

SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD

UNADOPTED MINUTES
Special Meeting

January 15, 2009

1. CALL TO ORDER

A special meeting of the Solano Community College District Governing Board was called to order at 7:00 p.m., on Thursday, January 15, 2009, in the Administration Building, Room 626, Solano Community College, 4000 Suisun Valley Road, Fairfield, California 94534-3197, by A. Marie Young, Governing Board President.

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

At the request of Board President Young, Special Trustee Tom Henry led those present in the pledge of allegiance to the flag of the United States of America.

3. ROLL CALL

Members Present:

A. Marie Young, President
Denis Honeychurch, J.D., Vice President
James M. Claffey
Pam Keith
Phil McCaffrey
Stephen Murphy, J.D.
Rosemary Thurston
David R. Brannen, Student Trustee
Lisa J. Waits, Ed.D., Interim Secretary

Members Absent:

None

Others Present:

Ross Beck, Director of Public Relations, Marketing and Communications
Richard Christensen, Ed.D., Director, Human Resources
Jay Field, Vice President, Technology and Learning Resources
Don Mourton, Ph.D., Interim Vice President, Student Services
Robin L. Steinback, Ph.D., Vice President, Academic Affairs
Judy Spencer, Executive Coordinator, Superintendent/President and Governing Board

4. APPROVAL OF AGENDA

Moved by Trustee Keith and seconded by Trustee Murphy for approval of the Agenda as presented. The motion carried unanimously.

5. COMMENTS FROM MEMBERS OF THE PUBLIC

Board President Young recognized CTA President Tom Grube, who requested to comment on the budget and state of the family. Board President Young thanked Mr. Grube for his comments.

Board President Young recognized Instructor Danielle Widemann, Geography/Geology Instructor, who requested to speak on accreditation. Board President Young thanked Ms. Widemann for her comments.

Board President Young recognized Instructor Terri Pearson-Bloom, representing CTA, who requested to comment about spending money. Board President Young thanked Ms. Pearson-Bloom for her comments.

Board President Young recognized Instructor Marc Lancet from the Art Department, who requested to comment on accreditation. Board President Young thanked Mr. Lancet for his comments.

Board President Young recognized Dr. Jeff Lamb, Academic Senate President, who requested to comment on the approval of the administrative agreement. Board President Young thanked Dr. Lamb for his comments.

A full and complete reporting of comments made by CTA President Tom Grube, Instructor Danielle Widemann, Instructor Terri Pearson-Bloom, Instructor Marc Lancet, and Academic Senate President Jeff Lamb are available on the Solano College Web site at www.solano.edu (Governing Board – Minutes – Special Meeting – January 15, 2009 – **Appendix A**).

6. NON-CONSENT AGENDA ITEMS – ACTION ITEMS

(a) Approval of Special Trustee Agreement with Mr. Tom Henry

Moved by Trustee Keith and seconded by Trustee Thurston to approve the agreement with special trustee Tom Henry, effective January 9, 2009. The motion carried unanimously.

Mr. Henry highlighted some of the elements in the Independent Contractor Agreement, which was reviewed by both the Chancellor's Office and legal counsel. It is expected that, at the request of the District, the CCCCO has designated a Special Trustee who will be assigned duties specified in subdivision (d) of Section 58312 of Title 5 of the California Code of Regulations. Mr. Henry asked Dr. Waits to make this section available to the Board members for their information. (A copy of Subdivision [d] Section 58312 of Title 5 of the California Code of Regulations will also be available on the SCC Web site under Governing Board agendas, minutes and attachments for the January 15, 2009, Special Meeting – **Appendix B**.)

The term of this agreement shall commence on January 9, 2009, and shall continue in effect until July 9, 2010, at which time the District and Consultant will consider an extension of the term and the addition of services that may be required.

Notwithstanding the above, either Consultant or District may terminate this agreement at any time with or without cause upon giving thirty (30) days written notice to the other party.

The District shall pay the Consultant a fee for consulting services rendered to the District at the rate of \$200 per hour for actual services performed during the initial term of this Agreement.

The Consultant shall, at times and locations determined by the Consultant, review and monitor the operation of the District, provide advice and counsel, and make recommendations on all matters relating to the District, including, but not limited to: governance and administration, finances, accounting and other economic issues; collegiality and college community relationships; Title 5 compliance, education and accreditation standards, and any other matters that may arise regarding the operation of the District.

The Governing Board agrees that the District will rely primarily upon the advice and judgment of the Consultant. This means that the recommendations of the Consultant will normally be accepted by the District and approved by the Governing Board, and only in exceptional circumstances and for compelling reasons will the recommendation of the Consultant not be accepted or approved.

The District further understands that should it unreasonably or repeatedly refuse to follow the recommendations of the Consultant, or refuse to follow the recommendations of the Consultant regarding any matter of substantial importance, the Consultant may at its option, do any or all of the following (as provided by the authority of Title 5): notify CCCCCO of such refusal, make recommendations to the CCCCCO it deems necessary and prudent, or terminate this agreement with ten days notice, all of which would delay recovery.

Vice President Honeychurch stated he supports Tom Henry being hired as Special Trustee and hopes the rest of the Board does as well. Vice President Honeychurch stated further he has confidence in him and believes we are going to get through this level of support and intervention and that we will be restored to full accreditation. We have to work together as a Board with faculty and staff.

(A copy of the full Independent Contractor Agreement for Consulting Services with Special Trustee Thomas E. Henry will be made available on the SCC Web site under Governing Board agendas, minutes and attachments for the January 15, 2009, Special Meeting.)

Board President Young recessed the special meeting at 7:40 p.m.

7. CLOSED SESSION

- (a) Conference with Labor Negotiator
Agency Negotiator: Richard Christensen, Ed.D.

Employee Organization: CCA/CTA/NEA, CSEA, Operating Engineers—Local 39

- (b) Public Employee Discipline/Dismissal/Release
(No additional information required.)

Board President Young called the Closed Session to order at 7:48 p.m., and adjourned the Closed Session at 8:30 p.m.

8. RECONVENE REGULAR MEETING

Board President Young reconvened the regular meeting at 8:31 p.m.

9. REPORT OF ACTION TAKEN IN CLOSED SESSION

Board President Young reported that the Board held conference with Labor Negotiator on CCA/CTA/NEA/, CSEA, Operating Engineers, Local 39, and discussed public employee discipline/dismissal/release and no action was taken.

10. NON-CONSENT AGENDA ITEMS – ACTION ITEMS

- (a) Approval of Administrative Agreement with Dr. Lisa Waits

Special Trustee Henry began by stating he has had the opportunity and privilege to work with two community colleges in the state who were in jeopardy—Lassen College and Compton College. Compton College had the most severe problems and lost their accreditation and ultimately disappeared. The Compton students, faculty and staff had little, if anything to do with the status of the institution. It was really about the Board. They lost their college, a \$3 million loan; the Board was removed, with a special trustee assignment, and were ultimately aligned with El Camino College. Lassen College was a little different in that the Board was legally constituted and with a special trustee they mutually agreed upon a resolution that helped turn the college around. The faculty, staff, and Board decided that students were their focus and with a management recovery team in place, are continuing to move in the right direction. The ACCJC is serious about their charge of holding community colleges to the accrediting standards. Many institutions are not ready for the new standards.

Mr. Henry commented that he has a pretty good feel for what it is going to take to move Solano College in the right direction. Part of it comes down to trust and trusting an individual's judgment. Mr. Henry indicated he was taken by the comments made by the public in support of Dr. Waits and the obvious passion for her. He said, however, he would be remiss if he didn't say candidly that this institution is in grave jeopardy relative to its status of fiscal stability and the accreditation issues—all of which are not going to be easy to solve. The task to recover is fragile, and is going to be formidable and impossible to resolve if we aren't in alignment, which includes the Board. I have been very candid with the Board as to what their expectations are.

As the Special Trustee, especially in the early stages of work that needs to be done, I will be required to make quick and informed decisions relative to what I think it is going to take to be

accredited and move in the right direction. Occasionally we will disagree, which is where trust comes into play. “I have been in this situation before,” Mr. Henry said, “and I know how to get institutions where they need to go. In these early stages, I am prepared to make a recommendation with this Board about where they need to go to get off sanctions.”

Solano College has the formidable task of inherent problems with the ACCJC and having to recover in a short period of time. Quite frankly, he said, that period of time is shorter than it took to get there. The ACCJC allows two years to recover and Solano has been on sanctions for one of those two years. In February, whatever happens, whether it is probation or show cause, the College will have one year. Even without seeing the new report, the requirements will be more extensive and almost impossible to achieve in one year. If we aren’t where we need to be in one year, we may need to have the Department of Education allow the ACCJC an extended period of time.

All of this will take skill, talent, networking, and more importantly, results. It is not good enough to say you have done it if the evidence is not there. Evidence is articles in the newspapers, audit reports, behaviors—all of which is evidence. The Executive Council discussed at length today how we go about developing evidence.

All of this being said, Mr. Henry commented that time is of the essence. We don’t have the luxury of spending a month or two to decide how to get everyone aligned.

Special Trustee Henry reported that he has talked to Dr. Waits at length about what he thinks it is going to take to get Solano on the road to recovery, and asked her to be part of the recovery team as the Vice President of Student Services. Mr. Henry reported that she is supportive of his recommendation. Mr. Henry stated it is important for everyone to know that this isn’t a Board decision, but his recommendation to the Board.

Mr. Henry indicated that at some time in the near future he will be bringing a name of a recovery specialist for this type of environment forward to the Board for their consideration. “I would be remiss,” he said, “whoever that person is, if after a six-month period if that person is able to survive because he/she has to make some very difficult and serious decisions and must have experience and recognition with the decision makers.” Mr. Henry stated he will do his due diligence, just as he has at other institutions, to make a decision relative to the College’s accreditation, and stated further he has a good feel for the type of individual that is needed to do this job.

Special Trustee Henry asked Dr. Waits to make a comment relative to his recommendation to the Board.

Interim Superintendent/President Lisa Waits thanked those present by stating it has been an honor to serve as their President. “Mr. Henry is right about what we need to do. I am going to be just as proud and pleased to serve as your Vice President of Student Services. We all need to change and do things we question. I am convinced that Mr. Henry has done things that we need to do. Our students come to us because we have done things that they need to learn and do. We are educators, and we learn every day. I am willing to learn from him (Mr. Henry), and he is saying

what it is we need to do. I am doing this with 100% full support. It is not anything I have been coerced into doing. I believe this is the right thing to do. I believe it is all true. We are here to learn and we are going to learn how to do it right here (at Solano College).”

The audience gave a standing ovation and extended round of applause on behalf of Dr. Waits.

Moved by Vice President Honeychurch and seconded by Trustee Keith to approve the administrative agreement with Dr. Lisa Waits to serve as Interim Superintendent/President until such time as the Board selects a new Interim Superintendent/President or permanent Superintendent/President, at which time Dr. Waits would return to her regular position as Vice President of Student Services. The motion carried with the following roll call vote:

STUDENT TRUSTEE: David R. Brannen abstained.

AYES – Trustee Thurston, Trustee Murphy, Trustee Keith, Trustee Claffey, Vice President Honeychurch, and Board President Young

NOES – Trustee McCaffrey

ABSENT – None

Special Trustee Henry apologized and clarified to the Board that it is vitally important that the Board understand it will be business as usual with Dr. Waits as Interim Superintendent/President until the position can be filled.

11. INFORMATION ITEMS

(a) Report from Mr. Tom Henry

Mr. Tom Henry stated that he appreciated the Board’s support of his agreement as Special Trustee and the direction the Board will be moving towards recovery. Mr. Henry held three meetings yesterday with faculty and staff and was impressed with their urgency and understanding of the importance of moving the institution forward. It is understandable that there is anxiety and frustration as we move forward in building trust together; however, there is no question about their resolve to support recovery. Mr. Henry commented further that he hopes the Board also understands the importance of recovery in terms of their actions and behavior.

Mr. Henry stated that we need to plan for the worst scenario as an institution because of the urgency of time in terms of what the ACCJC will recommend. He further stated he is optimistic about the direction the College is going and thanked everyone for their support.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:50 p.m.

LJW:js

APPROVED

A. MARIE YOUNG
PRESIDENT

LISA J. WAITS, Ed.D.
INTERIM SECRETARY

SCCD Board minutes are summarized per *SCCD Board Policy 1045 and 1046*. To listen to the full deliberation of the Board, please contact the Office of the Superintendent/President within thirty (30) days.