



**GOVERNING BOARD MINUTES**  
**REGULAR MEETING, GOVERNING BOARD**  
**PALOMAR COMMUNITY COLLEGE DISTRICT**  
**GOVERNING BOARD ROOM**  
**COLLEGE CAMPUS**  
**SAN MARCOS, CALIFORNIA**  
**TUESDAY, APRIL 8, 2003, 6:00 P.M.**

**A. CALL TO ORDER**

Darrell L. McMullen, President, called the regular meeting of the Palomar Community College District Governing Board to order at 6:00 p.m.

**B. ROLL CALL**

**TRUSTEES PRESENT:**

DARRELL L. McMULLEN, M.B.A., PRESIDENT  
RALPH G. JENSEN, B.A., VICE PRESIDENT  
MICHELE T. NELSON, PH.D., SECRETARY  
NANCY C. CHADWICK, M.S.W., M.P.A., TRUSTEE  
MARK R. EVILSIZER, M.A., TRUSTEE  
LEO MELENA, A.A., STUDENT TRUSTEE

**EXECUTIVE ADMINISTRATORS PRESENT:**

Sherrill L. Amador, Ed.D., Superintendent/President  
Diane Lutz, M.S., Assistant Superintendent/Vice President, Instruction  
Joseph Madrigal, M.A., Assistant Superintendent/Vice President, Student Services  
Jack Miyamoto, Ed.D., Assistant Superintendent/Vice President, Human Resource Services  
Jerry Patton, M.B.A., Assistant Superintendent/Vice President, Finance and Administrative Services

**BB. CLOSED SESSION**

The Board went into Closed Session at 6:00 p.m., to discuss:

1. Conference regarding negotiations with CCE/AFT, pursuant to Government Code Section 54957.6.
3. Conference regarding negotiations with PFF/AFT, pursuant to Government Code 54957.6.

**BBB. RECONVENE TO OPEN SESSION**

The meeting reconvened to Open Session at 7:00 p.m. There was no reportable action taken during Closed Session.

**STAFF PRESENT:**

Jenny Akins, Vice President, Confidential and Supervisory Team; Purchasing Supervisor  
Wayne Armstrong, Professor, Life Sciences  
Barbara Baldrige, Executive Assistant to Superintendent/Governing Board  
Chris Barkley, President, Faculty Senate; Associate Professor, English  
Kevin Barrett, Associate Professor, Public Safety Programs  
Bill Bedford, Adjunct Faculty  
Leslie Briggs, Academic Department Assistant, Chemistry, Physics, and Engineering  
Kathy Davis, Vice President, CCE/AFT; Information Services Support Specialist  
Bonnie Dowd, Associate Professor/Chair, Business Education  
Mary Ann Drinan, Co-President, PFF; Associate Professor/Chair, Economics, History, and  
Political Science  
Linda Dudik, Professor, Economics, History, and Political Science  
Candice Francis, Professor, Life Sciences  
Katherine Gannett, Manager, Library Staff and Services  
Ann Haney, Professor, Behavioral Sciences  
Nancy Horio, Supervisor, Employment Services  
Gene Jackson, Adjunct Faculty  
Barbara Neault Kelber, Associate Professor, English  
Maria Miller, President, The Faculty; Professor/Chair, Family and Consumer Sciences  
Mary Millet, Co-President, PFF/AFT; Adjunct Faculty, English  
Marc Newman, Associate Professor/Chair, Speech Communication/Forensics/ASL  
Jack Quintero, Professor/Chair, English  
Jose Rangel, Professor/Chair, Multicultural Studies  
Mollie Smith, President, Administrative Association; Interim Director, Vocational Programs  
Marilyn Soucek, Professor Behavioral Sciences  
Buddy Springer, Financial Aid Specialist  
Katie Townsend-Merino, Associate Professor, Behavioral Sciences  
Rocco Versaci, Associate Professor, English  
Javier Williams, Transfer Education Advisor

**GUESTS:**

Pat Breedlove, League of Women Voters  
Richard Currier  
Nicole Fisher, Student  
Robert Hahn, Chair, President's Associates  
Aaron Holmes, Student  
Kevin Knickerbocker  
Neill Kovrig  
Sally Serrin, Student  
Others present are listed on the sign-in sheets.

**QUORUM ESTABLISHED**

Following the pledge of allegiance to the flag, Mr. McMullen declared a quorum present, and the meeting proceeded with the order of business.

A TAPED RECORD OF THE PROCEEDINGS OF THIS MEETING IS ON FILE IN THE PRESIDENT'S OFFICE FOR THIRTY DAYS OR UNTIL THE MINUTES OF THE MEETING HAVE BEEN APPROVED BY THE GOVERNING BOARD, WHICHEVER IS LONGER.

**C. APPROVAL OF MINUTES**

MSC Jensen, Chadwick

The Governing Board hereby approves the Minutes of the Regular Meeting of March 25, 2003.

The Vote was unanimous.

Student Trustee Advisory Vote: Aye

**D. CALL FOR REMOVAL OF ITEMS FROM OR CHANGES TO AGENDA – There were none.**

**E. REPORT OF THE GOVERNING BOARD PRESIDENT**

Mr. McMullen reported that Chancellor Nussbaum is retiring in January, 2004. He has said that he will be our advocate for whatever we can bring to him.

Mr. McMullen reported that he meets with the Board Presidents from the other San Diego and Imperial Counties Community College Association colleges monthly. At yesterday's meeting, they discussed their efforts to get equalization in funding for all community colleges. Palomar receives \$155 less per full-time student than the average. If you multiply that times 20,000 FTES, you come up with \$3 million a year. One of the highest is MiraCosta. The difference between their rate and ours is approximately \$200 per student. This is one of the additional unique problems we must deal with. Compounding that are the Governor's cuts, which are disproportionate as well. We are continuing to work hard to try to get that rectified. We are supporting AB 40 to fix the disparity in funding so that all community colleges that are below the average will at least get what they should have. Unfortunately, this comes at a time when the budget is tight and the state is saying there is no money there. At least we want to get the bill passed so that when funds are once again available, we can get it corrected. We will continue to work for the betterment of Palomar and the quality education we continue to provide.

**F. REPORTS OF THE GOVERNING BOARD MEMBERS**

Dr. Nelson congratulated John Tagg on the recent publication of his new book and Bonnie Dowd on the successful defense of her doctoral dissertation.

Dr. Nelson reported that she, Ms. Chadwick, Dr. Amador, and Mr. Patton had recently had a very positive meeting with the Mayor of Poway and his staff, and they are looking optimistically at new options.

Mr. Evilsizer reported that he recently visited the last few minutes of one of Dr. Rocco Versaci's English 100 classes. He heard directly from the students and had an opportunity to share some information about the Governing Board's activities and roles. He heard some of their concerns about class sizes being increased and how it might impact them and their learning. He also heard from students that they would be open to conducting daytime Governing Board meetings that might allow them to attend. He would like the Board to consider that possibility as it may also accommodate the senior citizens who do not like to drive in the dark.

Mr. Evilsizer also expressed concern about some of the speakers at the last meeting who voiced concerns about not having a voice because they felt some of the shared governance councils were more of a façade. They did not feel they were participatory and their voices were being heard. Consequently, Mr. Evilsizer attended the IPC meeting, SPC meeting, and a SSPC meeting. He thinks the intention and the policy of shared governance is a good start. But when communication doesn't percolate down into the constituent groups and back up through the spokespeople or representatives on the councils, the lack of communication can create issues and concerns. One of the things we need to work on is making sure we clearly communicate both up and down and sideways throughout the campus activities that are taking place, decisions

that are being made, and welcome the input of everybody because their voices are important. That's how we get the best ideas to find solutions for some of the problems and concerns and issues we are addressing.

Mr. Evilsizer stated that he and Mr. Jensen serve on the Budget Subcommittee, which was appointed in the December meeting. They did not have a charter provided to them. It was his understanding that one of their goals was to understand the budget more fully and to recommend actions for the Board to consider. He feels their progress has been very limited. Certain data has been slow in arriving, and there have been time constraints where their schedules don't correspond. They have had three meetings in three months. He feels that an action item on tonight's agenda will help address that. It is very important to have full disclosure and open communication. This is a public institution and those budgets are published and open for review and scrutiny and input. If that is done, we will eliminate suspicion, mistrust, and fear.

Mr. Evilsizer quoted from Board Policy 3.01 on Campus Communication: "Informal and formal means of communication are available to any member or organization of the College community for handling a matter of concern, a question, a problem, a grievance, or a proposal related to the educational process at Palomar College. Any person or organization may communicate by any means at any time with any agency, singly or simultaneously, that the person or organization chooses. Members of the College community are defined to include students, classified personnel, faculty, administrative personnel, Governing Board members, and citizens of the College District."

Ms. Chadwick stated that this would be a long meeting and she was hopeful that we could continue to have good government as has been demonstrated. The audience has been involved and connected, and she hopes the Board will be as connected and engaged as well as the audience. She stated that she is convinced this process can be open and fair. Good government works.

Ms. Chadwick reported that the group that met with the Poway Mayor, City Manager, and Director of Governmental Services was heartened by their reception. They are optimistic that some legitimate and meaningful feasibility help will be obtained in assisting us in meeting our space needs and our academic program development and growth.

Ms. Chadwick has been invited to tour the Police and Fire Academy and will do so this week together with Corky Smith. She is looking forward to seeing all of that as it is a very important program.

Mr. Melena reported that it is nice to see so many students in attendance at the meeting. He reminded everyone that the focus should be students tonight and throughout the academic year. He wants to be sure that is at the forefront of everyone's mind during this meeting and the rest of the year.

**G. REPORT OF THE SUPERINTENDENT/PRESIDENT**

Dr. Amador presented to Sally Serrin the All-USA Academic Team Award for Community and Junior Colleges in recognition of scholarly achievement of students enrolled in America's community and junior colleges awarded by the American Association of Community Colleges, Phi Theta Kappa International Honor Society, and *USA Today*. Sally will be honored at a luncheon in Sacramento on Thursday. The California winners will be recognized at both the Assembly and State Senate during their sessions on Thursday. Sally has been serving as an ASG Senator and an active member of the Government Affairs Committee.

Sally thanked "all of Palomar because without this school and the way this place is run, I could not have earned this. You've all helped me and I appreciate that very, very, very much."

Dr. Amador announced that the flag has been lowered to half-staff today and tomorrow in honor of Edward Smith, a graduate of Palomar's Police Academy, who was killed in action outside of Baghdad during Operation Iraqi Freedom. A moment of silence was observed to honor his memory.

1. Report of Vice President for Instruction

Diane Lutz reported that our journalism students have again won a number of awards at the Journalism Association of Community Colleges Annual California Conference, which was held April 3-5. The Telescope won the Pacesetter Award, which is the most prestigious JACC award. Only four schools out of 49 won this award. It is given to the schools earning the most points for both mail-in and on-the-spot competitions.

Palomar's journalism students competed against 578 students from 49 schools.

Mail-In Winners:                    General Excellence – *The Telescope*  
First Place – Depth News Story/Series – Sarah Strause, Stephen Keller  
Fourth Place – Sports Feature Photo – Natalie Schrik

Honorable Mention:  
News Photo – Natalie Schrik  
Front Page Layout – *The Telescope* Staff  
Informational Graphic – Sheena Prosser

On-the-Spot Winners:        First Place – Editorial – Stephen Keller  
Third Place – Critical Review – Kristian Smock  
Third Place – Feature Story – Sarah Strause  
Third Place – Editorial Cartoon – Nicole Rudolph  
Fourth Place – Sports Photo – Wayne Short  
Fourth Place – Editorial – Charles Steinman

Honorable Mentions:  
Feature Story – Jessica Musicar  
News Photo – Wayne Short  
Feature Photo – Virginia Whittaker  
Editorial Cartoon – Dayna Rhode  
Sports Story – Erik Goodson

At this time, Ms. Lutz introduced Sarah Strause, Editor of *The Telescope*, to those in attendance.

Ms. Lutz introduced Katherine Gannett, who informed the Board of National Library Week, April 6-12, 2003, read a proclamation declaring the same, and invited them to visit the three Palomar College libraries. An open house event has been planned for Thursday, April 10.

2. Report of Vice President for Student Services – There was no report.

3. Report of Vice President for Finance and Administrative Services

a. Financial Information/Budget Update

Jerry Patton presented an update on Palomar College's budget, in particular the ending fund balances and reserves and the deficit in FY03-04 Partnership for Excellence funding. He also reviewed the College's CCFS-311 Annual Financial and Budget Report June 30, 2002, for FY01-02. Mr. Patton also identified items in Fund 11 that had already been identified for use to help meet the budget cuts as a result of the State's severe economic crisis.

4. Report of Vice President for Human Resource Services

a. Resolution Passed at March 11 Meeting

Jack Miyamoto noted that Mr. Evilsizer had questioned at the March 25 meeting whether or not the resolution passed at the March 11 meeting regarding the layoffs was appropriate in terms of how it was presented and whether or not there were several Ed. Code citations that were omitted, specifically 45103.1 and 88003.1, and whether or not they should have been cited on the resolution so that the Board had appropriate information. At this time, Richard Currier, the District's legal counsel, stated that he had sent a legal opinion to Dr. Amador regarding the resolution, specifically the application of it to Ed. Code section 88003.1. The legal opinion covered several issues, but it was his legal opinion that this Ed. Code section does not invalidate your layoff resolution as it cited the appropriate Ed. Code sections and was legal. As the legal opinion indicates, Mr. Currier is aware of that Ed. Code section.

Mr. Evilsizer stated that his concern is that we are having temporary contract employees from an agency displacing classified employees. He stated that he didn't get a clear sense of the duties that were being performed by the temporary employees as compared to those of the classified employees and whether or not there was a conflict with the issue of layoff and displacement of permanent classified employees. That is why he was concerned that this Ed. Code, which specifically prohibits the displacement or layoff of classified employees with temporary workers, was not being violated. He wanted to be certain that the District was not liable for or in conflict with that Ed. Code section and the protection that it affords classified employees.

Mr. Currier stated that the question that he reviewed specifically was looking at the layoff resolution itself. The issue was whether this new Ed. Code section, which recently became effective, must be cited, and the answer is clearly "no." That Ed. Code section does not have to be referenced in the layoff resolution; it is a completely different issue when a district goes ahead and enters into any outside contracts with independent contractors with regard to that issue. It doesn't go to the issue of short-term employees under the law. That is a different issue. He had read the transcript of the meeting. The issue he addressed in his legal opinion is whether that Ed. Code section had to be referenced in the layoff resolution, and it does not. It is a separate issue. If you are going to replace those employees in some way and, if in fact, you are going to use independent contractors, you have to follow the restrictions in that new law.

b. Search for Assistant Superintendent/Vice President for Instruction

Jack Miyamoto asked Nancy Horio to come forward to discuss the timeline for the search for the Assistant Superintendent/Vice President for Instruction. Nancy thanked the Academic Technology Group for assisting her by providing a report giving the number of hits our web site for this position received, indicating on what dates and where they came from (directly from another web site, etc.). The web site that we developed specifically for this position was up and running on January 15. The advertising on higheredjobs.com and the Registry were placed on January 17. There was some question as to whether or not we advertised on January 31 in the *Chronicle of Higher Education*. Nancy has copies of the actual ads, along with the dates they appeared and the proofs from the advertising agency showing the dates that the position was posted in the *Chronicle of Higher Education*. It was posted there twice. One of the contentions at the last meeting was that there was no January 31 advertisement and that it wasn't advertised

until February 28. Ms. Horio stated that the interesting thing about the number of hits on our web site is the fact that the majority of the almost 2,500 people who looked at the web site is that most of them came directly from a link to an advertisement. The majority of those came the week of January 22-29. The hard copy of the *Chronicle* dated January 31 arrives in offices a couple days before that. Their web site to subscribers is available several days before that. Ms. Horio stated that this is the reason why we had such a large number of "hits" the week of January 22-29. The second highest week of "hits" was the week of January 15-22. That was when the brochures went out to all community colleges, all UCs, all Cal States, the Chancellor's Office, and all the organizations that we could reach. That was also when the ads were placed on higheredjobs.com and the Registry. Ms. Horio noted that she had given two incorrect dates to her original report to Dr. Miyamoto. She had originally planned to advertise in the *North County Times* and the *San Diego Union Tribune* on January 19, but later realized that was a holiday weekend and delayed the ad for a week until January 26. The reason for extending the recruitment was not because it was being questioned, it was because the faculty positions closed on February 21, Dean positions closed on April 21, so she planned to have the VP position close on March 21. When she realized the second ad was running on March 7 and that would give applicants only one week to apply, she extended the date to March 28. When ads are placed on web sites and a closing date is given, they pull the ad immediately upon that date. Consequently, those ads had to be re-entered and listed the closing date as "until filled." The selection committee is having its first meeting on April 25, and she will continue to collect applications until the applications are turned over to the committee. Through March 28, a total of 36 applications have been received. Of those applicants, nine are from Southern California, six are from Northern California, the remainder are from out of state. Ms. Horio stated that "to say that we did a limited recruitment is clearly not true." Forty percent found out about the position through the *Chronicle of Higher Education* (web version), thirteen percent from higheredjobs.com, almost eleven percent from the *Chronicle of Higher Education* print version, and almost nine percent from the California Community Registry. Ms. Horio stated that we have a good pool and a good committee that is scheduled to meet soon.

c. Presentation to Arlene Martinez

At this time, Jenny Akins, Vice President of the Confidential and Supervisory Team presented a certificate honoring Arlene Martinez upon her retirement for her 31 years as a Palomar College employee. Ms. Martinez thanked God for the time he has given her at Palomar College. She stated that she has found some wonderful people to work with here, a good environment, and she has always enjoyed her job – and to this day she still enjoys her job. It has been a good experience for her, and she thanked everyone.

**CONSENT CALENDAR**

**H. CONSENT CALENDAR**

**BUSINESS SERVICES**

**1. REVIEW AND APPROVE PURCHASES MADE FOR PRIOR SIXTY DAYS**

MSC Jensen, Nelson

The Governing Board hereby reviews and approves the following purchase transactions and contracts entered into on behalf of the Palomar Community College District. All of the following purchases are made against the 2002-2003 fiscal year budget.

Purchase Orders	0340518	through	0340566	\$ 84,850.80
Travel	0350111	through	0350114	\$ 1,527.99
Advertising/Increases	0360056	through	0360069	\$ 14,426.66
Agreement/Services	0370471	through	0370511	\$ 212,216.72
Repairs	0375099	through	0375101	\$ 7,464.12
Agreement/Annual	0380172	through	0380172	\$ 171.32
Utilities	0395094	through	0395096	\$ 2,634.85
Procurement Card	Time Period: 02/23/03 - 03/22/03			\$ 96,663.29
Total				<u>\$ 419,955.75</u>

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**GIFTS**

**2. ACCEPT GIFTS**

MSC Jensen, Nelson

The Governing Board hereby accepts the following gifts and directs that an appropriate letter of appreciation be sent to the donors:

- a. Assortment of books and audio tapes, man's leisure suit and matching tie for costume use, and Norman Corwin Collection of Radio Dramas, for Library and Theatre use, donated by **Luraine MacLeod**, 3497 North Sundown Lane, Oceanside, California 92057. "I'm donating the items listed to Palomar College as an expression of my gratitude for the outstanding training I received from Linda Sabo, Adjunct Instructor, Radio/TV/Film over the past several years. Her professionalism, high standards, rigorous on-camera technique practice opportunities, and personal encouragement have given me a strong foundation upon which to launch my acting career. Whether auditioning or performing, I continue to draw upon her knowledge base." No cash value estimated by donor.
- b. Air Techniques A/T 2000 Developer for use in the Dental Assisting Department, donated by **Hidden Valley Orthodontics**, 950 E. Pennsylvania Avenue, #A, Escondido, California 92025. Total cash value as estimated by donor is \$3,000.00.

- c. Hewlett Packard 17" Monitor, 772n Pavilion digital video station, Photo Smart Printer, and Scanjet Scanner under new warranty, for use in the American Indian Studies Native American Language Curriculum, donated by **Hewlett Packard and the Southern California Tribal Chairmen's Association**, P.O. Box 1470, Valley Center, California 92082. Total cash value as estimated by donor is \$1,364.00.
- d. Ten RoboDemo software licenses for use by the Academic Technology Group to create "how-to" Flash videos, donated by **eHelp Corporation** (Attn: Scott Givens), 10590 West Ocean Air Drive, San Diego, California 92130. Total cash value as estimated by donor is \$3,990.00.
- e. Auto parts for use in the Trades and Industry Department, donated by **North County Jeep**, 1501 Auto Park Way, Escondido, California 92029. Total cash value as estimated by donor is \$70,833.63.

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

#### PERSONNEL

- 3. Item was removed from the Consent Calendar by Mr. Evilsizer.

- 4. **RATIFY LEAVE OF ABSENCE**

MSC Jensen, Nelson

- a. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **100% Family Leave of Absence without pay and with benefits**, effective March 3, 2003, through May 24, 2003, to **TAMARA WEINTRAUB**, Associate Professor/Librarian, Library Media Center.
- b. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **100% Family Leave of Absence without pay and with benefits**, effective April 17, 2003, through April 30, 2003, to **GORDANA HIGH**, Accountant, Fiscal Services.

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**5. RATIFY NEW CLASSIFIED POSITION**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the approval of the following **new classified position**:

- a.     **Position:**       **GUIDANCE SERVICES ADVISOR**  
Department:   Upward Bound/Student Support Programs  
Position #:     6275                    New?:            Yes  
Remarks:      Funded – Upward Bound Federal Grant  
Sal Grade/Stp: **16/1**               Salary:         **\$2,421.16/month**  
% of position: 100%               # of Mos:      12  
Effective:      April 1, 2003  
Account(s):    K-212200-471400-64300-1112310/100%

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**6. RATIFY CLASSIFIED RECLASSIFICATION**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **reclassification** of the following **classified position**:

- a.     **Position:**       **LIBRARY SYSTEMS SPECIALIST**  
Department:   Library Media Center  
Name:          Robert J. Call  
Position #:     5043                    New?:            No  
Remarks:      Position was Senior Library Media Technician, placement 19/10  
Effective:      7/1/2001  
% of position: 100%               # of Mos:      12  
Sal Grade/Stp: **26/10**               Salary:         **\$3,970.26/month**  
Account(s):    A-212200-317100-61200-0000000/100%

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**7. RATIFY CONTRACT CHANGE**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **change** to the following **academic contract**:

- a.     **Name:**           **LINDA LOCKLEAR**  
Remarks:      20% release time for Spring, 2003, semester to work with the  
                  Hewlett Packard Tribal Digital Village project  
Effective:      January 1, 2003, through May 23, 2003  
Account(s):    K-131100-363500-20010-1812112/100%

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**8. RATIFY RESIGNATION**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President granting the **resignation** of the following **employees**:

- a. **DONNA V. HOLLOMAN**, Administrative Secretary, Admissions, Records, and Veterans' Services, effective June 1, 2003 (last day of employment 5/31/2003).
- b. **CHARLOTTE A. OHST**, American Sign Language/English Interpreter, Disabled Student Programs and Services, effective June 1, 2003 (last day of employment 5/31/2003).

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**9. INFORMATION: RETIREMENT**

On behalf of the Governing Board of the Palomar Community College District, the following **retirement** has been accepted by Dr. Sherrill L. Amador, Superintendent/President, as authorized by the Governing Board, under **Group I** (receives the same fully employer-paid lifetime health benefits as provided to active employees and eligible dependents for life of the retiree) of the Retirement Health and Dental Plan approved by the Governing Board December 8, 1987:

- a. **ARLENE J. MARTINEZ**, Budget Technician, Fiscal Services, effective July 1, 2003.

**10. RATIFY CLASSIFIED EMPLOYMENT**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the **employment** of the following **classified employee**:

- a. Name: **DENISE M. VANDER STOEL**  
Position: American Sign Language/English Interpreter  
Department: Disabled Student Programs and Services  
Position #: 5851                      New?: No  
Remarks: Replacement for Kyleigh Hawke; transfer for Ms. Vander Stoel.  
Sal Grade/Step: **31/3**                      Salary: **\$3,847.62/month**  
% of Position: 100%                      # of Mos: 10  
Effective: March 10, 2003  
Account #(s): A-212200-472100-64200-0000000/100%

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**11. GRANT EQUIVALENCY FOR DISCIPLINE**

MSC Jensen, Nelson

Upon the recommendation of the Faculty Senate Equivalency Committee, the Governing Board hereby grants the following individual equivalency to minimum qualifications for the discipline listed:

Hector Hernandez – Physical Education

The Vote was unanimous.

Student Trustee Advisory Vote: Aye

**12. RATIFY ADJUNCT FACULTY EMPLOYMENT**

MSC Jensen, Nelson

The Governing Board hereby ratifies the recommendation of the Superintendent/President regarding the employment of the following adjunct faculty, at the rates indicated for Spring, 2003, Summer, 2003, and Fall, 2003 (day and/or evening); said adjunct faculty are not scheduled to teach more than a 60-percent load in a single semester:

**SPRING, 2003**

**BUSINESS EDUCATION**

Severson, Jennifer	Paralegal Studies B.S., Paralegal Studies J.D., Law	\$40.71
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**SUMMER, 2003**

**BEHAVIORAL SCIENCES**

Higgins, Joshua	Anthropology B.A., Economics M.A., Biblical Archaeology	\$38.24
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**CHEMISTRY**

Kimbrough, Pamela	Chemistry B.S., Chemistry M.S., Chemistry	\$38.24
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**PHYSICAL EDUCATION**

Hernandez, Hector	Physical Education B.A., Psychology 2 + Years Experience	\$37.01
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**SPEECH, COMMUNICATIONS, FORENSICS & ASL**

Mosier, Laura	Speech B.A., Speech M.A., Communication	\$38.24
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**FALL, 2003**

**PUBLIC SAFETY**

Aladits, James	Administrative Justice B.S., Business Management M.B.A., Business Administration	\$38.24
Holmerud, David	Fire Technology B.A., Board of Governors 2 + Years Experience	\$37.01
Sugahara, Ken	Fire Technology B.S., Business Administration 2 + Years Experience	\$37.01

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

<b>Resumption of REGULAR AGENDA</b>
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**I. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR**

**3. APPROVE PERSONNEL ACTIONS HISTORY**

MSC Jensen, Nelson

The Governing Board hereby approves the **Personnel Actions** report, which includes hires and pay rate changes for **student employees** for the month of **March, 2003, and short-term employees** for the month of **April, 2003. Exhibit H-3**

Mr. Evilsizer noted that on Exhibit H-3, which lists short-term personnel, descriptions are listed describing what some of the people are going to be doing; however, some of the persons listed are lacking such descriptions. He requested that, in the future, descriptions of services to be performed be given for each of the persons on the list. Dr. Miyamoto agreed to provide this information in the future.

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**J. REPORTS FROM COLLEGE GROUPS**

**1. INFORMATION**

**Report of the Faculty Senate**

Chris Barkley gave the following report: "We supported a motion coming out of IPC which called for a campus-wide task force to evaluate the entire budget as we look for ways to reduce our budget for the coming year. It was decided by the Senate that the Revenue Allocation Committee would be the appropriate governance body. We also reminded Senators that this meeting and other campus governance committee meetings are open to anyone who wishes to attend. The first meeting will be held in the trailer on Wednesday, April 9, at 4 p.m. Our motion yesterday read "The Faculty Senate requests that the Governing Board freezes all layoffs until the budget can be fully reevaluated and

reviewed by the Revenue Allocation Committee.” The Revenue Allocation Committee is in the process of doing this review. No decisions about layoffs should be made until this committee has done its work and SPC has seen all the relevant information. Our concern, which was raised by more than one Senator yesterday, is that the unrest over possible cuts to positions is causing stress and very low morale among our classified employees. We certainly are not blaming them because the fears are very real, but it is affecting the amount of work that can be done at this time. We would like to reassure our colleagues that we are looking for alternatives to layoffs. We need to address the low morale on the campus at this time.

“Out of our concern about possibly not having our evaluations taken seriously, the following motion was passed at the Senate:

*The Faculty Senate directs the Faculty Senate President to read this statement as part of the Faculty Senate report at the April 8<sup>th</sup> Governing Board meeting; that we distribute copies of this statement to all the Governing Board members; and that we deliver a copy to Barbara Baldrige for insertion, verbatim, into the official minutes of that meeting.*

According to the employment contract of Sherrill Amador, “the Superintendent/President will receive an annual written evaluation by the Governing Board no later than May 1 of each year. This evaluation will be based on *overall performance* and mutually agreed upon goals and objectives...” (emphasis ours).

The category of “overall performance” is intentionally broad and must necessarily include relevant aspects of job performance not covered by the goals and objectives decided upon by Dr. Amador and the Governing Board members who oversaw her hiring. The Faculty Senate believes that a key aspect of Dr. Amador’s “overall performance” must include how she has fostered – or damaged – the state of collegiality at Palomar College.

To help inform the Governing Board members of the state of collegiality, the Faculty Senate delivered, in closed session, a survey sent out to all full-time faculty that contained both numerical scores and narrative comments. The Faculty Senate takes this survey seriously and would like some indication from the members of the Governing Board, in writing by May 1, 2003, that they do as well, along with a plan of action with its regard.

“However, I also have to report that unfortunately the confidentiality of our evaluation has been compromised. Apparently, some of the Vice Presidents received a copy of Dr. Amador’s evaluation with a note stating, “Interesting reading about your boss.” We did not distribute these copies. In fact, we have tried to keep very close tabs on all the copies; and only one still exists in the Senate office, one was given to Dr. Amador, and one to each of the Board members, and all the other copies were shredded. Michele, in your letter you suggested that perhaps you had information about how this had gotten out, and if you do or if any of the other Board members do, I would very much like to know. I have met with the Vice Presidents and I have requested that they shred any copy that they received or that they may receive. The Senate spends a lot of time and effort on the evaluation process and wants it to be taken seriously. At the Senate, we have had several discussions about the confidentiality of the evaluations and are appalled that it has been compromised. Of course, this does not change the evaluations themselves or our approved process, as it was orchestrated by the Senate, in any way.

“Paralleling action taken at The Faculty meeting last week, the Faculty Senate passed the following motion:

The Faculty Senate directs the Faculty Senate President to write a letter to the Superintendent/President requesting assurance that all committees and councils function in a participatory and voting manner immediately but no later than April 21, 2003, or cease further decision-making. (Ms. Barkley distributed a copy of the letter.)

“Our concern is that the governance councils below Strategic Planning Council are not functioning the way that we had anticipated they would function when we approved them. Especially in these times of having to discuss possible budget cuts, it is essential that all voices be heard and that compromise and change be possible. We haven’t felt that all the councils were open to discussion and change. Administrative Services seems to be working well, though it is not a voting council either. And Instructional Planning Council is getting better; due to concerted faculty effort to affect change, we have seen some shifts in priorities. But Student Services Planning Council does not seem to be encouraging discussion and compromise. And the perception, unfortunately, is that administration came with a set agenda and is pushing it through without discussion. Our governance system is a good one if we use it properly. But faculty will feel more confident if we are assured that these councils will be open forums for discussion and possible change and that nothing will go forward without a majority vote. I delivered to Dr. Amador a copy of this letter.

“We approved a change to the General Studies AA degree which you are considering tonight on your agenda. This will be accepted by the Chancellor’s Office as a change to an existing program. It allows us to keep a General Studies AA for students who do not want to declare a specific major, for example as an English major. It provides three additional options to the 18-unit rule for a major, and these include the degree in Arts and Humanities, Science and Mathematics, or Social and Behavioral Sciences. The students would still have to take 18 units in this major but could take them within Humanities or Sciences, as set out in the paperwork that you got with this degree. This in no way alters the general education classes or competencies which we require for all AA degrees. This is an Academic and Professional matter passed by the Senate, and I urge your “yes” vote on M-3.

“This last week we also passed some minor changes to the Carpentry program.”

2. **INFORMATION**

**Report of the Palomar Faculty Federation**

Mary Millet gave the following report: “I want to pay specific tribute tonight to the faculty and staff of Palomar College. I am acquainted with human beings in the faculty and staff here at Palomar who are giving, caring, and who sacrifice every day to provide education for our students. We want to express appreciation for the committed individuals who think first of how to facilitate learning. Their work will enable each of our students not just until commencement but on into the future as they touch the lives of children, friends, and colleagues. We wear these ribbons tonight as a sign of the unity between faculty and classified staff here at Palomar College and of our commitment to serving the students.

Mary Ann Drinan gave the following report: “I just wanted to comment that this morning, in the *North County Times* a member of this Board made unsubstantiated allegations regarding faculty in general and also my organization, the Palomar Faculty Federation. There are few facts in this fanciful statement of opinion, and so to restore a sense of balance, some facts must be clearly cited. First of all, faculty have already contributed much as a constituent group to solving the budget crisis this last year, this year, and next year. By administration’s own account, faculty have supplied approximately \$2.6 million in savings to the District that can be applied to reductions in expenditures. The defacto hiring freeze has meant that virtually no full-time faculty have been hired this year and

nor are there likely to be any next year as well. Secondly, faculty have bravely adapted to the financial situation here at Palomar College by accepting more students into fewer courses. This has resulted in growth and growth money for the College. I say faculty have bravely adapted because we have seen much in terms of deserved raises for classified staff and steep raises for administration, yet there has not been anything for faculty. Even the Board congratulated itself last year and gave itself a 5% raise and that because of the growth of the student population at Palomar, and faculty are responsible in part for nurturing those students and providing that growth. Third, the faculty as well as the classified has done a heroic job during a time of management chaos in an environment of constant changes and how planning councils operate and unnecessary threats regarding layoffs, cuts in student services, and now cuts in academic department assistants, those classified who are on the front lines working with literally thousands of people, thousands of students per year. And just as an aside, what can be concluded about a description of their job in the article in the newspaper today that reduces the complicated tasks that they perform every day regarding budgetary balances, payroll, class scheduling, student enrollment, student support to a simple statement about picking up the mail. It truly is beyond my understanding that that statement can be made.

I ask, "How can a Board member walk away from Trustee responsibilities? How can a Board member put herself in a situation of such negativity regarding our employees?" So rather than focus on a focus on selfishness, I would ask, "Who shows more bravery? Faculty who seek to maintain a culture of teaching excellence at a time of limited resources or Trustees who have given up seeking for the common good? Who is more radical? A faculty member or a classified staff who defends the campus culture and focuses on students and faculty performance and those who urge and encourage the destruction of the bonds of trust that faculty, students, and classified have built over the years. This is a culture that we have created that is supportive of one another and has brought much praise and many awards to the campus. Also, I have to say, "What can be said about charges or that hint at possibly quasi-legal or legal activities that whispers about them?" I think that this is really nonsense, and I think that an apology is really necessary after a statement like that. Another main point here is that faculty have engaged in a fair bargaining process, and we ask the District to do the same and to resolve the numerous unfair labor practices against the District for its bargaining style. Come to negotiations with real proposals instead of statements like, "we have nothing for you today, we haven't run the numbers on that." So, I ask, you made a promise to us, Michele Nelson, during the campaign election, you promised that there would be a fair bargaining process. You promised that we would have a speedy resolution of contract issues. We call upon you now to honor that promise and to leave these allegations behind."

Mr. McMullen reminded those giving reports that this is the time for reports, not comments.

3. **INFORMATION**

**Report of The Faculty**

Maria Miller gave the following report: "The Faculty met on April 2, and we discussed two important issues. One was the budget reduction plans from the various councils and the other was the confidence poll in Dr. Amador. We had faculty representatives from the various councils at our meeting. We had Instructional Services, Student Services, and Administrative Services reporting to us what their groups were doing. It was noted by these planning councils that they're not following the same process as it relates to voting, and there was concern about that. Faculty expressed strong concern that some recommendations are being brought forth in these committees that appear to be predetermined and directed and some even non-negotiable. Faculty stated that the budget reduction decisions do not appear to be developed in a participatory manner. We passed a similar motion that Chris mentioned in the Faculty Senate and it is 'The Faculty

requests that the Superintendent/President ensure that all committees and councils function in a participatory manner and vote by April 21, 2003, or cease further decision-making.' At our meeting, we also discussed the results of the faculty poll regarding confidence in Dr. Amador. The result of the polls, I understand, have been public, but I'll just summarize them: 224 full-time faculty participated in our poll, which represents 73% of all of our faculty; 198 voted no confidence and 22 voted yes confidence. There were 13 ballots that were invalid and not counted. This represents 90% of the valid ballots voting no confidence. We had a lengthy discussion about what steps to take next about the poll results, and it was decided to hold off on taking any action and simply present them to the Governing Board. I understand that two people wanted to make comments on this report."

At this time, Robert Hahn addressed the Board on the future of Palomar and the leadership support needed for success.

Jack Quintero then addressed the Board on the subject of the faculty's vote of no confidence in Dr. Amador.

Gene Jackson then addressed the Board on the subject of leadership crisis.

Bonnie Dowd then addressed the Board on the subject of the faculty poll.

At this time, Mr. McMullen called upon Dr. Amador, who made the following statement: "No college president likes to receive a vote of 'no confidence' from a constituent group. On the other hand, a college president's job isn't about winning a popularity contest. The president does what needs to be done to maintain the college's excellent educational programs and services, while maintaining fiscal stability for the taxpayers. The president reports to a Governing Board and is accountable to the Board, the public, and most importantly to the students. This poll was conducted in the midst of a statewide budget crisis and in the midst of our efforts to negotiate with the faculty the first union contract.

"These are very difficult times. First time contract negotiations are extremely difficult, and Palomar's experience is no different. Negotiations by definition place all operational issues on the table for consideration. During this process several 'sacred cows' and 'deals' of the past have been uncovered, such as class size, workload, extra stipends, and reassigned time. Not a popular position, thus the need to negotiate. The change to a faculty union environment has been a culture shock to many faculty members, especially the full time faculty. In the past, the faculty senate represented all faculty interests. Now faculty interests must be shared--academic and professional matters remain with the senate, working conditions are to be bargained by the union. Roles clarification among the faculty as well as between the faculty and the administration is still in progress. These issues would more easily be resolved without the state budget crisis. Now money for the desired raises must come from the existing college resources, which are declining. Currently, the Union proposals cost \$8 million more than the District's. My position as superintendent/president does not permit me to discuss the specifics of negotiations, but we are making progress, albeit very slowly, but the dollar gap is huge.

"Governance processes are currently in motion to plan for the 2003-04 budget reductions. This is a very uncomfortable process for everyone. No one likes to go through budget reductions. The process to develop the plans and priorities by necessity must be a problem solving one. There is no specific plan in place now for the budget reductions, despite what is being said. Currently, the vice presidents' planning councils, which include representatives from all constituent groups, are considering and rejecting proposals and developing priorities. Their work will come forward to the Strategic Planning Council for a broader group to provide feedback and advice to administration. The College should develop the budget reduction plan together. The alternative is that

administration will be forced to do it alone, because it is administration's responsibility to submit a balanced budget to the Governing Board for approval. Many faculty members are conscientiously seeking ways to meet budget reductions within the agreed upon planning processes. However, the faculty union has a different position. This is a direct quote from the Palomar Faculty Federation Negotiation Update of March 31, 2003.

"Want a strong contract? If so, don't make "offers" to the administration! Without meaning to do so, some faculty members have been undermining our PFF negotiating team. They do this by innocently offering suggestions to resolve the Palomar District's "budget crisis." These suggestions often come in the form of questions, such as "Why don't we all take a 5% salary cut?" Or, "We could give up our sabbaticals for next year, couldn't we?" If you have suggestions, bring them to the Union. Our negotiating team is faced with a difficult and complex task. Timing is important, as is the need to fit any proposal into the Union's negotiating strategy. It isn't always the best strategy to float an idea in the Strategic Planning Council or Instructional Planning Council or in a private conversation with your dean. Instead, talk with us or email us with your ideas."

"This conflicted situation does lead to votes of "no confidence." Clearly this is a no win situation. It causes turmoil, not solutions, and results in frustration.

"There will be no full time faculty lay offs. The administration made that commitment. This fact means the budget reductions will need to come from other sources and employee groups; therefore, the classified staff and administration are fearful for their jobs. Thus, the classified staff has an opinion poll. This also creates conflict and finger pointing, not solutions.

"Neither the faculty nor classified union has provided the District with a proposal to make cuts to its unit; in fact, the opposite is true.

"It is my personal commitment to minimize staff layoffs. Every effort to find funds to avoid layoffs has been in progress since January. The College is currently estimating a \$3.2 million cut from its current base budget for next year, even after identifying \$3.6 million in mid year cuts. We do have a significant budget problem. We can solve it together or not. But by June, the Governing Board must approve a tentative budget, and in September an adopted budget. That isn't negotiable, it is the law.

"Palomar is one of the 21 lowest funded colleges in the state. We receive \$155 less per full time equivalent student than the state average. If we were at the state average, our general fund budget would increase annually by approximately \$2.5 million. The College sure could use some of those dollars now. In addition, the community colleges are experiencing a disproportionate share of the state budget reductions compared to other state funded educational entities. Our advocacy efforts will continue, but significant solutions won't come this year to save us. Palomar needs to control its own destiny.

"I believe that an educational institution by its culture of learning and caring for people has the ability to solve problems. Palomar currently has several problems and we will only be able to solve them by working together. I am always open to meeting with groups and individuals to learn of solutions to these problems. I would welcome the opportunity to speak to the leaders of the poll, if the intent is to problem solve.

"I believe Palomar is better than some of the behavior I have observed, written comments I have seen, and shouts I have heard, most recently. Rumors, innuendos, and speculations are not appropriate. Opinions should be formed on facts and critical thinking—characteristics of professional behavior.

"We will emerge from this period a stronger college district. As a college community, we must come together not only in this immediate period of time, but we must continue to work together effectively over the coming months when we will have additional challenges to face.

"I plan to be here as your president to get us through to a better future. My confidence vote is that we will make it together."

4. **INFORMATION**

**Report of the Administrative Association**

Mollie Smith gave the following report: "I want to take my time here to remind you about the editorial campaign that is part of the Government Affairs Committee on this campus. Editorials are appearing in the newspapers around the state. There was just one commentary appearing by George Skelton in the *L.A. Times* this last week in their editorials, from Orange County, and I would like to ask you to take part in that editorial campaign. I have brought documents that are back on the table, and I have some right here that give you a whole list of bullet points. Pick one, whatever your passion is, and write about it. You can go on the web site and get the addresses you want, but I have provided the *North County Times* and the *San Diego Union* here. There are also copies of editorials that have been written by staff here at Palomar in addition to the *Sacramento Bee*, and the San Diego City College. So I would ask for your support. We need to continue the advocacy efforts. They are working, and there's about five weeks between now and the May revise, so it's important that we try to have an impact on that. So I ask for your help, please."

5. **INFORMATION**

**Report of the Confidential and Supervisory Team**

Jenny Akins gave the following report: "The Executive Council of CAST would like to express our concern in regard to the faculty sabbatical leaves. In view of the current budget crisis, we feel it appropriate that all sabbaticals be delayed until such time in the future when Palomar College is no longer impacted by this crisis."

6. **INFORMATION**

**Report of the CCE/AFT**

Kathy Davis gave the following report: "The District's ongoing exclusion of the CCE in matters pertaining to the welfare of classified employees slated for layoff continues to be one of our major concerns, and we will continue to pursue our collective bargaining rights to represent these brothers and sisters during these unstable times of employment.

"The CCE recently attended the California Federation of Teachers state convention in San Francisco. During the convention, elections were conducted for several statewide offices, and we are pleased to announce that Ernie Carson was re-elected to serve as California's CCE state president.

"Numerous bills have been introduced during this new legislative session, and here are just some of the classified-staff-related legislation that we will be watching:

AB 290 - Increases from 30 days to 60 days the current notification requirement that school and community college districts must comply with prior to laying off classified school employees.

AB 457 - Authorizes PERS school members, among others, to receive retirement credit for an additional two years of service and two years of age if those members retire within a designated period, prior to January 1, 2005, and other conditions are met. This is an urgency measure.

AB 475 - Authorizes the PERS Board to increase the maximum home loan to 100 percent.

ACA 2 - Requires that, if a budget is not passed by midnight on June 15, members of the legislature forfeit any salary or reimbursement for travel and expenses from June 16 to the date a budget is passed.

“In closing, the Council of Classified Employees would like to go on record as being extremely disappointed with Trustee Michele Nelson’s commentary in today’s *North County Times*. Referring to one of our valuable job classes as ‘support staff who are assigned to pick up the faculty’s mail, deliver the faculty’s coffee, and deliver the faculty’s office and lab supplies’ was a disservice to these employees. While it’s bad enough for classified employees to be treated as non-existent on our own campus during these times of layoffs, it’s even worse when we are publicly humiliated.”

7. **INFORMATION**

**Report of the Associated Student Government**

Leo Melena gave the following report: “I mentioned earlier that it was nice to see all of our students here tonight. That said, I’d like to encourage those students and all of you those who have contact with our students here to encourage them to vote in our elections. Our elections are coming up the week beginning April 21, and they’re going to be held on line. To make this process a little bit easier for our students, they can vote from wherever whenever. They just access our Palomar.edu web site, and from there, there should be a link leading them to our balloting web page. So please encourage all of your students to participate in this process. We really are looking forward to a great year next year and having a great voter turnout would make it that much better.

“We are continuing our advocacy efforts on the state level, certainly. We are mailing our letters and setting up a blanket sign by many of our students here with notes and messages to send to Governor Gray Davis and the legislature. Likewise, on the national level, we have been to our American Student Association of Community Colleges Advocacy Conference this spring in March. As a result, I’m pleased to announce that the Pell Grant has passed the Senate with an increase of \$450 per student. We’re really happy to have those results so quickly. I urge all of you to please contact your House Representatives to pass a similar bill so that we can provide for our students the financial aid that is necessary. For more information about this, I encourage you all to pick up our latest edition of *The Telescope* newspaper. They have a great article in there featuring our elections and our efforts on the national level.”

At this time, the President declared a five-minute recess.

Following the recess, Mr. McMullen made the following statement: “As a Governing Board, we have each received countless e-mails regarding budget cuts, contract negotiations, opinions both pro and con on Dr. Amador’s management style, and I want you to know we’ve all heard it, and we’ve heard you loud and clear. I had 33 e-mails alone today. I read them all. We do have a first amendment right, and we will always invite the public and individuals to bring their ideas before us as a way to gather additional information in order to make decisions. That’s what we’re here for. And we will honor that right. For those of you who wish to speak tonight, I ask that your presentations be respectful, factual, and to the point. With me, I don’t know about the other trustees, quality will always win over quantity. I have enough cards here to last us – it’s 9:50 – approximately midnight. So I ask those of you who get up, you know, we’ll honor your day in court, but please keep it brief and to the point. We appreciate it very much.”

Mr. Evilsizer: Mr. President, I’d like to raise a question if I could. To again, perhaps reconsider convening this meeting in a larger space, I know room D-10 was mentioned as an alternative, and I

understand the theatre or the Boehm Gallery might be available as a space large enough to accommodate the public. We do have public members outside that aren't participating and can't hear the proceedings of the Board meeting. So basically, we're excluding them from a public meeting, and I've got a problem with that. And it's getting cold out there and they have to contest with that as well. I see people in shorts and tee-shirts, too.

Mr. McMullen: How many people are out there?

Mr. Evilsizer: Too many to fit into the room, and I just feel that's very unfair and unjust for us to exclude them. We can't violate public safety regulations by cramming people in. The other alternative would be to simply everybody move – there might be a question about acoustics, but there might be some faculty or people in the room here that know D-10 specifically. Or is our issue with the recording of the minutes perhaps?

Mr. McMullen: I would hope that those who have already spoken would yield their chairs. That would help a little. There are some empty seats there and there is some room across the back. If we rotate, we can do the best we can. I appreciate your comment.

Mr. Evilsizer: Is there any chance we could line a few more people just to get them inside or perhaps there's room in the conference room over here?

Mr. Melena: There are four seats in the conference room.

Mr. Evilsizer: I think the conference room has space available in it.

Mr. McMullen: Let's try to do the best we can and maybe people can rotate a little. Thank you, those that are helping. I appreciate it.

**K. COMMENTS FROM OTHER INDIVIDUALS OR GROUPS**

The following persons addressed the Board at this time on the following subjects:

1. Pat Breedlove – CCE ballot results
2. Ann Haney – Leadership and the Palomar culture
3. Marilyn Soucek – Faculty poll
4. Nancy Horio – Her role in the Vice President for Instruction advertisement
5. Marc Newman – Communication strategies
6. Jose Rangel – SERP
7. Bill Bedford – Department chairs
8. Javier Williams – Student Services Planning Council
9. Katie Townsend-Merino – Violation of First Amendment Rights
10. Neill Kovrig – Brown Act concerns if this meeting has restricted access – reserve the right to yield time
11. Kevin Knickerbocker – General address of mismanagement issues and inflammatory comments made by Board member Michele T. Nelson
12. Linda Dudik – Department statement to the Board
13. Kevin Barrett – Dissatisfaction with budget cuts in Public Safety programs
14. Nicole Fisher – Disability Resource Center, TRIO, my feelings about how I personally feel the current budget crisis will impact myself and others
15. Wayne Armstrong – Human effect of layoffs
16. Buddy Springer – Escondido Center layoffs (speaking on behalf of Virginia Shabatay)

**L. UNFINISHED BUSINESS – There was none.**

**M. NEW BUSINESS**

**1. RECEIVE BIDS FOR PRINTING OF THE COLLEGE CATALOG**

MSC Nelson, Chadwick

The following bid was received by the Palomar Community College District from the firms indicated in response to Notice to Bidders published on February 20 and February 27, 2003:

**BIDDER**

Arvato Services, Inc.  
Valencia, CA 91355

**Arvato Services, Inc.**, is hereby found to be the lowest responsive bidder to the Palomar Community College District on the aforesaid **printing of the College Catalog**, and an agreement per attached price schedule, **Exhibit M-1**, is hereby authorized between this company and the District, subject to compliance with all insurance requirements.  
Funding source: Instruction Printing Account

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**2. APPROVE SABBATICAL LEAVES**

MSC Chadwick, Evilsizer

The Governing Board hereby approves the following **2003-2004 sabbatical leaves**:

**Full Year, 2003-2004**

Lisa Cox-Romain, Counseling  
Lillian Payn, Graphic Communications

**Fall, 2003**

Monika Brannick, Mathematics  
Linda Dudik, Economics, History, and Political Science  
Carolyn Funes, Library  
Marty Furch, English as a Second Language  
William Gullette, Communications  
Mark Hudelson, Art  
Michael Mufson, Performing Arts  
Ruben Murcia, Life Sciences  
Fergal O'Doherty, English  
Robert Sheppard, Communications  
Shayla Sivert, English as a Second Language  
Rocco Versaci, English  
Lori Waite, DSP&S – EOP&S

**Spring, 2004**

Christine Barkley, English  
Robert Barry, Communications  
David Boyd, Performing Arts  
Alexis Ciurczak, Library  
Chris Feddersohn, Cabinet & Furniture Technology  
Jose Fernandez, Counseling  
Tim Hernandez, Counseling  
Lee Kerckhove, Behavioral Sciences  
David Michael Lockett, Behavioral Sciences  
Michael Mumford, Mathematics  
Jose Rangel, Multicultural Studies  
Marilyn Soucek, Behavioral Sciences  
Alan Trujillo, Earth Sciences

Dr. Nelson: I have grave concerns about sabbatical leaves at this point in time with our fiscal crisis. The fact that these are being brought forward concerns me greatly, especially when we're talking about laying off people and cutbacks that affect the human element. It feels to me very much like the faculty could withdraw these proposals for this year. We could hold them in abeyance. I am very, very concerned about it.

Mr. McMullen: I believe you asked at the last meeting what is the cost of the sabbaticals.

Dr. Nelson: I think it is \$437,000, is that correct?

Mr. Patton: Based on the information Instruction gave us, it's about \$437,000.

Mr. McMullen: And that's for both fall and spring together, the total?

Mr. Patton: Yes.

Mary Ann Drinan addressed the Board on this matter.

Dr. Nelson: I do not in any way diminish the importance of faculty sabbatical leaves. They are essential, they are beneficial, they enrich; however, in this particular climate, at this particular time, I cannot support them.

Mr. Evilsizer: I agree this is a negotiable item. The faculty here have earned the right to take sabbatical leaves. I think we need to honor their current contract – they don't have a contract – but at least honor the precedent that's been set and not disturb something that's been traditional and part of the culture of this College, so I support it.

Dr. Nelson: Maybe there's another way to do this. Could we table this and send it back to the faculty and let it be reconsidered, and if they bring it forward, then we can look at it.

Ms. Chadwick: This is like deciding to get the boat in the middle of the stream and forget that we gotta row it. These people are on track for this now. Now, if we're going to take another look at this in terms of the negotiations, that would apply to something down the chronological timeframe. So it seems to me we shouldn't short change these people just simply because they're in the boat in the stream at this point.

Mr. Jensen: I'm inclined to agree that it should be voluntary at this point. I mean if someone elects not to take it or postpone it.

Dr. Amador: In my role, I just want to caution the Board that it is a negotiating item, and this is past practice. Therefore, other than approving the quality of the application – and that has all gone through the normal process of a committee – I would have to caution you that it would probably be ill-advised not to support the sabbaticals at this time.

The Vote: 4 Aye, 1 Nay (Nelson)  
Student Trustee Advisory Vote: Aye

**3. APPROVE GENERAL STUDIES A.A. DEGREE PROGRAM CHANGE**

MSC Jensen, Chadwick

The Governing Board hereby approves the following revision to the General Studies A.A. Degree program:

Program Title: General Studies  
**General Studies**  
Discipline(s): General Studies  
Effective term: Fall 2003

**PROGRAM OFFERING**

This program is designed for students who may not be planning to transfer to a four-year college and who need to explore possibilities before committing themselves to a major program. The program may serve the purposes of students who have been out of school and who need to review and assess their academic skills and interests before deciding on a definite major program. Students planning to transfer to a four-year institution are cautioned that this curriculum may not provide for completion of the lower-division requirements for transfer to a four-year institution.

**General Studies**

**Courses required for an A.A. Degree Major**

**Select One Emphasis**

Only one course may double-count between the A.A. general education requirements and the selected emphasis. Students may receive only one General Studies major.

**Arts and Humanities Emphasis (Select 18 units minimum)**

AIS 100, 105, 135, 145, 150  
AMS 100  
ANTH 135, 155  
ART 100, 102, 104, 105, 163, 164, 165, 166, 167, 168, 169  
AS 100, 115, 116  
ASL 100, 101, 110, 205, 206  
CHIN 101, 105, 106, 110, 115, 116, 130, 201, 205, 206  
CINE 100, 102, 103, 110, 120  
CS 100, 105, 110, 115, 155  
DNCE 100, 101, 104, 105  
DT 120  
ENG 202, 203, 205, 210, 211, 215, 220, 221, 225, 226, 230, 240, 245, 250, 255, 260, 270, 280, 290  
ESL 101, 102, 103  
FASH 130, 132  
FREN 101, 105, 106, 110, 130, 131, 140, 201, 210  
GERM 101, 105, 106, 110, 115, 116, 201, 210  
HIST 105, 106

HUM 100, 101  
ID 115  
ITAL 101, 110, 201, 205, 206  
JAPN 101, 105, 106, 110, 201, 210  
JOUR 101  
JS 100  
LAT 101, 110, 201, 210  
MUS 100, 101, 102, 103, 104, 166, 167, 169, 170, 171  
PHIL 100, 101, 105, 110, 115, 120, 255  
PHOT 100, 125  
RS 101, 105, 110, 120  
RTV 100, 101  
SPAN 101, 105, 106, 110, 115, 116, 201, 205, 206, 210, 240, 241  
SPCH 100, 105, 115, 125  
TA 100, 104, 125, 140, 141, 150  
TAG 101, 105, 106, 110, 201, 205, 206  
READ 110, 120

**Science and Mathematics Emphasis (Select 18 units minimum\*)**

ANTH 100  
ASTR 100, 120, 205, 206  
BIOL 100, 101, 102, 105, 106, 107, 110, 114, 118, 120, 130, 131,  
185, 200, 201  
BOT 100, 101, 110, 115  
BUS 110  
CHEM 100, 102, 110, 115, 210  
ENGR 210  
ES 100  
FCS 185  
GEOG 100, 110, 115, 125  
GEOL 100, 110, 120, 125, 150  
MATH 56, 60, 100, 105, 110, 115, 120, 130, 135, 140, 200  
MICR 200  
OCN 100, 101, 115  
PHSC 100  
PHYS 101, 102, 120, 200, 201, 230  
PSYC 205, 210  
SOC 205  
ZOO 100, 101, 110, 111, 115, 116, 120, 145, 200, 203, 205

\*Although not listed, related lab courses may be included as part of the 18 unit minimum.

**Social and Behavioral Sciences Emphasis (Select 18 units minimum)**

AIS 101, 102, 120, 125, 130, 140, 165  
AJ 100  
ANTH 105, 110, 115, 126, 130, 140, 145, 150  
AMS 110, 200  
AS 101, 102, 110, 120, 125, 126  
CHDV 100, 110, 115  
COMM 100, 105  
COUN 120  
CS 101, 102, 120, 125  
ECON 100, 101, 102, 110, 115  
ENG 150  
FCS 101  
GEOG 105  
HIST 101, 102, 107, 108, 109, 110, 114, 130, 140, 141, 150, 151

JS 105  
MCS 100, 110, 165, 200  
POSC 100, 101, 102, 105, 110, 115, 140, 150  
PSYC 100, 105, 110, 115, 120, 125 130, 145  
SOC 100, 105, 110, 115, 120, 125, 145, 200  
SPCH 120, 131

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

4. **CAST BALLOT FOR TEN CANDIDATES FOR CALIFORNIA COMMUNITY COLLEGE TRUSTEES BOARD OF DIRECTORS**

MSC Chadwick, Jensen

The Governing Board hereby casts its ballot for the following (no more than) ten candidates for the **California Community College Trustees Board of Directors** of the Community College League of California. Candidates are as follows:

Edward C. Ortell, Citrus CCD	
Jess H. Reyes, Contra Costa CCD	__X__
Donald L. Singer, San Bernardino CCD	
Maria Nieto Senour, San Diego CCD*	__X__
John Moore, Cerritos CCD*	__X__
Mary Mason, Foothill-De Anza CCD*	__X__
Patricia Miljanich, San Mateo, CCD	
Georgia L. Mercer, Los Angeles, CCD*	
Bill McMillin, Ohlone, CCD	
Michele R. Jenkins, Santa Clarita CCD*	__X__
Walter G. Howald, Coast CCD	__X__
Charles H. Hayden, Desert CCD*	
Dawn M. Wright, San Jose-Evergreen CCD	
John S. Williams, So. Orange County CCD	__X__
Anthony E. Bugarin, San Joaquin Delta CCD*	
Mark Takano, Riverside CCD*	__X__
Thomas J. Clark, Long Beach CCD	__X__
Luis Villegas, Santa Barbara CCD*	__X__

\*denotes incumbent

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

5. **SET TERM OF OFFICE, SET COMPENSATION, AND AFFORD PRIVILEGE TO CAST ADVISORY VOTE FOR NON-VOTING STUDENT TRUSTEE FOR 2003-2004**

MSC Nelson, Jensen

The Governing Board of the Palomar Community College District in accordance with Board Policy 11.1, hereby sets the **compensation for the non-voting Student Trustee** for 2003-2004, for a **one-year term**, at **\$420.00 per month** and affords the Student Trustee the privilege to **make and second motions and cast an advisory vote**, although the vote shall not be included in determining the vote required to carry any measure before the Board.

At the request of Mr. Melena, the motion was amended to include the privilege of making and seconding motions. (MSC Evilsizer, Chadwick)

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

6. **FAILURE TO APPROVE RETURN TO ONE REGULAR GOVERNING BOARD MEETING PER MONTH**

MS Failed Melena, Nelson

The Governing Board hereby approves the return to **one regular Governing Board meeting per month** commencing in May, 2003, as outlined in current Board Procedure 12.3, as revised on February 13, 2001, which reads as follows:

**12.3**

***Regular Meetings***

The Governing Board meets on the second Tuesday of each month at 7:00 p.m. Any item for the agenda must be in the President's Office by 5 p.m. on the Monday eight days prior to each Tuesday meeting. The fourth Tuesday of the month will be kept open for special meetings, orientations, workshops, or training sessions, should they be needed.

Rocco Versaci addressed the Board on this matter.

Mr. Jensen: It's been my observation that there's very little business conducted at that second meeting.

Mr. McMullen: More a workshop.

Ms. Chadwick: I would like to say that all of our meetings are business. They're good government business. The reason we have this meeting is to listen to our constituents, and I hope we're listening. We want to hear. I also want to speak to having two meetings a month. When we're in the morass that we're in now with serious issues that need to be heard publicly, we need two.

Mr. Evilsizer: I just agree with Trustee Chadwick's comments. I think it's very important for us to continue addressing things in public. I think the two meetings a month are certainly warranted. There's still plenty of things to consider and debate and discuss and issues to resolve, and I think two meetings a month helps us to address that. I'm in favor of supporting of having two meetings a month.

Dr. Nelson: I also see the benefits at this point in time of having the two meetings a month. However, I do think that as things settle out – hopefully this will happen – that we can reconsider it and reevaluate it.

The Vote: 2 Aye (Jensen, McMullen); 3 Nay (Chadwick, Evilsizer, Nelson)  
Student Trustee Advisory Vote: Nay

7. **APPROVE ISSUANCE OF 2003 TAX AND REVENUE ANTICIPATION NOTES AND PARTICIPATION IN COMMUNITY COLLEGE LEAGUE OF CALIFORNIA CASH FLOW FINANCING PROGRAM**

MSC Chadwick, Melena

**RESOLUTION 02-20759**

**BE IT RESOLVED**, That the Governing Board of the Palomar Community College District hereby approves issuance of **2003 Tax and Revenue Anticipation Notes** (hereinafter "TRANS") in an amount not to exceed \$5,000,000.00 dated July 1, 2003, with maturity not to exceed thirteen (13) calendar months thereafter, through the statewide financing program sponsored by the Community College League of California; and the Assistant Superintendent/Vice President, Finance and Administrative Services, or Director, Fiscal Services, alone, are hereby authorized and directed, for and in the name and on behalf of the District to execute all documents, including but not limited to, the Note Purchase Agreement, including the Pricing Confirmation, and the 2003 Tax and Revenue Anticipation Note, in substantially the form presented herewith, and to execute, deliver, and record all documents requiring same, to all required and interested parties; true and correct copies of all documents referred to herein, are approved in substantially this same form as presented, are on file with the Secretary to the Board, and the terms thereof are incorporated by this reference and made a part of this Resolution.

**Exhibit M-7**

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

8. **ACCEPT AND APPROVE CHANGE ORDER #4 FOR STUDENT UNION REMODEL PROJECT**

MSC Chadwick, Melena

The Governing Board hereby accepts and approves **Change Order #4** pertaining to the **Student Union Remodel** project; original contract approved by the Governing Board on July 15, 2002, as detailed on the accompanying memorandum in support hereof. Total amount of Change Order #4 is \$8,650.00. **Exhibit M-8**

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

9. **DISCUSSION: TASK FORCE CREATION TO ADDRESS PROPOSED BUDGET REDUCTIONS FOR FY 2003-2004**

The Board discussed the pros and cons of creating a task force to address proposed budget reductions for FY 2003-2004.

Mr. Evilsizer: I think that such a task force could focus in on the budget and explore finding strategies to resolve some of these layoffs and job reductions and make that the absolute last resort. Rather focus on finding cuts that can be made to the budget that don't impact employees and people. And I think that if we can get a fair and broad representation and equal representation of all constituencies on this campus that this can happen, that we can find pragmatic solutions to these issues. And again, if we can focus on this and work hard at it, I have no doubt we can find very creative ways and even sacrifices to keep jobs on this campus. I think we ought to at least give it the old college try.

Dr. Nelson: Mr. Patton, I'm unclear how this would work in relation to the structure already in place.

Mr. Patton: I'm not sure either. The Resource Allocation Committee, now the Revenue Allocation Committee, is going through the budget now, line by line, and then they will go through the fund balances line by line - both designated and they will look at the restricted. So I'm not sure how this would interface.

Mr. McMullen: Every constituency group is on that, correct?

Mr. Patton: Yes. If we keep that in place – at least look at the process.

Ms. Barkley: The Faculty Senate has recommended that the Revenue Allocation Committee be the campus-wide committee that takes a look at this. The concern that we have heard has come from PFF because it has only one faculty member on that committee. Therefore, it is not equal to the other constituent groups, although there are five other faculty that are there. However, this is also an open meeting. If 12 other PFF members wanted to show up, go through line by line, understand the budget, I think that that would actually be the appropriate place to do it. It's supposed to be working with Strategic Planning, reporting to Strategic Planning, and that's where the prioritizing will take place, so having it come through our existing governance structure, the Senate believed, was the best way to deal with this. We did talk about other options, including setting up another task force. We talked about a subcommittee or a task force made up from RAC but that could include members that were not members of RAC, but our informed judgment was that RAC was the governance committee that was in place that would best be able to handle this. And it's very open. Anyone should be able to come.

Ms. Chadwick: Do participants in that committee vote?

Mr. Patton: We have done both - by consensus and vote.

Ms. Chadwick: And is there an equal number of constituency faculty and staff to administration.

Mr. Evilsizer: I have a breakout of the 18 members of the Revenue Allocation Committee here. The Vice President of Administration/Finance is the Chair. Faculty - there are five appointed by the Senate and one by PFF; four administrators; five classified; one CAST; and one student. That doesn't sound like equal representation to me. We need more than one student on a Revenue Allocation Committee or any kind of a budget review committee. CAST – I don't know how many members CAST has – but is one an adequate number? Again, is this equal and fair construction for a decision-making body? I think a task force could be constructed to address that.

Ms. Chadwick: Some of you may be aware that our own Chancellor set up an ad hoc informal group, it's called the consultation work group, that exists as the foundation group to look at issues relating to budget, and that group will feed into the structure that exists in the Chancellor's Office. We have somewhat an echo of that. We can do the same thing on this campus. There's no reason we couldn't have a group that would represent the foundation of all these constituents and function in a way that would feed into the governance structure.

Mr. McMullen: In terms of representation, Mr. Evilsizer, you mentioned something about you don't know how many. Are we talking about numbers of people in each of these constituent groups or are we talking about their share of the budget? With five faculty members, does that represent their share of the total budget? Or is it relative to the number of faculty members they have? You're not going to draw a correlation is my point.

Mr. Evilsizer: I'd be in favor of seeing equal numbers of all constituent groups represented – three of everybody on there – three Senate appointments, three PFF, three students, three . . .

Dr. Nelson: I have grave concern about creating a structure outside of the governance structure. Since the Faculty Senate has supported this and has obviously discussed it with their constituency, I feel very strongly that we should not undermine that in any way.

Mr. Evilsizer: Well, a task force is perfectly within the guidelines of the Palomar College Governance Structure. It is very clearly stated right here (quoting from the Governance Structure): "A constituency-represented group created to address a special college-wide subject/issue and meets until the subject/issue is resolved."

Leslie Briggs and Aaron Holmes addressed the Board on this matter.

**10. RECONSIDER RESOLUTION 02-20758 ON REDUCTION IN FORCE**

MSC Chadwick, Evilsizer

The Governing Board hereby reconsiders Resolution 02-20758 on Reduction In Force adopted by the Governing Board on March 11, 2003.

The Vote: 4 Aye, 1 Nay (Jensen)  
Student Trustee Advisory Vote: Abstain

Mr. McMullen asked Dr. Amador to comment on this matter.

Dr. Amador: First, I would like Dr. Miyamoto to address the issue concerning whether temporary staff - Ultimate Staffing - have replaced any of the positions that were listed as layoffs.

Dr. Miyamoto: I have asked Sherilyn Hargraves to give me that information, and she has forwarded to me a list of those folks from Ultimate Staffing – an employment service that we use to hire hourly people – they're not under contract; they're hourly people that come and supplement that. We're all concerned about hourly people and how they're being used and if, in fact, they're augmenting the workforce or just helping it. Sherilyn has given me the job descriptions or the tasks that these folks are doing from Ultimate. Those tasks they are doing in CCCSAT and that operation over there are not connected or the same as those folks that she had earmarked for positions to be eliminated. In the job descriptions that she has provided me, they are very different in terms of that. They have some expertise, and some people are on call. Just to answer that specific question, in terms of what those people are doing from an hourly standpoint, they are not duplicating or replicating those services of those people that were earmarked for elimination. In addition, though, certainly that is a concern of all of ours, and Sherilyn has indicated that all of those people are not going to be continued after the middle of June.

Mr. Evilsizer: These are the temporary hourly workers?

Dr. Miyamoto: Yes.

Dr. Amador: I would also like Mr. Patton to talk about the consequences of this and his analysis of the two budgets – the best that we can figure out.

Mr. Patton: There are two grants - the CCCSAT grant and the e-Conferencing grant. The CCCSAT grant, after they've made the reduction, should have a balance of about \$283,000. The e-Conferencing grant, after they have made their reduction should have a balance of about \$865,000 to make it through to the end of the year. Of that e-Conferencing grant, the largest component is equipment – roughly \$530,000 on April 7 of that \$865,000. The issue, I think is how much savings there will be if the Board took action tonight or if they delayed it. If the Board took action tonight, there would be about \$38,000 they could still save. If they took action at the May meeting, there would be an additional \$85,000 that would be lost. We recalculated the amount of money that positions that were listed CCCSAT and e-Conferencing, and there is a little bit more there than what they had reported. The savings were a little bit more than what they had calculated. They hadn't taken into effect all the benefits. Looking at the possibility since we have heard some additional information from the Chancellor's Office, now they would be willing to look at the equipment moneys – if that's possible. My recommendation is to wait until we find out what the Chancellor's Office is talking about. This is the information I've received.

**POSTPONE REDUCTION IN FORCE**

MSC Chadwick, Evilsizer to postpone action on this matter.

**WHEREAS**, due to lack of work and/or lack of funds, the Governing Board hereby finds that it is in the best interest of the District to reduce and/or eliminate the following positions, which are held by regular classified employees of the District, pursuant to Education Code Sections 88014, 88015, 88117, and 88127; and also Board Policy CCE/AFT-15 entitled, "Layoffs":

<b><u>Position</u></b>	<b><u>Position Number</u></b>
<b>Accounting Assistant (.50 FTE CCCSAT/.50 FTE e-Conference)</b>	<b>6273</b>
<b>Legal Coordinator (1.0 FTE e-Conference)</b>	<b>6224</b>
<b>Program Research Specialist (1.0 FTE e-Conference)</b>	<b>6089</b>
<b>Satellite &amp; Telecast Broadcast Control Operator (.45 FTE CCCSAT)</b>	<b>6228</b>
<b>Satellite &amp; Telecast Broadcast Control Operator (.45 FTE CCCSAT)</b>	<b>6227</b>
<b>Satellite &amp; Telecast Broadcast Control Operator (.45 FTE CCCSAT)</b>	<b>6229</b>
<b>Senior Office Specialist (1.0 FTE e-Conference)</b>	<b>6212</b>
<b>Web Analyst (.50 FTE CCCSAT/.50 FTE e-Conference)</b>	<b>6217</b>

**NOW, THEREFORE, BE IT RESOLVED**, That the above-designated positions shall be reduced and/or eliminated as of April 18, 2003.

**BE IT FURTHER RESOLVED**, That the Governing Board sincerely regrets this action but is taking this action in compliance with applicable law and in the best interest of the District.

**BE IT FURTHER RESOLVED**, That the Superintendent/President or designee is authorized and directed to give timely and proper layoff to all affected employees.

**ADOPTED**, this eleventh day of March, 2003, by the Governing Board of the Palomar Community College District.

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**11. POSTPONE ACTION ON DELETION OF BP 20 – ORGANIZATION FOR ADMINISTRATION AND ADOPTION OF BP 3100 – ORGANIZATIONAL STRUCTURE**

MSC Chadwick, Melena to postpone action on this matter.

The Governing Board hereby approves the deletion of BP 20 – Organization for Administration and approves the adoption of BP 3100 – Organizational Structure, which reads as follows:

**BP 3100 - Organizational Structure**

The Superintendent/President shall establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the District. The organizational charts are subject to review by the Board.

*Ed. Code 72400 (Note: Refer to existing BP 6.2 – Management: The Board delegates the authority for the District administration to the Superintendent of the District)*

Candice Francis and Barbara Neault Kelber addressed the Board on this matter.

Mr. Jensen: When the faculty voted to unionize, we each agreed that we would appoint a negotiation team and that the negotiations would take place between the union team and the College team. It was never the Governing Board's duty or responsibility to negotiate the contract in public. We sat here and we listened to you; and, believe me, there were times when we all had to bite our tongues. There were things we would like to respond to, but we could not. It was not our place to be doing the negotiating.

Ms. Chadwick: I'm concerned that we don't have BP 20 in front of us so that we don't know what we're deleting. And the other concern I have is that shouldn't our legal opinion here or some review be consistent so that we're not having different language than what's required under the code. I'm not clear about that, and I'm not comfortable with it at this point.

Dr. Amador (displaying a projected copy of Ed. Code 72400, BP 6.2, BP 20 and BP 3100): The policy to be deleted says, "The administrative membership and organizational charts appear in appendices F and G." There is no F and G and there hasn't been for many years. At this point, it is not important for the Board to make a decision on this tonight. I would agree with Candi Francis; it can be postponed. It isn't going to change anything in BP 6.2.

The Vote was unanimous.  
Student Trustee Advisory Vote: Aye

**N. CLOSED SESSION**

The Board recessed at 11:50 p.m. and went into Closed Session at 11:55 p.m., to discuss:

1. Conference regarding discussion with Unrepresented Employee, pursuant to Government Code 54957.6.
  - a. Evaluation of Superintendent/President

Closed Session ended at 12:35 a.m.

**O. RECONVENE TO OPEN SESSION**

The meeting reconvened to Open Session at 12:36 a.m. There was no reportable action taken during Closed Session.

**P. ADJOURNMENT**

The meeting was adjourned at 12:36 a.m.

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President

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Secretary