Coso Community College, acknowledged that budget reductions of 12 to 15% are a major task and every College is being confronted with those reductions. He commented that the College President and College Council have met to make these decisions and they have done the best they can, and he knows it is not an easy task. He expressed concern about those basketball players that have only played one year and have no where to play next year.

Mr. Bird asked the Trustees to assist and support the College President with the funds to maintain athletics at Cerro Coso Community College.

Mr. David Heiner, retired Los Angeles Police Officer, and currently serving as a Truant Officer at Tehachapi Unified School District. He asked to read a letter he wrote to Dr. Dyer regarding his son, a basketball player at the College. He stated his son has dyslexia and an attention deficit, and has had difficulty in school. He commented that if it were not for athletics, his son would be on the streets. He then read the letter which noted the dreams he had for his son and his son’s dream to be a college basketball player.

Ms. Oddessa Newman Staples, NAACP, Ridgecrest, stated she has served as a Board Trustee and she understands the pressure. The struggle to elevate Cerro Coso Community College from a variety of makeshift locations to its present location was difficult but it was not impossible. Armed with the mission statement, the community partnered to design a program that reflected the needs of the military community. She stated that it is also important to note that the College was committed to diversity, and the key to diversity, unexpectedly came through the athletic program. She stated that the NAACP was asking the Board of Trustees to support the College President, give some direction to go back and design a partnership program with the community to keep the athletic program going and to make longer-term plans for the College.

Mr. Dick Adams, Athletic Director and Head Men’s Baseball Team Coach, Cerro Coso Community College, stated that he feels the athletic programs at the College are being judged unfairly and with prejudice because of internal politics whereby a small group of faculty have banded together to eliminate athletics. He stated that he believes the athletic program budget can be reduced and fundraising efforts can be increased. He asked the Trustees to send Dr. Dyer back to Cerro Coso Community College with the ability to stand up to a small collection of the Academic Senate and say the athletic program will not be cut but reduced. Mr. Adams presented copies of letters from community members supporting the athletic programs.
Mr. Rodgers thanked everyone for their comments.

Mr. Witt commented that he was raised in the Kern River Valley and he recognized many of those addressing the Board. He stated that as the Trustee representing the Kern River Valley he had been contacted by many concerned community members regarding the Kern River Valley and the Cerro Coso Community College athletic program. He stated he also has had numerous conversations with Dr. Dyer regarding these difficult financial issues which produce highly emotional feelings.

Mr. Witt indicated that the Fire Mountain Foundation has met to determine if the Foundation could assist the College in various programs. He commented that he is sure the other campuses are doing the same. He asked Dr. Andrews if they have a football program and Dr. Andrews indicated that there is no longer a football program and there are no plans have one in the future. Mr. Witt asked what would happen if Bakersfield College were to no longer have a football program and stated that the College administration would probably be run out of town.

Mr. Witt asked the Trustees, through the Chancellor to direct this issue back to Dr. Dyer for reconsideration, both in Kern Valley and at Cerro Coso Community College, keeping in mind that the District is the largest in the State, and the budget impact on five satellite campuses has an impact unlike any other in the State. Mr. Witt stated that he was looking at three campus Presidents who have contracts that expire June 30, 2003, and a Chancellor who has made his resignation known and leaving in six weeks. Mr. Witt indicated that he could not imagine Presidents being able to effectively make changes and make quality, business decisions without the backing of a contract and the backing of this Board in order to make those decisions. He asked that the Board Chair, through the Trustees, consider the Chancellor bringing multi-year contracts for approval on May 1, 2003.

Mr. Witt asked that the Board Chair send back to Dr. Dyer, specifically in Area II, to reconsider the Kern Valley campus and the athletic department issues. He stated in working with Mr. Ron Carter, Mr. Chip Holloway, Mr. Duke Martin, and Ms. Staples, he is sure the community will support the College and the community has made a commitment to raise funds to keep a partial athletic department open because to reconstitute programs is a ten-year effort.

Mr. Witt stated he believes the District needs to reconsider the proposed decisions if there is any way possible. He asked the Board consider directing the Chancellor to work with the President to reconsider the initiatives before the Board relating to the Athletic Department and the Kern River Valley. He commented that those representing Kern River Valley had provided testimony that was highly emotional and pleading, but what he did not hear was what they would be willing to give up, it is not an issue of all or nothing. He stated that what he did not hear was that the Kern River Valley campus could have free rent for the next 18 months, which would be a very positive solution. He also stated that working with Ms. Mary Barlow, Superintendent, there might be an opportunity for classrooms rent free. The District needs to look at every avenue in order to save money to keep the campuses active. He stated that he had not heard any business solutions and there must be involvement between the business community and Dr. Dyer to reach quality decisions.
Dr. Packard noted that many community members miss the point that the Colleges may generate FTES but that does not mean revenue is generated. Unlike the public schools sector, who receive funding for every student enrolled; whereas community colleges are not funded in that fashion. He stated that there may be an enrollment decline next year, but currently the District is overcap, the District is serving more students than are funded. It is very difficult for the business community to understand that the District does not get paid for everything that they do. Dr. Packard stated he is willing to work with Dr. Dyer to try to find solutions to these problems but also thinks it is important for people to understand that it is difficult to create miracles. He further stated that he has heard from many community members saying they will try to work with the District and College to find solutions that make it a little easier, not entirely accomplishable, but easier.

Mr. Lopez stated that he had attended the march in Sacramento related to community college funding and indicated that Cerro Coso Community College was one of the most organized groups in the march with their signs. He commented that many of the participants were the members of the Cerro Coso Community College men’s baseball team.

Mr. Rodgers again thanked everyone for their comments and stated there were wonderful ideas and opportunities presented to the Board. He stated that he agreed with Mr. Witt that the Board should take a look at the ideas and work with the communities.

Porterville College, Concerns About the Music Program

Mrs. Eleanor Forrester, Porterville community member, advised that she was representing many residents of Porterville who were unable to attend the meeting. She stated that they all urge the Board to maintain and protect the integrity of the comprehensive curriculum at Porterville College. She commented that she was mindful of the budget challenges faced by the District and is aware that community college funding is considerably complex. She advised that Dr. Andrews had been most generous with his time in explaining the challenges of downsizing at the College. She stated that the challenge is to not place blame and to resist the hope for a legislative miracle to solve the problems.

Mrs. Forrester stated it is important to use passion and energies to create positive attitudes and actions that will allow future generations to experience post-secondary education that leads to a four-year university degree and/or marketable vocational skills. She commented that schools are for students and teachers, and other staff fill support positions; if positions must be reduced they should be support positions.

Mrs. Forrester highlighted the many valuable courses and programs available at the College and those programs being eliminated. She again urged the Board to maintain and protect the integrity of the comprehensive curriculum at the College. She suggested budget reductions in other areas than teachers, salary freezes at all levels, further support staff reductions at the Weill Institute, and a return of the funds that Porterville College sends back to the District Office, could be possible solutions. Mrs. Forrester asked the Board of Trustees to direct the Chancellor to direct President Andrews to gather a community committee to reconsider the proposed cuts and find other ways to stay within the budget.
Dr. Ron Kean, Professor, Music, Bakersfield College, expressed the importance of the arts, stating they are not simply skills, but their concern is the intellectual, ethical, and spiritual maturity of life. He advised that he is a product of Porterville College as a faculty member there for seven years and as member of that community with children attending local schools, he could say how important the schools are and how important the music program did for the community, especially after the elimination of the football program.

Dr. Kean stated that music was the most positive and visible ambassador to the community for the College. He stated staff were and still are very proud of the music program. He reported that there are three large music programs at the local high schools that feed in to the College program. He further reported that three of those teachers are graduates of the Porterville College music program. He commented that when the music program is cut at one college, it is not just that campus that suffers, and not just that community, it has a ripple affect for those that have seniority over other faculty members from other campuses who then bump and subsequently someone is out of job. He asked the Board to rethink this issue and not completely cut the program.

Mr. Herb Forrester, Porterville community member for 50 years, advised that he has served in the Porterville High Schools teaching Chemistry and Physics for 31 years, and then served on the Unified School Board for 13 years. He proposed looking at the way the decision for cutting was done and what happened. He applauded Dr. Andrews for his approach with faculty in determining cuts in the various departments. Mr. Forrester stated he had attended a meeting where the discussions were held related to budget reductions. The discussions resulted in the elimination of $700,000 in cuts in the academic program; however, the goal was $1.4 million. He advised that the final $700,000 in reductions was developed by Dr. Andrews, and those cuts included the elimination of the music program in Fine Arts Department and eliminations in the Agriculture Department. He stated that these programs did not have faculty representation.

Mr. Forrester protested the cuts in the music program, stating it is not just a cut in the music program, but a cut in the whole department and it destroys the purpose of the College. He stated that the loss of the department has an affect on the community, which is isolated from metropolitan areas, and the music program is an integral part of the educational system of Porterville College. He stated further that the music programs in the high schools is very, very strong, and they are strong because the staff work together in presenting the music program in the community. He expressed the opinion that the community should be involved in the decision-making process and suggested that the community could find a way to fund the music program.

Mr. Terry Hart, CSEA Labor Representative, Concerns Related to Classified Staff

Mr. Terry Hart, CSEA Labor Representative, cited CSEA’s philosophy, stating that classified staff are characterized as support staff, but they protect, take care of the infrastructure, admissions, perform secretarial duties and custodial duties, and without classified staff, you cannot keep a campus open. He stated that there are laws in California that require safe, clean facilities, and the classified employees at all three colleges are an integral part of the college. He commented that during the last three years, the classified staff has been cut to the bone, and to
suggest further cuts is not prudent. He stated that staff are aware that there is a budget deficit, not a crisis, since there have been modifications to the original budget deficit.
Mr. Hart expressed the opinion that there are viable solutions, and while CSEA is not protected by the 50% Law or the 75/25 ratio, faculty are protected. He feels that the faculty should consider the fact that they are going to receive $1.5 million in salary increases during the next two years. He stated that when you talk about equity and fairness in regards to having to reduce staff, reduce perks, reduce cost items, he feels it is very important to look at the faculty increases. He believes there are other ways to keep the campuses going forward in a clean and healthy environment.

Mr. Rodgers thanked Mr. Hart for his comments.

Mr. Rodgers introduced Ms. Anita Stackhouse-Height, a reporter for the Porterville Recorder.

Public Response to the 2003-2006 Initial Proposal to the Kern Community College District from the California School Employees Association (CSEA), Chapters 246, 336, and 617, the Exclusive Representative for Classified Personnel

This being the date established for public comment on the 2003-2006 Initial Proposal to the Kern Community College District from the California School Employees Association (CSEA), Chapters 246, 336, and 617, exclusive representative for classified personnel, as shown in the Human Resources Report, the President called for comments. A copy of said Report No. H-12-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Hearing of Citizens

There were no requests for hearing of citizens.

WORK STUDY SESSION

There was no work study session scheduled.
Porterville College, Chemical Storage Project, Approval of the Notice of Exemption for the Chemical Storage Project

Mr. Tom Burke, Assistant Chancellor, Administrative Services, introduced Mr. Patrick Breen, Maas Companies, to respond to any questions the Trustees might have regarding the construction items. Mr. Burke advised that the Maas Companies have been retained to do Facilities Management and Development associated with the Measure G funds.

It was moved by Mrs. Larwood, seconded by Mrs. Bans, and carried that the Board approve the Notice of Exemption for the Chemical Storage Project, Porterville College, as recommended in the Business Services Report. A copy of said Report No. B-51-03 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, Allied Health Relocatables Project, Approval of the Notice of Exemption

It was moved by Mrs. Larwood, seconded by Mrs. Bans, and carried that the Board approve the Notice of Exemption for the Allied Health Relocatables Project, Porterville College, as recommended in the Business Services Report. A copy of said Report No. B-52-03 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, Chemical Storage Project, Authorization to Award Contract

It was moved by Mrs. Larwood, seconded by Mr. Witt, and carried by the Board that the Assistant Chancellor, Administrative Services, be authorized to award the contract for the Chemical Storage Project, Porterville College, after such time as the project has been bid, bids are received and tabulated, and award not to exceed $239,000.00, as recommended in the Business Services Report. The project is funded by a combination of Scheduled Maintenance and the Hazardous Materials programs. The funding is from 1999-2000 and will sunset June 30, 2003. The bids will be opened on April 17, 2003, and the contract will be ratified at the Board meeting on May 1, 2003. This action will prevent the reverting of project funds of approximately $300,000.00. A copy of said Report No. B-53-03 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, High Voltage Electrical Project, Phase I, Authorization to Acquire a Medium Voltage Interrupters Switch House

It was moved by Mr. Witt, seconded by Mrs. Bans, and carried that the Board authorize the Assistant Chancellor, Administrative Services, to acquire a Medium Voltage Interrupters Switch House, from S & C Company, for an amount not to exceed $250,000.00, for the High Voltage Electrical Project, Phase I, Bakersfield College, as recommended in the Business Services Report. Since there is only one source for the required equipment and competitive bidding would be futile and unavailing, legal counsel was consulted and the Assistant Chancellor, Administrative Services, was advised to proceed as above. A copy of said Report No. B-54-03 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 following items require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. It was moved by Dr. Bonds, seconded by Mrs. Meek, and carried that the following Business Services items be approved on the consent agenda:

Cerro Coso Community College, Eastern Sierra College Center, Mammoth, Initial Building Project—Approval of Change Order Number Two

Mr. Terry Hart, CSEA Representative, commented that when District-funded construction projects are being completed, the most dangerous item that can happen is the change order because of cost escalations. He feels it would be better if building schedules and plans put together, and a contingency if the contractor were to exceed the cost the District not be subject to change orders. He said he does not know if most of the change orders are the result of the District making changes or the contractor.

Mr. Rodgers responded that all contracts have a contingency built into the contract and usually there are latent conditions found during the construction project. Dr. Packard commented that the amount of change orders for District projects is remarkably smaller than the standard 10%.

The Board approved Change Order Number Two for the Initial Building Project, Mammoth, Eastern Sierra College Center, Cerro Coso Community College, as recommended in the Business Services Report. The Change Order increases the contract by $278,490.02. A copy of said Report No. B-55-03 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, Eastern Sierra College Center, Bishop, Initial Building Project—Approval of Change Order Number Two

The Board approved Change Order Number Two for the Initial Building Project, Bishop, Eastern Sierra College Center, Cerro Coso Community College, as recommended in the Business Services Report. The Change Order increases the contract by $48,319.93. A copy of said Report No. B-56-03 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, Eastern Sierra College Center, Mammoth, Initial Building Project, Concrete Prime Contract—Authorization to File a Notice of Completion

The Assistant Chancellor, Administrative Services, was authorized to file a Notice of Completion for the Initial Building Project, Concrete Prime Contract, Mammoth, Eastern Sierra College Center, Cerro Coso Community College, as recommended in the Business Services Report. A copy of said Report No. B-57-03 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, Eastern Sierra College Center, Bishop, Initial Building Project, Insulation Prime Contract—Authorization to File a Notice of Completion

The Assistant Chancellor, Administrative Services, was authorized to file a Notice of Completion for the Initial Building Project, Insulation Prime Contract, Bishop, Eastern Sierra College Center, Cerro Coso Community College, as recommended in the Business Services Report. A copy of said Report No. B-58-03 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, Authorization to Execute Renewal Agreements with Providers for the Use of Clinical Facilities Suitable for the Educational Needs of the Allied Health Programs

The Assistant Chancellor, Administrative Services, was authorized to execute renewal agreements between Kern Community College District on behalf of Bakersfield College and the following providers for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, as recommended in the Business Services Report. The term of the agreements is from March 1, 2003, to June 30, 2007. There is no cost to the District. Copies of said Reports No. B-59-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

- Central Cardiology Medical Clinic
- The Californian Care Center
- Evergreen Healthcare Center
- Sierra View District Hospital

Bakersfield College, Authorization to Execute a Memorandum of Understanding with the Kern County Mental Health Department for the Use of Clinical Facilities Suitable for the Educational Needs for the Allied Health Programs

The Assistant Chancellor, Administrative Services, was authorized to execute a Memorandum of Understanding (MOU) between the Kern Community College District on behalf of Bakersfield College and the Kern County Mental Health Department for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, as recommended in the Business Services Report. The term of the agreement shall commence on the date signed and continue to June 30, 2006. There is no cost to the District. A copy of said Report No. B-60-03 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, Small Business Development Center, Approval of the Application for a Rural Development Grant from the U.S. Department of Agriculture to Provide Business Counseling

The Assistant Chancellor, Administrative Services, was authorized to approve the application for a Rural Development Grant from the U.S. Department of Agriculture, for Bakersfield College Small Business Development Center, to provide business counseling to very small start-up and existing businesses, and adoption of resolution certifying approval and authorizing representatives, as recommended in the Business Services Report. The term of the award is July 1, 2003, to June 30, 2004. The maximum amount payable to the District if awarded will be $42,302.00. A copy of said Report No. B-61-03 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, Corporate and Community Services, Authorization to Execute a New Agreement with Agri-Cel, Inc., to Provide Training Services

The Assistant Chancellor, Administrative Services, was authorized to execute a new agreement between the Kern Community College District on behalf of Bakersfield College Corporate and Community Services and Agri-Cel, Inc., to provide training services to Agri-Cel, Inc. The term of the agreement is March 17, 2003, to August 31, 2004. The maximum amount payable to the District is 43,550.00. A copy of said Report No. B-62-03 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, Corporate and Community Services, Authorization to Execute a New Agreement with the City of Delano to Provide Services for the Completion of Phase II of the Delano Vision Plan

The Assistant Chancellor, Administrative Services, was authorized to execute a new agreement between the Kern Community College District on behalf of Bakersfield College Corporate and Community Services and the City of Delano to provide a variety of services for the completion of Phase II of the Delano Vision Plan, as recommended in the Business Services Report. The term of the agreement is July 1, 2002, to March 31, 2003. The maximum amount payable to the District is not to exceed $19,400.00. A copy of said Report No. B-63-03 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 Execute a Renewal Agreement with Robert A. Karn & Associates for the Preparation of the Annual Engineer’s Report, Assessment Roll and Assessment Roll Tape

The Assistant Chancellor, Administrative Services, was authorized to execute a renewal agreement between the Kern Community College District and Robert A. Karn & Associates for the Preparation of the Annual Engineer’s Report, Assessment Roll and Assessment Roll Tape for the Kern Community College District, 2003-2004, as recommended in the Business Services Report. The maximum cost to the District remains the same as 2002-03 at $12,800.00. A copy of said Report No. B-64-03 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 Execute an Amendment to a New Agreement with 3D International

The Assistant Chancellor, Administrative Services, was authorized to execute an amendment to a new agreement between the Kern Community College District, and 3D International, to provide facilities condition assessment in connection with the District’s facilities maintenance schedule assessment, as recommended in the Business Services Report. The amendment reduces the maximum cost to the District by $2,675.52. The new contract total is $102,238.39. All other terms and conditions of the Agreement remain the same. A copy of said Report No. B-65-03 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, Authorization to Execute a Renewal Agreement with the State of California Developmental Services for the Psychiatric Technician Program

The Assistant Chancellor, Administrative Services, was authorized to execute a renewal agreement between the Kern Community College District on behalf of Porterville College Psychiatric Technician Program and the State of California Developmental Services, to provide instruction as recommended in the Business Services Report. The term of the agreement is from August 12, 2003, through June 30, 2004. The maximum amount payable to the District is $503,258.00. A copy of said Report No. B-66-03 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 and Cerro Coso Colleges, Authorization to Execute Amendment Number One to the Subgrant Agreement under the Workforce Investment Act

The Assistant Chancellor, Administrative Services, was authorized to execute Amendment Number One to the subgrant agreement under the Workforce Investment Act between Kern Community College District on behalf of Bakersfield College and Cerro Coso Community College, and the County of Kern, as recommended in the Business Services Report. The amendment increases the amount payable to the District by $76,322.00, which changes the exhibits attached to the contract. All other terms and conditions remain the same. A copy of said Report No. B-67-03 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, California Virtual Campus Region 4, Authorization to Enter into a Contract for Personal Services with Butte Community College District

The Assistant Chancellor, Administrative Services, was authorized to enter into a contract for personal services between the Kern Community College District on behalf of Cerro Coso Community College, California Virtual Campus Region 4, and Butte Community College District, to provide consulting services, as recommended in the Business Services Report. The term of the agreement is January 1, 2003, to December 1, 2003. The maximum amount payable to the District is $21,950.00. A copy of said Report No. B-68-03 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-69-03 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: A-9: Numbers 35 - 38
General Fund: Numbers 328740 - 334724
Student Financial Aid Fund: Number 329922
Mammoth Building Fund: Numbers 329070 - 329558
Measure G Debt Service Fund: Numbers 329557 - 329798

EDUCATIONAL SERVICES ITEMS

Presentation of Proposed Revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4C4, Standards for Probation

The Assistant Chancellor, Educational Services, presented the proposed revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4C4, Standards for Probation, as shown in the Educational Services Report. The revisions will be presented for approval at the Board meeting of May 1, 2003. A copy of said Report No. E-5-03 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 4F8G, Plagiarism

The Assistant Chancellor, Educational Services, presented the proposed revisions to the District Board Policy Manual, Section Four, Students/Instructional Services, Policy 4F8G, Plagiarism, as shown in the Educational Services Report. The revisions will be presented for approval at the Board meeting of May 1, 2003. A copy of said Report No. E-6-03 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, Presentation of Student Health, Parking and Student Body Operating and Building Fee Schedule, 2003-04

It was moved by Dr. Bonds, seconded by Mrs. Larwood, and carried that the Board approve the Student Health, Parking and Student Body Operating and Building Fee Schedule for 2003-04, as recommended in the Educational Service Report. The Fee Schedule was presented for information at the Board meeting of March 6, 2003. A copy of said Report No. E-7-03 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 Porterville College, Presentation of Catalog, 2003-04

Dr. Bonds asked Dr. Andrews about the deletion of the music program in the proposed Catalog for 2003-04. Dr. Andrews stated that the Catalog is developed by the Academic Senate, and any changes are reviewed by the curriculum committee, and then moved forward. He also noted that as a result of the budget reductions, specific programs are being placed in an inactive status and they are being eliminated. Dr. Bonds noted that there were proposed new courses and Dr. Andrews explained that many of the changes in curriculum are the result of streamlining and making the curriculum more efficient for the student and more transferable. Dr. Bonds specifically asked about a course called Social Welfare. Dr. Andrews explained that was a new program that is being developed within the Social Science Department. They are moving towards developing a certificate program which would be less than 50 units to prepare students to be Social Worker Technicians. He stated that there is a market for those individuals without a Bachelor’s Degree and it is the beginning of the development of that program. The list does not result in additional staffing.

It was moved by Mrs. Bans, seconded by Mr. Witt, and carried that the Board approve the Porterville College Catalog, 2003-04, as recommended in the Educational Services Report. The revisions were presented for information at the Board meeting of March 6, 2003. A copy of said Report No. E-8-03 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, Out-of-State Travel

It was moved by Mrs. Larwood, seconded by Dr. Bonds, and carried that the Board ratify approval for approximately four Bakersfield College Renegade Forensics Team members to travel to Arizona State University, Tempe, Arizona, March 20-24, 2003, as recommended in the Educational Services Report. The students were accompanied by Mr. Bob Lechtreck and Mr. Mike Korcok. A copy of said Report No. E-9-03 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 for Designation of Board of Trustee Representatives for College Commencements

It was moved by Dr. Bonds, seconded by Mrs. Larwood, and carried that the Board approve the following designation of Board of Trustee representatives for College commencement:

- **Bakersfield College**  
  May 16, 2003  
  Mr. John Rodgers

- **Cerro Coso College**  
  May 16, 2003  
  Mr. Stuart Witt

- **Porterville College**  
  May 24, 2003  
  Dr. Herb Bonds
Bakersfield College, Out-of-State Travel

It was moved by Mr. Witt, seconded by Mrs. Larwood, and carried that the Board approve approximately four Bakersfield College Renegade Forensics Team members to travel to Portland, Oregon, to compete in the CEDA National Speech and Debate Tournament, from April 9-22, 2003, as recommended in the Educational Services Report. The students will be accompanied by Mr. Bob Lechtreck and Mr. Mike Korcok. A copy of said Report No. E-10-03 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, Out-of-State Travel

It was moved by Mrs. Bans, seconded by Mrs. Meek, and carried that the Board approve approximately four Bakersfield College students to travel to Murphy, Tennessee, for the National Horse Show Association, April 30 – May 5, 2003, as recommended in the Educational Services Report. A copy of said Report No. E-11-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

HUMAN RESOURCES ITEMS

Adoption of a Resolution Reducing or Eliminating Certain Classified Services

Mr. Michael Noland, CSEA Labor Representative for Bakersfield College and the Learning Services Center, stated that he was rather shocked when he viewed the list of the proposed classified layoffs. He stated that approximately 30 FTE are proposed for lay off which equals about 45 people. He indicated that the budgeted vacant positions equal about 53 positions at Bakersfield College and the Learning Services Center. He pointed out that this means about 97 staff members less at Bakersfield College and Learning Services Center. He commented this does not take into account the proposed layoffs approved last month at Cerro Coso Community College and Porterville College. He indicated that these 30 FTE equate to is $1,044,025, while there are faculty salary increases scheduled for next year at $2,460,000, and that does not taking into consideration step increases for every employee group.

Mr. Noland recommended freezing salaries, saying that would be prudent and responsible for the District to do that. Even though many of the problems are a result of action in Sacramento, Mr. Noland believes that the District has not been prudent when agreeing to salary increases in the future. He stated that the priority is to serve the students; the District cannot serve the students with less administrators, with less faculty and less classes, and less classified to support the structure. Mr. Noland asked the Board not to approve the proposed reductions and eliminations, and stated that there are other groups that need to step up, come to the plate, take responsibility for what they have entered into and let the District community come together and find a way to resolve the budgetary issues without cutting the music program, cutting the athletic programs, and cutting the Kern River Valley Center.
Ms. Cynthia Munoz advised that March 17th marked a historical day for California community colleges; it represented a day in which all key stakeholders took a stance and demonstrated against the disparagement of funding as compared to other higher education systems and against increase of tuition fees of over 127%. There is the impression to the community college population that they are not considered a priority and do not hold the same merit as the students that attend California State Colleges and Universities. The time is now to urge the legislators both at the local and State level that the community colleges should be considered as equals to the other branches of higher education.

Ms. Munoz, Vice President, CSEA, Learning Services Center, commented that what is in the District’s control is a method in which the budget reductions are applied locally, keeping in mind that reductions should clearly be kept at the furthest away from prohibiting students success as possible. Any proposal for classified labor reductions would hold a negative impact to students impact and services; registration, processing financial aid disbursements, and system interruptions to name a few. These are clear examples of how limiting classified positions would adversely affect services to students. She stated that classified employees are all too familiar with doing more with less, day in, day out, month after month. Ms. Munoz urged the Board to strongly reconsider its previous actions and redirect any funding commitments for the future and funding to non-labor areas to the sources that directly contribute to the success of the colleges.

Ms. Debbie Brockman, President, Classified Senate and an Executive Board Member of CSEA, Bakersfield College, stated she was not speaking as a classified staff member, except to say that she agreed with the comments of Mr. Noland and Ms. Munoz. She asked to speak as a taxpayer and a business owner, stating that when her former business had hard times, she as the business owner was the one to take the pay cuts not the employees. She stated she is amazed by the hierarchy that is currently in place and commented that as a result of the KH Study, the District was to flatten the levels of authority. She feels there were no changes and that the levels of authority have increased. She stated there needs to be more accountability and suggested having the Human Resources Department establish parameters so that there is better open communication.

Ms. Brockman urged the Board freeze all salaries and step increases at this time because there will be even more financial problems next year. She stated that the staff at Bakersfield College is already bare bones, and that as vacancies occur, they are not filled. She asked the Board to postpone for another month any actions, giving the Chancellor’s Cabinet an opportunity to determine revenue-generating ideas, such as the Foundations helping by raising funds. She stated that there are other creative ways to solve these problems other than cutting any staff members and these solutions can be reached by everyone working together.
Mrs. Kathleen Loomis-Tubbesing, Bakersfield College, stated money and greed are destroying the very fabric of the Kern Community College District and the three colleges. She asked the Trustees to not let that happen, stating they have the power to affect change. She indicated she has 15 years of experience at Bakersfield College, and the vision, mission, and goals of the College stress service. The vision is to present high standards of service; the mission is to provide exceptional instruction and services; and the goal is to effectively allocate resources. She commented that service to students comes from support staff, the classified employees of the college are often the first contacts students have on the campus. She further commented that service to students is not achieved by faculty raises especially when those raises reduce the standards of service to students. She reiterated that the Board members have the power to affect positive change.

Ms. Cynthia Needham, Bakersfield College, stated that she has worked at the College for over 12 years and she has also been a student. She presented a copy of a poster with the mission statement of Bakersfield College. She referred to the vision of the College, which states that Bakersfield College in partnership with others will provide a learning environment that fosters respect for individuals, ideas, and opportunities, to develop the skills, knowledge, and attitude required to compete, self-sufficient, and participating citizens of the world. The mission of the College is to focus on student success by providing quality instruction and services in an environment that values and supports learning, teaching, and scholarships.

Ms. Needham commented that classified staff have been told there are going to be cuts and that her colleagues have asked for salary freezes. She asked for a major freeze. She advised that she works in the Custodial/Grounds Maintenance and Operations Department at Bakersfield College. She reported that there are only 22 custodians providing services for the Learning Services Center, Bakersfield College, and the Delano Center; there are 8 grounds people who provide services for the College; and there are 9 tradesmen such as painters, electricians, etc.

Ms. Needham again referred to the poster, citing that the goal of the College is to maintain and balance the curriculum by offering courses that promote awareness and self-society environment. She stated that the most important item on the poster is service, service by instruction, service by staff, and service by the students so that after graduating the students have the awareness and what is necessary to continue. As an employee, as a citizen, and as a student, she asked the Trustees to please consider the budget, consider freezing, and staff are available to help to provide the best education, clean environment, and well-balanced attitude.

Mr. Beebe asked if the Board could freeze the faculty salary increase without negotiations. Dr. Packard advised that the faculty salary increase could not be frozen without negotiations because the increase is included in a ratified contract. Mr. Beebe stated that the District has been trying to bring all of the employee groups up to the statewide average, and asked where the District salaries are at this point. Dr. Packard noted that the normal practice for classified salaries is to be compared to the local job market. Mr. Burke stated that with regard to the faculty contract, a formula had been designed to bring the faculty salaries up to an average of comparable colleges that were identified and agreed during negotiations. Bringing the faculty salary to the average will occur over the next three years.
Ms. Cynthia Munoz, Vice President, Learning Services Center, asked to address the Classification Study that was completed and implemented for classified personnel in 2000. She stated that the study was compared with the local job market and other multi-college districts in close vicinity. She pointed out that the faculty study and administrative study is based on the statewide average, however, the classified employee group that did not include statewide average data and is not meeting the same criteria.

Dr. Packard stated that on a national basis classified staff are not compared on statewide or national averages, because you do not recruit classified staff on a statewide or national basis. The reason the statewide or national averages are used as a standard for recruiting faculty and administrative groups is because that is the pools you recruit from.

Ms. Munoz stated that the classification study for classified personnel was not used for recruitment, it was used for retention. She stated that the study did compare the local market and also noted that the study had not been fully implemented. Mr. Beebe asked where the classified staff salaries fall at this point. Ms. Munoz stated that on the statewide level they are again behind.

Mr. Noland commented goals are great when there is money available, but when there is no money, goals become irrelevant and illogical. He stated that he supported faculty salary increases when there is money available, but when the budget turns the other direction, it is time to shift the priorities.

Mr. Beebe asked where the administrative salaries are currently. Mrs. Cook responded that when looking at the latest Association of California Community College Administrators (ACCCA) study, and comparing with multi-college districts, the Kern Community College District is close to the statewide average. She stated that the survey for 2002-03 should be distributed in the next few months.

Mrs. Larwood commented that the Board had again heard concerns about the KH Study and that the recommendations had not been implemented. She asked for a response to those concerns. Dr. Packard stated that he respectfully disagreed, noting that the District had eliminated a number of administrative layers in the process, and he does not understand that comment because he knows there are fewer administrators.

Mrs. Larwood referred to the recommended reductions of classified staff at Bakersfield College, and asked if they are comparable to what occurred at Cerro Coso and Porterville College. She asked for some type of comparison. Dr. Packard replied that each of the campuses went through a lengthy, shared governance process.
Dr. Bonds referred to the actions taken by the Board thus far on the administrative notices, faculty notices, and the classified actions, and proposed classified actions, and asked what implications are there on the KH Study. He asked if there was an impact on the structure, and noted that there has not been a report to the Board in recent months. He also asked where is the District in relation to the KH Study, was there any saving as a result of the Study. Dr. Packard replied that there were reductions of several hundred thousands of dollars in operating costs and there are also several recommendations in the KH Study, for instance at the Learning Services Center, there was a recommendation that staff be added, and the District cannot do that. He further stated that there are several recommendations in that study that under the budget constraints cannot be implemented. Some recommendations are being implemented as a result of the process to meet budget crisis.

Dr. Bonds stated that he was not happy with the way the recommendation for reducing and eliminating staff occurred at this meeting or this time. He further stated that the Board received a list of individuals whose livelihood depends on the positions within the District, and the Board is asked to act on the recommendations at the meeting. He stated he is not prepared to do that at this time. He proposed tabling this item to a study session. He would like to review the documents and he would like a report at the study session on the implications of the proposed reductions to the KH Study.

Mr. Rodgers agreed that the KH Study needs to be revisited but he was not sure if it should be folded into the budget reductions.

Mrs. Larwood asked if all employee groups would be willing to stand up and put a freeze on salary increases in order to save jobs.

Mr. Witt stated that he was also uncomfortable with taking the action today and also at the last meeting. He further stated that it is difficult to read a document during the Board meeting and listen to testimony at the same time. He asked if it were possible to table the item and still meet the statutory requirement of notice time, or does the Board have to act on it in order to affect some outcome that is the result of meeting the law.

Dr. Bonds stated that the classified must receive a 30-day notice of reduction or elimination. Dr. Packard pointed out that the recommendations have been fully studied at each of the Colleges, and Bakersfield College took an additional month to complete their recommendations. He stated that in order to prepare the budgets for the worst-case scenario, these are steps that must be taken. To postpone the action for a month, it is not a disaster, longer would be a problem.

Mr. Witt stated that Mrs. Larwood had asked a very good question, and he is curious about the fact that the District must open negotiations to reduce salaries, and he asked that be done. He suggested that the action be delayed, and that negotiations begin as soon as possible.
Dr. Bonds reiterated his request for a study session as soon as possible. Mr. Witt agreed. Mrs. Larwood noted that when she asked if all employee groups would be willing to freeze salaries, she did not see but one group respond. She believes that negotiating salaries will not be successful. She stated that there is a problem because the Trustees took action on reducing or eliminating staff for Porterville and Cerro Coso Colleges. Also, there is the same problem as Governor Gray Davis, he never made it sound like there would be a budget crisis until he was re-elected and then the budget was fully revealed. She expressed concern about acting prematurely and is also concerned about balancing the budget. She stated should a different group of actions be before the Board, there would be a different group of individuals addressing the Board.

Dr. Packard noted that the action is a possibility, not an assurance. He stated that until the May revise of the Budget is presented, the District will not know what budget will look like. Mr. Witt asked with whom will that decision reside, the Chancellor who is resigning, the Business Services Director, or the College Presidents? Dr. Packard indicated he will be making a recommendation before he departs.

Mr. Rodgers stated that the item could be tabled, but noted there was action on the recommendations of the other two colleges. Those recommendations went through the same process and that process was followed at Bakersfield College. He commented that Bakersfield College went through a process to present a proposal to the Board. He stated he was not sure if there were long study sessions regarding the recommendations if that will serve a purpose because the Colleges have completed the process. The Colleges have been asked to confer in a collegial manner to recommend the cuts and now the Board wants to make changes.

Mrs. Meek stated that she feels the Board wants to be educated regarding the process and explain why it is necessary to take these actions. She stated she also is not comfortable being handed a document at the meeting to be acted upon immediately.

Mrs. Bans referred to comments she made at another meeting regarding a conference she attended where the presenter stated that a Trustee should never take an action on an item if it is presented at the Board meeting. She stated we need to change some processes, and either have the items earlier or they are discussed in a work study session. Mr. Beebe pointed out that even when there is a work study session, the Board is asked to take an action later in the meeting. He believes it would be beneficial to have time in between a work study session and taking an action.

Dr. Packard asked if the Trustees are wanting more details. Mr. Witt stated he is hearing that there is a willingness by the classified staff to negotiate, and Dr. Packard indicated that the classified staff have always said they would be willing to discuss freezing salaries or possible salary reductions. Mr. Witt stated that the Board needs to discuss this in open forum he is interested in the discussion of his colleagues because he is a junior member of the Board. He feels it is very important to have an open discussion at a meeting.
Dr. Packard indicated that the administration can ask the faculty to negotiate salaries but they would have to agree to do so. Mr. Witt acknowledged that it may be a moot point.

Mr. Michael Noland asked if the Board took action on a list of possible reductions and eliminations of classified personnel, would another list be presented at a later date. If so, why not just one list for action. Dr. Packard indicated that the proposed reductions and eliminations would be the result of the worst-case scenario for the budget. If the reductions are not as severe as anticipated, then the list would be shorter.

Mr. Terry Hart stated that everyone shares in the game and everyone should share in the pain. He stated the faculty is hiding behind a contract and what will affect the community, the students, is unconscionable. If the list of possible reductions and eliminations is approved, he indicated he must send a letter asking the District to negotiate the effects of those layoffs.

It was moved by Dr. Bonds, seconded by Mr. Witt, to table this item until the next meeting. Mrs. Larwood pointed out that she would be unable to attend the meeting on May 1, 2003, and she will be abstaining from the vote. Ms. Serrano offered to answer any questions, but Mr. Rodgers stated that at this time, it would be better to table the action until a work study session is held. It was noted that the Board had taken action on proposed reductions or eliminations at Cerro Coso and Porterville Colleges. Mr. Rodgers commented that those actions could not be revisited.

Mrs. Bans asked the other members of the Board what they wanted to hear at the work study session. Mr. Witt stated that if the faculty comes forward in the next 30 days, that would have an impact on these proposals. If they do not come forward, the options would be limited. Dr. Bonds stated that there may be an opportunity to negotiate, there may be alternatives.

The vote was polled: Mrs. Larwood, abstain; Mr. Witt, yes; Mrs. Bans, no; Mr. Rodgers, yes; Dr. Bonds, yes; Mrs. Meek, yes; and Mr. Beebe, yes. A copy of said Report, No. H-13-03 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 or Eliminating Certain Child Development Center Services

This item was withdrawn from the agenda.

Consent Items: The following items require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. It was moved by Dr. Bonds, seconded by Mrs. Meek, and carried that the following Human Resources items be approved:

Academic Personnel Transactions

The revised academic personnel transactions were approved as recommended in the Human Resources Report. A copy of said Report No. H-14-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Classified Personnel Transactions

The classified personnel transactions were approved as recommended in the Human Resources Report. A copy of said Report No. H-15-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Confidential and Management Personnel Transactions

Dr. Bonds asked what type of approvals are necessary when a manager asks to retreat to the classroom. Dr. Andrews replied that by law the manager has administrative retreat rights. The confidential and management personnel transactions were approved as recommended in the Human Resources Report. A copy of said Report No. H-16-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

REPORTS

Faculty Reports

Mr. James Manion, Academic Senate President, Cerro Coso Community College, presented a resolution, stating it had gone through the entire collegial, shared governance process, and was passed. He stated that the resolution recommended suspending the Interim Chancellor process and to manage the District with the three College Presidents in the interim. The reason would be to save money and more importantly to break the mold. The resolution was endorsed by the Academic Senate, classified senate, students and the College Council.

Dr. Ron Glahn, Academic Senate President, Porterville College, announced that Ms. Karen Bishop, Associate Professor, Sociology, just received the Stanback-Stroud Diversity Award for Area A. She is being recognized by the State Academic Senate for her efforts on the Porterville College campus to promote faculty diversity, staff diversity and student diversity.

Mr. Steve Eso, CCA President, stated that it may not be as simple as telling the Trustees and the administration will negotiate. He further stated that CCA has not received a formal request from the Board of Trustees and they cannot act until the request is received. The idea is that somehow faculty is not taking their fair share of cuts in the budget shortfall and he welcomed the idea of a work study session. He stated that there are many regulations, such as the 50% Law, the full-time faculty obligation, full-time equivalent student ratio, that everyone should be aware of when discussing these issues.
Mr. Eso pointed out that faculty are being impacted by the $9 million shortfall. The proposed reduced or eliminated days for faculty accounts for almost a million dollars in lost salary for faculty, the layoffs are estimated at $1.6 million, which equates to approximately $2.6 million. Also, Mr. Eso stated that the overload or overtime teaching and the summer teaching is not covered under contract, so faculty are at the discretion of the Board about whether they will be allowed to teach or not. That equals another $2 million. Mr. Eso stated that while representing the best interests of the faculty, the faculty could account for $4.5 million of a $9 million shortfall, which is without giving back any salary increases that were legally and collegially negotiated. He stated he welcomes the opportunity during the work study session to talk about these complex issues.

Classified Staff Report

Mrs. Janet Skibinski, CSEA President, Bakersfield College, thanked the Board for reconsidering making a decision at this time about the proposed classified reductions and eliminations. She acknowledged that these issues are not easy for anyone, but it is people, not just positions. She expressed appreciation for the Board’s consideration of these matters and their willingness to study.

Mr. Michael Barrett, CSEA President, Cerro Coso Community College, stated that he had heard the faculty state they would be willing to hear a proposal to enter into negotiations. He stated that it would be interesting to see all three employee groups sitting around the table discussing financial matters in regards to salary increases and positions, and reach some type of understanding. He acknowledged that until this meeting, he did not quite understand where faculty were sitting at and at the same time he did not think they understood that classified personnel were looking at losing about 80 positions.

Mr. Barrett commented on how these reductions are affecting the communities and that was apparent by how many community members that have been present at the recent meetings of the Board. He believes that 12% cuts to Cerro Coso Community College will destroy the campus, the communities, and the opportunities for students. He stated that the District and the Colleges need to look outside of the box and consider that each College and community is very diverse.

College Reports

Cerro Coso Community College – Dr. Dyer shared copies of the Cerro Coso Board Report. She commented that the Board had heard from numerous Kern River Valley community members, but she wanted to let the Trustees know that several community members from Bishop and Mammoth Lakes have also expressed concern about the possible closure or reduction in services at the Eastern Sierra Center sites.

Porterville College—Dr. Andrews distributed copies of a Porterville Recorder supplement highlighting the 75th Anniversary of Porterville College.

Bakersfield College—Ms. Sandra Serrano distributed copies of the Source Newsletter for perusal by the Trustees at their convenience.
Chancellor’s Report

There was no Chancellor’s Report.

Board of Trustees, Reports and Inquiries

Mrs. Larwood commented that this would be her last meeting with Dr. Packard serving as the Chancellor and she wished to express public appreciation for the job he has done. She commented that at the time he came on Board, the District was in major troubles of a different sort. She commended Dr. Packard for all of his work and stated she is sorry he is leaving.

Internal Auditor’s Report

There was no Internal Auditor’s Report.

Status Report Regarding Concerns of CSEA Relating to the Negotiation of the Reassignment and/or Transfer of Classified Personnel

Mr. Burke presented a Status Report regarding concerns of CSEA relating to the negotiation of the reassignment and/or transfer of classified personnel, as shown in the Human Resources Report. He stated he would answer any questions the Trustees may have regarding the process to date, and pointed out the actions to be taken in the future. He indicated he would bring an update to the next meeting. A copy of said Report No. H-17-03 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 2003-06 Initial Proposal from the Kern Community College District to the California School Employees Association (CSEA), Chapters 246, 336, and 617

Mr. Ray Quan, Director, Human Resources, presented the 2003-06 Initial Proposal from the Kern Community College District to the California School Employees Association (CSEA), Chapters 246, 336, and 617, the exclusive representative for classified personnel, as shown in the Human Resources Report. The proposal will be presented at the Board meeting of the May 1, 2003, for public comment under Hearing of Citizens. A copy of said Report No. H-18-03 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.
Election of California Community College Trustees Board of Directors for 2003

It was moved by Mr. Witt, seconded by Mrs. Bans, and carried that the Board approve the ballot for the California Community College Trustees Board of Directors for 2003, as tabulated. A copy of the ballot, Report No. A-4-03 in the Supplementary Minutes File, is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

CLOSED SESSION

Adjournment to Closed Session

The meeting was adjourned to Closed Session at 6:15 p.m.

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

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

C. Personnel Matter—Discussion of Negotiations with CCA, Exclusive Representative for Academic Personnel

D. Personnel Matter—Discussion of Negotiations with CSEA, Exclusive Representative for Classified Personnel

E. Conference with Labor Negotiator—Unrepresented Employees, Confidential and Management Personnel [Government Code Section 54957.6]

F. Existing Litigation—In the Matter of the Complaint of Bill Rush; State Personnel Board Case Number 02-1923.
Adjournment

The meeting was adjourned by the President at 6:50 p.m.

______________________________, President
John A. Rodgers

______________________________, Clerk
Rose Marie Bans