

**Minutes of the Study Session of the Board of Trustees
San Mateo County Community College District
June 8, 2011, San Mateo, CA**

The meeting was called to order at 6:08 p.m.

Board Members Present: President Richard Holober, Vice President-Clerk Dave Mandelkern, Trustees Helen Hausman, Karen Schwarz, Student Trustee Barry Jointer
Trustee Miljanich arrived at 6:50 p.m.

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Jim Keller, Skyline College
President Regina Stanback Stroud, College of San Mateo President Michael Claire,
Cañada College President Tom Mohr and District Academic Senate President Diana
Bennett

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

None

MINUTES

It was moved by Trustee Hausman and seconded by Vice President Mandelkern to approve the minutes of the May 16, 2011 meeting of the Board. The motion carried, with Trustee Schwarz abstaining and the remainder of Board members voting "Aye."

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Dan Kaplan urged the Board to research Assembly Bill 515 and to consider adopting a resolution in opposition to the bill. He said the bill is an attempt to allow greater access to courses for those who can afford to pay, thereby limiting access to higher education to the highest bidder. The bill would make extension courses credit bearing and Mr. Kaplan believes this would be a step toward the privatization of higher education. He said the Board of Trustees of the San Jose-Evergreen Community College District will be discussing the bill within the next week and will probably pass a resolution in opposition to it. Other districts are also being asked to take positions. Mr. Kaplan said that if the Board has interest in a resolution after researching the bill, he will be willing to share language he has prepared.

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (11-6-1A)

It was moved by Trustee Hausman and seconded by Trustee Schwarz to approve the actions in Board Report No. 11-6-1A. Vice President Mandelkern noted that there are three positions listed on the report for KCSM and, given that a status update on KCSM-TV is the topic of an information report later in the meeting, asked if this item should be deferred until after that discussion. The Board agreed to defer consideration of these positions but approve the remainder of the report. KCSM General Manager Marilyn Lawrence asked that the position of staff announcer/producer for KCSM-FM remain under consideration with the rest of the report; the Board agreed to this request. Trustee Hausman amended her motion to approve the report with the removal of the two KCSM-TV positions. The motion carried, all members present voting "Aye."

Other Recommendations

SELECTION OF BOARD MEMBER TO PARTICIPATE IN A MEETING OF AN ADVISORY COMMITTEE OF THE LITTLE HOOVER COMMISSION (11-6-1B)

President Holober said the Board received a copy of a letter inviting participation in a June 22nd meeting of an advisory committee of the Little Hoover Commission. The goal of the meeting is to gather input and expertise from members of community college governing boards about ways to improve the governance, finance and

accountability of the community college system. With no other Board members able to participate, President Holober said he will attend the meeting, listen and participate as appropriate. Chancellor Galatolo said he will try to obtain a list of questions that will be addressed at the meeting. President Holober said he would appreciate input from other Board members on the issues to be discussed. After this discussion, it was moved by Trustee Hausman and seconded by Trustee Schwarz to select President Holober to represent the Board at the meeting on June 22. The motion carried, all members present voting "Aye."

APPROVAL OF REVISIONS TO DISTRICT RULES AND REGULATIONS: 8.70, STUDENT FEES AND CHARGES (11-6-100B)

It was moved by Trustee Hausman and seconded by Student Trustee Jinter to approve the revisions as detailed in the report. Chief Financial Officer Kathy Blackwood presented a report on Student Accounts Receivable and Bad Debt, which included history, how much the District is owed, who owes it, how much is being collected, a description of the problem, and the proposed solution. A copy of Ms. Blackwood's presentation is attached to the official minutes of record. Ms. Blackwood thanked Rob Johnstone from Skyline College and Greg Stoup from Cañada College for their help researching much of the information in the report.

Trustee Schwarz noted that the District Shared Governance Council did not give unanimous support for the changes to the policy. Ms. Blackwood said the policy on shared governance states that, in order to move a recommendation forward, 60% of Council members polled must be at one of three levels: (a) I support the recommendation completely, (b) I support the recommendation with reservations, or (c) I cannot support the recommendation. While 60% of members were not at one level, four members were at the (a) level, six members were at the (b) level, and two members were at the (c) level; therefore, 83% supported the recommendation at some level. Trustee Hausman asked what Council members' reservations were. Barbara Christensen, Director of Community/Government Relations, said some members wanted a payment plan in place before adopting the policy. Diana Bennett, Co-Chair of the District Shared Governance Council, said Council members wanted to make sure that the policy did not hinder students from enrolling and did not drop students immediately. Ms. Blackwood said she tried to get Council members to concentrate on the policy rather than the payment plan procedure. She said that, while she could not specify exactly what the procedure would be, the inclusion of a payment plan is written into the policy and the policy could not be implemented until a payment plan is in place. She added that it is not within the purview of the Shared Governance Council to write or approve procedures.

Vice President Mandelkern asked if any of the bad debt is due to fee increases imposed by the State after students have enrolled and paid their fees. Ms. Blackwood said retroactive fee increases are no longer an issue because current legislation prevents the State from increasing fees after registration for the term has begun.

Vice President Mandelkern noted that the breakdown by residency shows that the average debt of foreign and out-of-state students with outstanding balances is well over \$1,000 per student. He asked if these students habitually do not pay during their last term when they know they will be leaving the State. Ms. Blackwood said the balances for international students are almost always due to a change in residency status. She is not sure if this is true for out-of-state students as well.

Vice President Mandelkern asked if the revised policy would maintain the same restrictions, i.e. grade and transcript holds. Ms. Blackwood said it would.

Student Trustee Jinter asked why a grace period is not written into the policy. Ms. Blackwood said she anticipates that a grace period will be written into the procedure. She added that dropping students after classes have started is prohibited by law.

Student Trustee Jinter said he hoped that students who add classes shortly after the term has begun would be given until midnight or some time the following day to pay the fees. Ms. Blackwood agreed that this would make sense.

Vice President Mandelkern asked if it is typical that students register for classes online but do not pay the fees at the same time. Ms. Blackwood said it is typical. For example, registration for both summer and fall classes opened in April and many students cannot pay that far ahead of time.

Trustee Miljanich arrived at this time.

Noting that students have registered for summer and fall classes but the fees are not yet due, President Holober asked, based on experience, how much of these fees will actually be paid. Ms. Blackwood said she is booking approximately \$350,000 per year in bad debt for fees. The amount owed remains on the students' accounts but Ms. Blackwood sets up an allowance for bad debt and, after it is five years old and has been through collections, the District settles on some amount. President Holober asked how much will likely be collectible if we continue current practice of referring old debt to a collection agency. Ms. Blackwood said that approximately 30% is collectible.

President Holober said the current Board policy requires that students pay their fees but the policy is not being enforced. Chancellor Galatolo said that until recently, the District was well below its funded cap. In the last several years, the Colleges have done an outstanding job in getting the District into a position in which it is receiving every dollar possible for State apportionment. Chancellor Galatolo said it is important to recognize that a few years ago, fees were considerably less than they are now but the State apportionment for a full-time student was between \$4,000 and \$5,000. If students who did not pay their fees had been dropped, the District would have foregone \$4,000-\$5,000 in State apportionments vs. incurring \$200-\$300 in bad debt. Now that the District is above its funded cap, it is a reverse economic situation.

Student Trustee Jointer asked how the revised policy would affect students who are awaiting financial aid. Ms. Blackwood said students who have applied for financial aid would not be subject to the drop policy while awaiting the financial aid decision. She is attempting to work out a plan whereby students who apply for financial aid would be automatically enrolled in a payment plan, but the payment plan would not be activated unless the financial aid did not come through. Student Trustee Jointer asked the amount of fees students would be charged for a payment plan. Ms. Blackwood said the range is \$20-\$25. She is also evaluating other vendor fees, such as a fee for nonsufficient funds, in order to minimize the amount of fees students will have to pay.

Noting that students cannot legally be dropped after the start of classes, President Holober asked how this affects students who learn after the start of classes that financial aid has been denied. Ms. Blackwood said these students cannot be dropped but they would not be able to register for the following semester until the debt is settled. President Holober asked if the Board of Governors (BOG) fee waivers also take some time to process. Vice President Jennifer Hughes said BOG waivers are processed very quickly.

Trustee Miljanich asked if students who receive financial aid may still have debt, or if fees are automatically deducted from the financial aid. Ms. Blackwood said that, typically, mandatory fees are deducted before students receive financial aid funds. Students can elect to have non-mandatory fees paid as well. Trustee Miljanich asked if there are many students who are eligible for financial aid but who are not receiving it. Ms. Blackwood said that the percentage of District students receiving financial aid is smaller than the Statewide average. She believes the District needs to concentrate on making students aware of financial aid availability. She added that the FAFSA is a major obstacle for some students and their families. Vice President Mandelkern asked if a student who incurs debt and later applies for and receives financial aid can use that money to pay the previous debt. Ms. Blackwood said financial aid can be used for this purpose.

Trustee Schwarz said she hopes that charges for books can be incorporated into a payment plan since they are a large part of students' expenses. She also wants to make sure students are covered for issues that are beyond their control and would like the policy to include protection for students whose financial aid does not come in on time. She noted that the District has actually loaned money to students who are waiting for financial aid. Ms. Blackwood said it is true that the District has fronted money for Cal Grants when the State budget was not passed on time. Chancellor Galatolo said that, while he believes this was the right decision, it is important to realize that if the State had not funded the Cal Grants, the District would have lost the money it fronted to students.

Vice President Mandelkern said he was shocked to see the maximum income levels for BOG waiver eligibility, which are far below the poverty level. Chancellor Galatolo said there are different layers of eligibility for BOG waivers.

President Holober said the language in both the current policy and proposed revised policy seems to be silent on looking at debt as opposed to current fees, which are due and payable at the time of registration. He asked if this

means that a student could register and pay the current fees without consideration of a past debt. Ms. Blackwood said the new policy would involve changing from one way of implementation to another. Because the District has not implemented the section stating that fees are due and payable at the time of registration and has allowed students to amass debt of up to \$200, some students do have a debt. The proposed solution is to implement the due and payable upon registration requirement and to develop a payment plan to allow students to pay their full balances before the next semester begins so that they do not amass debt.

Student Trustee Jinter asked if a student who is enrolled in a payment plan and still has a debt would be given a copy of his/her transcript if requested. Ms. Blackwood said that the transcript would be released if the student is current on the payment plan.

President Holober said he questions whether new language is needed or if it is simply a matter of enforcing the current policy, with the possible exception of acknowledging a payment plan as part of the policy. He said it bothers him that a staff-level economic decision was made to not enforce the policy. Vice President Mandelkern said there is a new element in the proposed revision in that it includes dropping students whose fees are not paid. President Holober said he interpreted the “due and payable in full at the time of registration” phrase to mean that students who did not pay at the time of registration could not register; Vice President Mandelkern interpreted it to mean that a student who did not pay at the time of registration would be unable to register for classes for the next semester. Ms. Blackwood said the language is not clear.

Chancellor Galatolo said that, while it is true that the District incurred as much as \$4 million in bad debt, it would have foregone tens of millions of dollars in revenue if the policy was strictly enforced during the time that the District was under its funded cap. He said that if non-enforcement under these circumstances is a problem, the policy should perhaps be reworded and brought to the Board for modification. President Holober said he understands that non-enforcement was an economic decision, but said that any change in Board policy should be a Board decision; if a change in the language is needed each time the District is over or under its funded cap, it should be up to the Board to decide whether or not to change the policy. He said this should be true for all policies as it is not at the discretion of any staff member to follow or not follow Board policies. Ms. Blackwood said she believes the \$200 student debt limit, imposed in 2009, was brought to the Board. Vice President Mandelkern said he shares President Holober’s concern; if there is a policy that the Board has approved, it is not optional on the part of staff to adhere or not adhere to the policy.

President Holober suggested that rather than striking the language regarding financial aid, it should be rewritten to address students who are waiting to find out if their financial aid is approved. Ms. Blackwood said her goal is to have financial aid students enrolled in a payment plan which would not be activated unless needed. In that way, if the financial aid is approved, the student would owe no money and the payment plan would not be activated. If financial aid was denied, the payment plan would be activated and would help the student plan their way through the semester.

Student Trustee Jinter asked if students would be dropped for non-payment for the upcoming semester. Ms. Blackwood said no students would be dropped for non-payment for the summer or fall semesters. She said there must be extensive communication so that students know what will happen. President Holober suggested adding an effective date to the policy; Ms. Blackwood said the spring term of 2012 would be the preferable time. Chancellor Galatolo pointed out that, in the meantime, there would be continued nonconformance to the existing policy and asked that the motion be modified to state this will be acceptable until the policy goes into effect. Vice President Mandelkern suggested adding that until the revised policy goes into effect, the existing exceptions to the current policy will be allowed to continue. There was agreement to amend the motion to include this language.

Vice President Mandelkern said he is sympathetic with students’ economic situations, particularly in light of fee increases, and he does not want to put more stresses on students. He is also concerned with fairness and, at a time when there are more students trying to take classes than can be accommodated, it seems that those who are able to pay their bills should be able to take their classes. Vice President Mandelkern said the Board benefits from having a student trustee and he asked Student Trustee Jinter if he believes the revised policy would be reasonable or have an onerous impact on students. Student Trustee Jinter said that a payment plan will help students and they are in favor of such a plan. He said that as long as there is a way forward for students, they will be fine with the policy. After this discussion, the motion as amended carried, all members voting “Aye.”

INFORMATION REPORTS

STATUS REPORT ON KCSM (11-6-1C)

Chancellor Galatolo introduced KCSM General Manager Marilyn Lawrence and said she would be available to help answer questions. Chancellor Galatolo said the Board was unambiguous in directing staff to look for options for KCSM-TV that will not encumber the general fund beyond this fiscal year. While a number of options were evaluated, most have not come to fruition. Although Ms. Lawrence has worked tirelessly to find solutions, KCSM-TV will in all likelihood continue to have a substantial deficit.

The District hired FCC attorney Larry Miller, with the law firm Schwartz, Woods and Miller, to help look at options and, if necessary, help navigate the sale of the station. Mr. Miller helped clarify several legal issues and also looked at what might happen with regard to claims from the Corporation for Public Broadcasting (CPB) if the station is sold. The Corporation for Public Broadcasting has provided community service grants and Mr. Miller believes they could probably get money back for the last year. Members might also ask for refunds.

Proceeds from a sale could be millions of dollars but it is impossible to determine until responses to an RFP are received. The sale value depends on timing, the economic environment, demand and need; these can all change at any time.

The sale of KCSM-TV would have an impact on employees. The Board has always been committed to using managed hiring in these situations. However, this case is unique because a number of employees have very narrow job skill sets and placing them in different jobs without job retraining would be difficult. There are also broadcast engineers who are indirectly supporting the College through the Digital Media program and the sale of the station would leave a gap that would have to be addressed. Another issue is that some overhead would likely be shifted to KCSM-FM which is doing fairly well, but the District must look carefully at whether this would put KCSM-FM in a deficit position.

Ms. Lawrence has been examining several options. Peninsula TV (Pen TV) is looking for new headquarters and recently approached KCSM about entering into a partnership. This would provide some economic benefit but not nearly enough to put the station into a positive financial position. Another option would be to share an audience with KRCCB, a public broadcaster in the North Bay, eliminating the need for use of the transmitter located at Sutro Tower. This could save \$350,000 per year. KCSM-TV would still have coverage in excess of 100% and all of its cable agreements would hold. Ms. Lawrence would also recommend the elimination of two staff positions. These combined efforts would offset all or almost all of the \$800,000 per year deficit.

There are, however, several issues with the potential agreements with Pen TV and KRCCB. Warren Slocum, the current president of Pen TV, told Chancellor Galatolo that the largest share of Pen TV's income comes from support from cities and the county. Mr. Slocum feels confident that this support is stable; Chancellor Galatolo does not share that confidence and cannot assure the Board that a partnership with Pen TV will provide the necessary income. There would be an annual savings of \$350,000 if KCSM-TV ceases to use the transmitter at Sutro Tower. However, this is a very attractive site and the District would be giving up a valuable resource in a potential sale of the station at a later time.

Chancellor Galatolo said staff is seeking direction from the Board on how to proceed.

Vice President Mandelkern asked if the potential sale value of the station would be diminished if it is not on the air. Ms. Lawrence said that if the station is off the air for more than 30 days, it would lose its license and could not be sold.

Vice President Mandelkern asked how long the RFP and sale process would take. Chancellor Galatolo said the RFP process would be expedited. He said the New Jersey RFP process took 30 days. Ms. Lawrence said that after an offer is accepted, there must be a 90 day period for public hearings and additional time if there are challenges.

Trustee Schwarz asked for clarification about what the financial liabilities will be if the station is closed down. Ms. Lawrence said that in addition to the annual Community Services grant from the CPB discussed earlier, there are

other federal grants that would require some payback. However, if the station is transferred to another CPB-qualified institution, the grants would not have to be paid back. Therefore, if the RFP is designed to provide that the station be sold for the most cash value to the District, a public station could buy KCSM-TV at a lower price because they could deduct the amount the District would have to pay back if sold to a private institution.

Vice President Mandelkern said the exact amount of money the sale of the station would bring in is not the major concern. He said the Board's primary concern is always how to serve the greatest number of students in the community and provide transfer, career-technical and basic skills education, as stated in the Board's goals. He said a class section currently costs an average of \$5,000-\$6,000. KCSM-TV's annual deficit of \$800,000 is the equivalent of 130-160 class sections, each with an average of 35 students. Therefore, the deficit impacts upwards of 5,000 student slots in classes.

Trustee Schwarz asked what the effect would be on faculty, staff and students of the Digital Media program if the station is closed down. Professor Diana Bennett said students would no longer have a live working studio to use to build their portfolios. Trustee Schwarz asked if experience in such a studio is a requirement in the program. Professor Bennett said it was added as a requirement when the program was redone. She said she does not know anywhere else in the area where they could gain experience in a live working studio. Ms. Lawrence said the alternative would be a cable access channel and that is one reason that a partnership with Pen TV would work well.

President Holober asked if the equipment that is used in Digital Media classes could still be used for classroom instruction even if it is not publicly broadcast over the TV station. Ms. Lawrence said broadcast fundamentals could still be taught, but the outlet for students' work to be seen and recognized throughout the Bay Area would be gone. Vice President Mandelkern asked how many students use KCSM-TV as a laboratory for their work. Ms. Lawrence said there are three sections this semester and each has more than 30 students enrolled.

Student Trustee Jointer said selling the station would be detrimental to students in the Digital Media program because it would remove the opportunity for the experiences that help them compete for jobs. Vice President Mandelkern agreed that KCSM-TV has been an incredible asset and provides a learning laboratory which is being used by approximately 120 students. However, there are 5,000 other students who cannot take classes because the money is not available for the basic courses they want to take. Student Trustee Jointer asked why there are only three sections in the Digital Media program. Professor Bennett said the curriculum was just redone, the broadcast program was on hiatus, and there was only one faculty member who was trying to revitalize the program. She said the program is moving into new facilities in the fall which could open new opportunities for classes. President Claire said it is not his intention to render an opinion but he believes it is important to ask if \$800,000 is being spent to support any other program. He said the Digital Media program is stronger because of the KCSM-TV tie-in but the question of how much the institution is willing to invest in order to have that higher level quality must be asked.

Trustee Hausman said that when the Board previously discussed cutbacks in general, they talked about which courses will help students in terms of transfer, career-technical education and basic skills. She said decisions will not be easy but must be considered in this context.

Trustee Schwarz asked if Cañada College and Skyline College have any involvement with KCSM-TV or the Digital Media program. President Mohr said he does not believe they do.

Vice President Mandelkern thanked Ms. Lawrence for her hard work in trying to find a solution that would allow KCSM-TV to break even. He asked if there is demand for antenna space on Sutro Tower and if the District might be able to keep the space but sublease it. Ms. Lawrence said the lease does not allow for subleasing but the District would be able to get out of its lease and ask that it be transferred to someone else.

President Holober said the Board has been dealing with this issue for a long time during a period in which the budget is being cut by the State and students who desperately need college and career training opportunities are being turned away. He said that Ms. Lawrence has made tremendous efforts to reduce costs and solve the dilemma but it appears that the situation has not changed from the time the Board said the station must be at a breakeven point in the 2010-11 budget year. President Holober said he believes the station is sufficiently peripheral to the District's mission that it cannot continue to be subsidized. He said it is only fair to provide direction to Ms. Lawrence on how to proceed.

Trustee Hausman asked if there is some idea of the amount of money that could be gained if KCSM-TV is given up. President Holober said it is primarily the \$800,000 per year in general fund obligation that could be directed to classroom programs. Vice President Mandelkern added that there would be potential one-time money from the sale of the license and equipment, which could be several million dollars. Trustee Hausman said that in making a decision, the Board should consider what could be done with that amount of money.

Student Trustee Jinter said it sounds like there is room for the Digital Media program to grow. He said he understands that it may seem unfair to pay more for this program, but there is nowhere else in the area where students can get the training and experience they need for the industry. President Holober said he believes the broadcast course work component is one piece that should be considered. However, he does not think of KCSM-TV as being primarily an academic/classroom institution. He said it is a professionally-run, high quality station that on its periphery is connected to a couple of courses. The incremental benefit students gain is having their work broadcast in the Bay Area vs. locally. President Holober said the core question is whether the District can continue to run an \$800,000 per year general fund, tax dollar subsidy for something that seems ancillary to the purpose of the institution to open its doors widely to all students who can benefit from higher education or job training. He said it is not an easy decision but the Board must decide what the District can and cannot afford at a time when thousands of students are being turned away.

Vice President Mandelkern said he is a huge fan of both KCSM-TV and FM. He said it is frustrating that there are not enough students taking advantage of this asset to make it a part of the academic program. He said he gets the sense from his colleagues on the Board that there is no change from what they said in the past about having no tolerance for more general fund money going to subsidize KCSM-TV after July 1. This means the District must pursue whatever it takes to make this happen, including sale of the station. However, Vice President Mandelkern said that if, while moving down the RFP and sale path, there is a way to strike a deal with Pen TV that would be long-term and secure and would eliminate the deficit, he would be willing to consider such a deal.

Trustee Schwarz said that when she first heard about a partnership with Pen TV, she believed it could be a good solution. However, she changed her opinion after hearing from Chancellor Galatolo about the uncertainty of Pen TV's funding. She said she wished a way had been found to wipe out the debt and she applauds Ms. Lawrence for all of her efforts. Trustee Schwarz said her conscience tells her it is unfair to continue running the station with a deficit at a time when the District is turning away students.

Trustee Miljanich said that the Board has discussed the issue of KCSM-TV for a couple of years. She hoped a way would be found to keep the station but that has not materialized and the situation seems to be back to where it was before. Trustee Miljanich said she is in agreement with appears to be the prevailing view of the Board and she believes the time has come for the Board to give direction to sell KCSM-TV. She said a decision that is hard for the Board to make is not the real difficulty; rather, the difficulty is the effect on others who must experience what happens after the decision is made.

Chancellor Galatolo said he interpreted Vice President Mandelkern's comments as advocating going down two parallel paths, while the rest of the Board supports proceeding with the RFP and sale process. Vice President Mandelkern said he does not advocate going down two parallel paths. He agrees with the direction to proceed to a sale. However, if a miracle occurs during the narrow time window of the RFP process, he would not be averse to canceling the RFP process. He added that there is a high bar to clear in terms of what an acceptable miracle would be. He said it is very clear that the Board is directing that no more general fund money go into KCSM-TV past July 1. Chancellor Galatolo said that if there are no respondents to the RFP, Pen TV could still be a potential option if there is no alternative. President Holober said that during the RFP and sale process, some costs will be incurred, but there is clarity that it is in the wrap-up phase.

COMMUNICATIONS

President Holober said the Board received a letter from the Alcohol and Other Drug Studies Certificate Program at College of San Mateo outlining the rationale for retaining the Alcohol and Other Drug Studies program, in anticipation of program/course budget reductions for 2012. The Board also received a letter asking that the garden at College of San Mateo be preserved. In addition, the Board is being presented with a letter tonight in praise of

President Mohr's tenure as President of Cañada College. These letters will be entered into the official record of this meeting.

Vice President Mandelkern suggested that all people who write letters on issues be sent responses. Trustee Miljanich asked if a distinction should be made between letters containing misinformation and those which do not. Chancellor Galatolo said he will work with staff to respond to all letters and to identify those containing misinformation and respond appropriately. Vice President Mandelkern said it would be useful to have a web page laying out the correct facts to correct misinformation. Chancellor Galatolo agreed and said staff will develop the page.

UNFINISHED BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (11-6-1A)

It was moved by Trustee Schwarz and seconded by Trustee Miljanich to approve the two personnel items which earlier were removed from consideration. Vice Chancellor Harry Joel said he was told by Ms. Lawrence that she must have some positions in order to continue broadcasting. The two positions at issue have an end date of December 31, 2011. Vice President Mandelkern asked if the term should be shorter. Chancellor Galatolo recommended acting on the positions and modifying the timeframe at a later date if needed. Vice Chancellor Joel agreed to talk with Ms. Lawrence about the timeframe. After this discussion, the motion carried, all members voting "Aye."

President Holober asked Board members if they would be interested in discussing Assembly Bill 515, as addressed by Dan Kaplan and Assembly 1130, which proposes a temporary 1% income tax surcharge on the top 1% of income earners. Trustee Miljanich said not all Board members may agree on these items, but in the context of possibly easing the budget crisis, she is open to exploring them. Chancellor Galatolo said staff will research the bills and bring information back to the Board.

Regarding the communication concerning the Alcohol and Other Drug Studies program, Vice President Mandelkern said he appreciates comments from the public, faculty members and students about their programs. He said all of the programs have value, benefit students and have strong supporters. However, he believes it is counterproductive to bring these issues to the Board on a one-off basis and to expect the Board to act on them. Staff at the Colleges are working very hard on a process to look at programs to see how the pieces fit together in a dramatically shrinking pie; to make sure the right pieces still fit together; and to make sure pieces that no longer fit will not still be part of the pie. Vice President Mandelkern believes the Board's role is to make sure that the pieces that come from the Colleges fit together to make a District picture that makes sense.

RECESS TO CLOSED SESSION

President Holober said that during Closed Session, the Board will (1) consider the personnel items listed as 1A, 1B and 1C on the printed agenda, (2) hold a conference with labor negotiator Harry Joel; the employee organizations are AFT, AFSCME and CSEA, and (3) hold a conference with legal counsel regarding one case of potential litigation.

The Board recessed to Closed Session at 8:30 p.m. and reconvened to Open Session at 10:35 p.m.

CLOSED SESSION ACTIONS TAKEN

President Holober reported that at the Closed Session just concluded, the Board voted 5-0 to approve the items listed as 1A, 1B and 1C on the printed agenda.

ADJOURNMENT

It was moved by Trustee Hausman and seconded by Trustee Miljanich to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 10:40 p.m.

Submitted by



Ron Galatolo
Secretary

Approved and entered into the proceedings of the June 22, 2011 meeting.



Dave Mandelkern
Vice President-Clerk