

SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD

UNADOPTED MINUTES

Special Meeting

January 5, 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 Monday, January 5, 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, Chancellor Jack Scott 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
Dr. Jack Scott, State Chancellor, California Community Colleges
Steven Bruckman, Executive Vice Chancellor/General Counsel
Erik Skinner, Vice Chancellor, College Finance and Facilities Planning
Fred Harris, Assistant Vice Chancellor, College Finance and Facilities Planning
Judy Spencer, Executive Coordinator, Superintendent/President and Governing Board

4. APPROVAL OF AGENDA

Moved by Trustee McCaffrey and seconded by Trustee Murphy to approve the Agenda as presented. The motion carried unanimously.

5. COMMENTS FROM MEMBERS OF THE PUBLIC

Board President Young recognized Ms. Mary Ellen Murphy, representing CSEA, who requested to comment on staff support of Interim Superintendent/President Lisa J. Waits. A full and complete reporting of Ms. Murphy's comments is available on the Solano College Web site at www.solano.edu (Governing Board – Minutes – January 5, 2009 – **Appendix A**).

President Young thanked Ms. Murphy for her comments.

6. INFORMATION

(a) Meeting with the State Chancellor

Board President Young introduced Dr. Jack Scott, who officially became the 14th Chancellor of the California Community Colleges on January 1, 2009.

Dr. Scott stated he was pleased to appear before the Board and reported being involved with a community college board is not unfamiliar to him having served as President of two different community colleges for 17 years. Dr. Scott indicated he has a great appreciation for Boards of Trustees and the volunteer effort that is put forward in representing communities and accepting the responsibilities of overseeing the work of the college. After his 23 years in the community college system, Dr. Scott indicated he served four years in the Assembly and eight years in the State Senate and then was asked by the Board of Governors to be the 14th Chancellor of the California Community Colleges. The main reason why he accepted this position, he said, was because of his love and passion for community colleges. I continued this while in the legislature and carried many bills forward on behalf of the community colleges education educating over 2.7 million students. There is no other segment of higher education that does quite the job that community colleges do.

After meeting with Mr. Tom Henry (EdMAC) and others, Dr. Scott indicated he felt it was his responsibility to come before the Board of Trustees, and as characteristic of Mr. Henry's report, Dr. Scott said not everything he had to say would be most pleasant, but is done with the College's (your) best interest at heart.

The College faces a crisis right now. The greatest risk is, of course, the possibility of the loss of accreditation. Dr. Scott clarified that the Chancellor's Office is not involved in overseeing accreditation—it is done by an independent commission made up of representatives from community colleges. Dr. Scott indicated he could mention some things the Board might do that will make a favorable impact on this issue of accreditation but that he does not stand before the Board as a representative of the Accrediting Commission. There was a warning given to the College over a year ago and the most recent visit to the College indicated there still remains

some very serious problems. There is an operating deficit of over a million dollars; of course when a College has a structured deficit, that calls for rather radical action.

There is in Mr. Henry's report, and also in the Accreditation Report, some recognition of the fact that, because perhaps of division or other reason, there is an issue of governance as far as this Board of Trustees is concerned. There is an indication of some fiscal mismanagement. Dr. Scott did not go into all the details outlined in the report, but at the same time, when the College has a \$1.2 million deficit, the Board granted a 3% salary increase. This means one day there will have to be a decision made concerning how the Board is going to bring the budget into balance, and certainly a 3% salary increase does not necessarily make that easy.

Dr. Scott stated when the Accrediting Commission came to Solano over a year ago, they indicated there was a real issue of Board conflict; of Board governance and controversy between the Board members. Also, in the EdMAC Report, there was an indication of lack of financial controls, non-compliance with District policy on management and control of District policy, and perhaps some misuse of Bond funds; therefore, it has led to some major instability in the leadership position.

Dr. Scott asked, "Well, what should be done?" Dr. Scott said the Board needs to accept the gravity of the situation, which is not one that can easily be swept under the rug—it is not just a minor problem. Dr. Scott suggested that the Board take action, and take it soon, so the College can communicate to the Accrediting Commission that Solano is taking action that will in turn improve the situation, e.g., establish principles for sound fiscal management. An older, more experienced college president said to Dr. Scott in his early years as a president that there are a lot of sins by a Board of Trustees that can be forgiven, but failing to balance the budget is not one of them. It is necessary for a budget to be balanced.

Dr. Scott stated to the Board that his presence before the Board, while it may sound like it, is not to be in a condemning mood. Dr. Scott stated his purpose, standing before the Board, is to assist. The Chancellor's Office is involved because the entire community college system is a state matter because state funds go into the support of community colleges, and the regulations involving community colleges do require of him, as Chancellor, to get involved.

If an emergency situation involves itself at a college, the Chancellor has the power to intervene, and there are two models Dr. Scott called to the attention of the Board where there was State Chancellor involvement—Compton College and Lassen College. Compton College did not respond sufficiently to the warnings that were given and eventually the state had to come in and appoint a special trustee to oversee the college. In turn, the accreditation of Compton College was taken away. Lassen College also faced a certain amount of fiscal problems. They addressed those problems by working with the Chancellor's Office and, therefore, their accreditation was not taken away. They were on put on probation, but today it is very clear they are in a better state of health.

Dr. Scott suggested that there should be a special trustee appointed, with powers determined, and that the Board of Trustees allow this person to assist in making the corrections that are necessary in order to make sure that Solano's accreditation is not lost, and to make sure its fiscal house gets

in order—to voluntarily have independent, external, and professional support provided by guidance to the Interim CEO and the Board for at least twelve months, and that the Board should accept the advice and guidance provided, and at the next Board meeting adopt a resolution recognizing the severity of the situation and agreeing to cooperate as a unified Board with whatever action is necessary to address the immediate crisis and provide effective programs and services for students. All of us would agree, Dr. Scott said, the real reason why we are here; the reason why faculty and staff are involved, together with the involvement of the Board of Trustees, as well as involvement by the State Chancellor, *is primarily to serve students*. They are the beneficiary and reason for our existence. In order to serve students well, you have to have a cooperative, more unified Board of Trustees and campus itself. Division reflected in a Board of Trustees inevitably creates division within faculty and staff.

Dr. Scott stated this is “difficult medicine” he has been talking about; however, it is medicine designed to make sure Solano College can be the wonderful community college it has the potential to be and the Board of Trustees hold the future of the College in their hands. The Board has been elected by the populace to oversee the College, and Dr. Scott suggested to them measures that need to be taken. The Board needs to communicate to the Accrediting Commission what they are going to do in the way of remedial action because the loss of accreditation is a very serious matter. It means state funds are no longer available and the transfer of credits can no longer be recognized by other institutions. Dr. Scott stated the reality of the facts—something neither the Chancellor’s Office wants nor Solano College wants. As Chancellor of the California Community Colleges, Dr. Scott stated he has come to talk to the Board so that the kind of emergency measures that could be taken by the Chancellor’s Office do not have to happen.

At this time, Dr. Scott introduced members of his cabinet who accompanied him to the meeting who were available to answer any questions or comments from the Board:

Steven Bruckman, Executive Vice Chancellor/General Counsel
Erik Skinner, Vice Chancellor, College Finance and Facilities Planning
Fred Harris, Assistant Vice Chancellor, College Finance and Facilities Planning

Trustee Claffey asked if a special trustee were appointed, would this person participate in executive (closed) sessions. Mr. Bruckman responded by saying yes, indicating the special trustee would not be truly effective if not fully engaged in the work of the Board.

Vice President Honeychurch thanked Dr. Scott for coming to the meeting and for helping the Board through the difficult period the Board is experiencing. Vice President Honeychurch asked what role the special trustee has in terms of decision making together with the Board. The first step is not to take away the ability of the Board to make decisions—but rather a collaborative step. However, there can be severe steps taken in which all fiscal decisions would be made by a special trustee, but that was not being suggested by Dr. Scott at this point in time.

Trustee Keith asked if the special trustee would be appointed by the Chancellor’s Office. Dr. Scott stated that he thinks it should be done in consultation with the Board and Chancellor’s Office. He said the Board would be actively involved with the role of the special trustee, but would hope the Board would not tie this person’s hands unnecessarily. This person should be

able to actively say “here are the kind of fiscal steps you need to take—here are the ways in which you need to restore the trust of the faculty and staff at Solano College.” Trustee Keith asked for clarification if in effect this special trustee would be acting as a consultant to the Board. Dr. Scott responded in the affirmative; however, he said if the Board failed to listen to the special trustee, there would be consequences.

Trustee Murphy thanked Dr. Scott for coming and asked if it would be possible to get a model or copy of the resolution and agreement reached for the special trustee at Lassen College. Since this appears to have been a successful model, it would be good if the Board could work with the people who set it up. Dr. Scott stated this was an excellent suggestion and recommended the Board to look at Lassen College as a model. They are a district that faced difficult fiscal circumstances and some other problems that included some division on their board, and they have accepted the recommendations and are now a much more effectively functioning district. Dr. Scott indicated his office would facilitate getting in touch with Lassen and would furnish the needed materials indicating exactly how they went about it. Dr. Scott offered the services of the Chancellor’s Office to help in any way they can.

Trustee McCaffrey stated he absolutely agrees with everything the Chancellor had to say and would like to see the resolution used by Lassen and take care of business. Dr. Scott stated it is important that a resolution go to the Board as soon as possible—within the next day or two. It would be wise as a Board to be able to communicate with the Accrediting Committee what Solano’s intentions are because they are meeting this week. Dr. Waits stated that both she and Dr. Steinback will be attending on Friday, January 9. Dr. Scott stated further his office would be happy to discuss with the Board who has experience as a special trustee and would be able to aid in the selection of a special trustee.

Trustee Thurston thanked Dr. Scott for coming and added she is the “new kid on the block” and is looking forward to working with the Chancellor’s Office.

Dr. Scott complimented the Board on their responses to his comments.

Student Trustee Brannen, on behalf of the students, thanked former Senator Scott for being so proactive and coming immediately to the Board’s rescue and for taking the time to come and for being so open and giving of his resources to the district. Dr. Scott commented he cares deeply about all community colleges, and that the Chancellor’s Office is very interested in helping Solano College succeed—a college with great possibilities.

Board President Young also thanked Dr. Scott for coming to the meeting and then asked the Board if by consensus they were interested in a special trustee, and if a resolution could be adopted Tuesday or Wednesday of this week. Dr. Waits indicated the Wednesday, January 7, 2009, agenda could be amended. Solano College is not being reviewed by the Accrediting commission until Friday, January 9, 2009.

The Board was in agreement to meet January 7, 2009, to adopt a resolution in support of a special trustee.

7. ADJOURNMENT

There being no further business, the special meeting was adjourned at 7:30 p.m.

LJW:js

BOARD MINUTES SPECIAL MEETING.01.05.09.FINAL

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.