

Adopted
Revised

HARTNELL COMMUNITY COLLEGE DISTRICT

MINUTES

Annual Organizational and Regular Meeting of the Board of Trustees
CALL 208, Training Room
411 Central Avenue
Salinas, California

November 29, 2011

OPEN SESSION

Meeting called to order at 5:01 p.m. by Trustee Padilla-Chavez.

PLEDGE OF ALLEGIANCE

Student Trustee Gutierrez led the Pledge of Allegiance.

ROLL CALL

Erica Padilla Chavez, President
Kevin Healy, Vice President
Candi DePauw
Patricia Donohue
Bill Freeman
Elia Gonzalez-Castro
Ray Montemayor
Juan M. Gutierrez, Student Trustee – (advisory vote per Board Policy 1030)

Dr. Phoebe K. Helm, Superintendent/President

Immediately after roll call Trustee Freeman questioned the legality of the meeting stating that he believed the Annual Organizational Meeting was scheduled on this date to prevent certain individuals from participating in the voting of board officers and that historically the Annual Organizational Meeting has always been scheduled in December. Further Trustee Freeman stated that Annual Organizational Meeting could have been scheduled on December 6 or 13th – that scheduling the meeting this evening does not make any sense.

Ms. Alison Neufeld, Legal Counsel, Liebert, Cassidy, Whitmore, stated that Education Code 72027(b) provides that the term of office for an elected trustee begins on the first Friday in December (this year, December 2nd) following an election and that the Board of Trustees approved their 2011 meeting dates in December 2010.

Trustee Montemayor questioned if the Board was following its own policy, BP 1010, Annual Organizational Meeting and Officers of the Board. The policy states that the Board will hold their Annual Organizational Meeting the first Tuesday, following the first Friday in December.

Dr. Helm pointed out that policy is sub servant to the law and that the current policy is being revised to accommodate the variance in calendars and election days. Further, this year, four of the seven seats were up for election. If the Board had four newly elected trustees and the Board held their Annual Organizational Meeting on the first Tuesday, following the first Friday in December (December

7) and if the college had an emergency prior to that meeting, the Board would not be able to conduct any business because the lack of a quorum.

Trustees Donohue, Padilla-Chavez, DePauw and Gonzalez-Castro indicated that the same process was used when they were elected and that it is consistent.

**OPENED PUBLIC
HEARING –
REQUEST FOR
EXEMPTION FROM
50% LAW**

Trustee Padilla-Chavez opened the Public Hearing on the Request for Exemption on 50% law.

**PRESENTATION –
50% LAW**

The Board received a presentation on the 50% law Exemption Application from C. M. Brahmbhatt. Mr. Brahmbhatt was recognized statewide because of his expertise and thanked for his willingness to help the college with its application.

Mr. Brahmbhatt explained that in 1958, legislation passed in California to require that 50% of all general funds be spent in the classroom. The only items that count as being spent “in the classroom” are basically the salaries and benefits of faculty while teaching. Counselors, librarians, even though they are faculty, do not count; neither do multiple other sources of student support, such as tutors or computer technology count. The recent rapid decrease in State funding of Categorical Programs as well as General Operations has begun to threaten that ability across the system. And, this is the specific reason why Hartnell is requesting an exemption for FY 2010-11.

State reductions in both Categorical and General Funds led the college to make two decisions that account for the need for an exception:

1. Categorical Funds from the State were reduced by \$1,055,905. The college chose to maintain a substantive portion of these services using General Funds and did so by providing \$753,053 from General Funds in excess of the required match.
2. Because 700 or more FTES were unfunded and general State reserves were decreasing; the college chose not to hold Summer School in 2010, which saved approximately \$1 million in teaching salaries in General Fund expenditures.

While these two decisions were good for students and good for the college’s current financial health, they changed the distribution of expenditures of General Funds in FY 2010-11 by decreasing the numerator by \$1 million and increasing the denominator by \$753,053. Had the college not provided the excess match in general funds, \$200,361 would not have been available in basic skills support and \$552,692 would not have been available in counseling, outreach, counseling support, and transfer services. As a result, the college expended 48.79% on teaching salaries and benefits in FY 2010-11, which necessitates this request for an exemption. (Slide show in appendix A)

**PUBLIC COMMENTS
ON 50% LAW**

Dr. Ann Wright, Hartnell Faculty Association, urged the Board to not approve the application and suggested that the college needs to look at budgeting and all of its priorities and needs to rely on the shared governance processes to do this and should comply with the spirit of the law which is to put 50% into instruction.

Ed Mitchell, Community Member, suggested that the college look into how to broaden the definition of classroom instruction and believes this to be an underlying multi-year future issue.

CLOSED PUBLIC HEARING

Trustee Padilla-Chavez closed the public hearing at 5:35 p.m. and opened the discussion to the Board.

A lengthy discussion ensued and questions were raised about the hiring of more full time faculty, the application process and timeline and the consequences if the application were denied by the Board of Governors.

Trustee Donohue called for the question and the Board voted.

BOARD ACTION ON 50% LAW

On a motion by Trustee Donohue, seconded by Trustee DePauw, by vote of 5-1(Nay: Freeman)-1 (Abstained: Montemayor) and by advisory vote of Nay (Student Trustee Gutierrez), the Board moved to approve the application to request for an exemption from the 50% law.

RECOGNITION OF FOOTBALL TEAM

Matt Collins, Football Coach and Dan Teresa, Athletic Director, along with members of the football team were recognized as the 2011 Living Breath Foundation Bowl Champions. Also, Dan Teresa acknowledged each of the fall sports stating that the Men's Soccer team have done well this season and have moved to the final four scheduled in Sacramento starting this coming Friday.

PUBLIC COMMENTS

Alfred Diaz-Infante, President of CHISPA and member of the Hartnell Foundation, congratulated the newly elected board members. Mr.Diaz- Infante spoke about the CHISPA partnership between Hartnell and the City of Salinas stating that the success and the quality of the program have significantly increased through the leadership of Dr. Helm and faculty, John Anderson. Also, Mr.Diaz-Infante stated the Scholarship Committee has provided over \$1 million in scholarships benefitting approximately 770 Hartnell students and that CHISPA has established a scholarship for Salinas residents. In addition, Mr. Diaz-Infante stated he is excited about the Alisal Campus, that he is proud to see the positive changes made under the leadership of Dr. Helm and is disappointed to hear about her decision to retire.

David Serena, Monterey County Board of Education, spoke about the swearing in of elected trustees this evening, stating that the Monterey County Board of Education held off in adopting their redistricting maps until after the new trustees were seated and that a good faith effort needed to be made by this Board by being inclusive of each member. He then congratulated each of the elected trustees and thanked those who ran for office.

Tom Alejo, community member, read aloud two quotes, one from Malcom X and other from John F. Kennedy and stated that the Board needed to rethink the cancellation of the Auto Collision program and that he plans to continue to fight for the program.

Margaret D'Arrigo-Martin, Hartnell College Foundation Board, spoke about the positive changes she has witnessed over the past few years, some of which

included the ag and construction programs, the Alisal Campus, the NASA lab and the number of grants received. She talked about the success of the Women's Education Leadership Initiative program that was held last summer and hopes the positive changes continue.

Demetrio Pruneda, newly elected Trustee, asked why the Annual Organizational Meeting is being held this evening and asked if this was the first time this meeting was held in November.

Hermelinda Tabera Rocha, Faculty, invited the Board to the Academy for Excellence social justice presentations scheduled on Thursday afternoon and next Monday evening.

Steve McShane, Councilmember, congratulated the newly elected trustees and stated that he is working on a Community Garden proposal and he announced the City of Salinas is sponsoring a home holiday lighting competition this season through a PG&E grant and that they are looking for judges.

Jose Lopez, ESL student, spoke on behalf of himself and other ESL students about the lack of ESL evening classes and asked the Board for their support in offering more evening ESL classes.

AUDIT REPORTS FISCAL YEAR 2010-11

Gema Ptasinski, of Vicenti, Lloyd, and Stulzman LLP, presented the Independent Accountants' Audit Report for Hartnell College, including the Foundation, for the year ending June 30, 2011. In addition, she presented both the Performance Audit and the Financial Audit Reports for the Measure H General Obligation Bond for 2010-11. Ms Ptasinski reviewed the major points of the audit and stated that the college received an Unqualified Opinion for each audit, which is the highest opinion any organization can achieve. She commended Hartnell staff and members of the audit committee for their cooperation and support.

BOARD ACTION – AUDIT REPORTS

On a motion by Trustee Donohue, seconded by Trustee Healy, by vote of 7-0 and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to accept the Independent Auditor's Report for the year ending June 30, 2011. The reports for 2010-2011 include all funds: 1) General (restricted and unrestricted), 2) Hartnell College Foundation, 3) Measure H Capital Bond Funds, and (4) Performance Audits.

Terms of Service

Trustee Padilla-Chavez thanked each of the candidates and she recognized that campaigning is hard work and time consuming. She congratulated each of the successful candidates and stated that their term of office begins Friday, December 2, 2011 in accordance with Education Code 72027(b). She reminded the Board and assembly that Trustee Donohue was administered the Oath at the October meeting due to her appointment in lieu of an election. Trustee Padilla-Chavez thanked those who asked why trustees were being administered the Oath this evening and stated she had similar questions two years ago when she was elected and that for her it was even more complicated because, at the time, she was a Trustee in a K-12 district and it was important to establish both the end of her term there and the beginning of the one at Hartnell. Further, she stated that it is not the intention of this Board to be exclusive and invited Mr. Pruneda to join the Board in closed session is this evening.

Administration of Oath of Affirmation

Elia Gonzalez-Castro was administered the Oath of Affirmation by Councilmember Gloria De La Rosa.

Bill Freeman was administered the Oath of Affirmation by David Serena, Monterey County Board of Education.

Demetrio Pruneda was administered the Oath of Affirmation by David Serena, Monterey County Board of Education.

Trustee Padilla-Chavez announced a ten-minute break.

After the break, the Board conducted their Annual Organizational Meeting. Dr. Helm facilitated the elections.

Election of Officers

Board President

The nominations for Board President were:

1. Trustee Padilla-Chavez by Trustee DePauw.
2. Trustee Montemayor by Trustee Freeman.

On a motion by Trustee Donohue, seconded by Trustee DePauw, by vote of 7-0, the Board moved to close nominations.

Trustee Padilla-Chavez was elected Board President for calendar year 2012. The votes were as follows: Trustee Padilla-Chavez received five votes (DePauw, Donohue, Gonzales-Castro, Healy, and Padilla-Chavez); Trustee Montemayor received two votes (Freeman and Montemayor).

Vice President

The nominations for Vice President were:

1. Trustee DePauw by Trustee Donohue
2. Trustee Freeman by Trustee Montemayor

On a motion by Trustee Gonzalez-Castro, seconded by Trustee DePauw, by vote of 7-0, the Board moved to close nominations.

Trustee DePauw was elected Vice President for calendar year 2012. The votes were as follows: Trustee DePauw received five votes (DePauw, Donohue, Gonzales-Castro, Healy, and Padilla-Chavez); Trustee Freeman received two votes (Freeman and Montemayor).

Appointment of Board Representatives

Representative to the Sunrise House

The nomination for representative to the Sunrise House was:

1. Trustee Montemayor by Trustee Donohue.

On a motion by Trustee Gonzalez-Castro, seconded by Trustee Padilla-Chavez, and by vote of 7-0, the Board moved to close nominations. Without opposition and on a vote of 7-0, the Board appointed Trustee Montemayor to the Sunrise House for the 2012 calendar year.

Representative to the Monterey County School Boards Association

The nomination for representative to the Monterey County School Boards Association was:

1. Trustee Gonzalez-Castro by Trustee DePauw.

Trustee Freeman nominated Trustee Montemayor, but Trustee Montemayor declined the nomination.

On a motion by Trustee DePauw, seconded by Trustee Padilla-Chavez, and by vote of 7-0, the Board moved to close nominations. Without opposition and on a vote of 7-0, the Board appointed Trustee Gonzalez-Castro to the Monterey County School Boards Association for the 2012 calendar year.

Designation of Board Meeting Dates for 2012

On a motion by Trustee Healy, seconded by Trustee DePauw, and by vote of 7-0, the Board moved to adopt their meeting calendar for 2012. (Appendix B)

Trustee Padilla-Chavez asked the Board to keep in mind that additional meetings are needed to work on the Presidential search.

Resolution 11:13

On a motion by Trustee Gonzalez-Castro, seconded by Trustee Healy, and by roll call vote of 7-0, and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to adopt Resolution 11:13, Authorizing Signature of Board Secretary to sign all appropriate documents.

Resolution 11:14

On a motion by Trustee Donohue, seconded by Gonzalez-Castro, and by roll call vote of 6-1 (No: Freeman), and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to adopt Resolution 11:14, In Appreciation of Outstanding Public Service for Trustee Kevin Healy.

Trustee Padilla-Chavez read aloud the resolution presented to Trustee Healy. Trustee Healy stated he was honored to serve the college and the community. Dr. Helm personally thanked Trustee Healy for this service and for always thinking about the students.

CONSENT AGENDA

The Board received two revised items: Item C., Curriculum and K., Personnel Actions.

Trustee Padilla-Chavez stated that item C was revised to provide clarification and correct the Chancellor's Office list of programs that are active at Hartnell College.

Pulled for discussion: C and I.

Pulled for discussion/separate vote B, H and K.

On a motion by Trustee Healy, seconded by Trustee DePauw, by vote of 7-0 and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to approve and/or ratify consent items A, C, D, E, F, G, I and J.

A. MINUTES

Adopted minutes of Regular Meeting of November 1, 2011 and Special Meeting of November 15, 2011 as submitted.

- B. DISBURSEMENTS** Trustee Freeman continued to oppose the district paying rent for one employee and stated the college should have a policy against doing this.
- Dr. Helm clarified that the one individual, to whom Trustee Freeman referred, does not receive any benefits and the actual cost to the college is far less than if the person was receiving benefits. Further, housing costs are part of the contractual agreement with this interim employee.
- On a motion by Trustee Healy, seconded by Trustee DePauw, and by vote of 5-2-1 (Nay: Freeman, Montemayor) (Abstained: Student Trustee Gutierrez), the Board moved to ratify the disbursements from any or all of the following funds: general; debt service; bookstore; child development; capital outlay projects; scheduled maintenance; property acquisition; bond projects; cafeteria; self-insurance; retirees health benefits; associated student body; scholarship, loan, and trust; and intercollegiate athletics.
- C. CURRICULUM** The Board ratified the recommendations from Curriculum Committee actions for the period of October 6 through October 20, 2011.
- Trustee Montemayor asked when the college last offered the Water Technology Program. Stephanie Low, Dean of Curriculum/Scheduling, stated that she found that the college has not offered this program since before 2007.
- D. LTR OF AGREEMENT – SAN FRANCISCO CITY COLLEGE** The Board ratified the 2011-2012 Letter of Agreement between Hartnell College and San Francisco Community College District for the California Early Childhood Mentor Program. This agreement will connect Hartnell College early childhood education students with high quality, experienced early childhood professionals. There are no budget implications. Participants are paid directly from San Francisco Community College District.
- E. LEASE AGREEMENT WITH FRANSCIONI BROTHERS** The Board approved to amend the agricultural lease agreement between Hartnell College and Franscioni Brothers, Inc. for Alisal Campus farmland, beginning December 3, 2011 through December 2, 2012. There is no impact to the general fund. Annual rental revenues from property must be placed in the restricted Property Acquisition Fund.
- F. AGREEMENT – INDEPENDENT AUDITORS FOR FISCAL YEAR 2011-12** The Board approved to amend the contract by one year with the independent auditing firm Vicenti, Lloyd, and Stutzman, LLP, for financial auditing services through the end of fiscal year 2012. This amendment brings the total contract cost to a not to exceed amount of \$122,560 and extends the end date through December 31, 2012 for the audit of all funds for 2011-12.
- G. AGREEMENT – UNIVERSAL PROTECTION SERVICES** The Board approved to amend the term of the agreement with Universal Protection Services through June 30, 2013, for security services at the Main and Alisal Campuses and at the King City Education Center. The annual cost for these services is not to exceed \$560,000 paid from the general fund.
- H. AWARD BID – KIS GROUP** Ann Wright, faculty, said she was surprised to see this item before the Board because she believes the information technology modernization project has not been vetted through various shared governance committees. Trustee Freeman suggested to table the item to allow these discussions.

Dr. Helm clarified that expenditures of this sort have never gone through Shared Governance and further the majority of the dollars used to pay for this project are grant funds and expenditures of grant funds are not brought before shared governance. In addition, the Board would need to take action this evening in order to allow the college to take advantage of PG&E rebates..

Student Trustee Gutierrez spoke in support of moving forward with this project because it would benefit students by allowing students access to computer programs that are not affordable to many and as a digital arts student he appreciates this project.

Matt Coombs, Vice President, Information Technology, after offering to meet with Ann Wright or any faculty who may have questions, addressed the cost of the project and stated that making this investment would save energy and staff time, would reduce 34 servers to 7 and would reduce the cost to replace desktop computers that require replacement every three to five years to as little as \$300. Currently, the college has 2,000 computers, 1,000 phones, 700 employees two of which are computer technicians and 1 telephone technician. Mr. Coombs stated that this project is under a tight timeline in order for the college to qualify for the rebates. Further, Mr. Coombs stated that there is only one other college in the State that are one the cutting edge of this technology.

Trustee Montemayor stated that Mr. Coombs did a fine presentation and called for the question.

On a motion by Trustee Healy, seconded by Student Trustee Gutierrez, by vote of 6-1 (Nay: Freeman), and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to award the bid and authorized the administration to enter into agreement with KIS Group, most qualified bidder, for campus wide Virtualization and Network Administrative Software Modernization project at a cost of \$631,607 over three phrases, paid from multiple funds.

I. AWARD BID –
PERMA GREEN
HYDROSEEDING

The Board awarded bid and authorized administration to enter into a contract with Perma Green Hyrdoseeding, lowest responsive bidder, for the Alisal Campus Parking Lot Project. The cost of this project is \$831,700, and paid from Measure H funds.

Trustee Montemayor asked if the total project cost included the owner's allowance and if prevailing wages were being paid. Joseph Reyes responded yes to both questions.

Trustee Freeman asked why the college does not use local companies to do work for the college. Trustee Padilla-Chavez stated that the law prohibits governing bodies from hand-picking companies and contracts are awarded to the lowest responsive bidder. Trustee Montemayor wondered if this was specific to Ed Code because he knows the City has awarded has awarded bids to companies who were not the lowest bidder. Joseph Reyes stated that there are exceptions and one is if the college had a bad experience with an individual company.

Trustee Padilla-Chavez suggested that matter is important and should be a board development topic in the future.

J. STUDENT TRUSTEE TRAVEL The Board ratified travel for Student Trustee to attend Statewide Student Trustee Meeting on November 4, 2011 at the San Jose Doubletree Hotel. Reimbursement included one night's lodging, mileage reimbursement, and meals.

K. PERSONNEL ACTIONS Dr. Helm stated the two changes to Personnel Actions:

1) The two supervisors (financial aid and admissions) were changed from supervisors to managers, and 2) the effective date changed to February 1, 2012.

The purpose of this change is necessary to get the spring term underway, to allow the administration the opportunity to assess the duties of the two lead positions and analyze the back fill needed, in conjunction with C. S. E. A.

Trustee Freeman motioned to disapprove Personnel Actions, but the motion died due to a lack of a second.

On a motion by Trustee Healy, seconded by Trustee Donohue, and by vote of 6-1 (Nay: Freeman) and by student advisory vote of Aye, the Board moved to approve and/or ratify personnel actions. (Appendix C)

ACTION ITEMS

BUDGET REVISIONS On a motion by Trustee Donohue, seconded by Trustee Healy, by vote of 7-0 and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to approve the budget revisions numbered 9493 to 9525.

AWARD ONE TIME 2% STIPEND Dr. Helm clarified the recommendation to authorize the administration to enter into discussion with bargained and non-bargained groups regarding the opportunity to award a one-time stipend not to exceed 2% as described in the September discussion of the Board when the Board adopted the budget.

Ann Wright, Faculty, stated that CSEA addressed this item and she stated that she wanted to ensure nothing could be done without first sun shining and negotiating in a legal way with bargained groups.

Legal counsel confirmed that Dr. Helm revised recommendation would meet the sun-shining requirement and Trustee Padilla-Chavez asked that the administration put their request in writing and send to bargaining units.

Dr. Helm stated that she would personally donate to the Foundation any monies awarded to her as a result of this action.

Trustee Freeman stated he believes the bargaining groups should get back all that they gave up two years ago and Trustee Montemayor stated he is glad to see the item going back to bargaining groups.

On a motion by Trustee Healy, seconded by Trustee Donohue, by vote of 7-0, the Board moved to authorize the administration to enter into conversations (put in writing) with bargained and non-bargained groups regarding the opportunity to award a one-time stipend not to exceed 2%.

Student Trustee Gutierrez abstained from voting.

**AWARD
PROFESSIONAL
CONTRACT**

Terri Pyer, Associate Vice President, Human Resources reported that twenty firms who conduct searches for college presidents were identified and reviewed. The number was reduced by eliminating those whose primary experience was with public and private universities. That number was further reduced by eliminating those that indicated little national experience as well as firms that served individual job seekers in addition to colleges and boards.

Telephone interviews were conducted by Trustees Padilla-Chavez, DePauw, Donohue, and Terri Pyer. Reference checks conducted for the finalists. The finalists were Association of Community College Trustees and Greenwood/Asher and Associates. The recommended firm is Association of Community College Trustees (ACCT). ACCT charges a flat fee of \$35,000 per search, plus expenses, compared to the other finalist charging a minimum of \$60,000 per search, plus expenses.

The services provided will include: Board Retreat to determine the values and attributes sought; training of the search committee and management of the advertisement, recruitment, and application, screening, and hiring processes.

Trustee Padilla-Chavez stated that the Board is under a tight timeline and clarified that tonight's action would allow the Board to select a firm and that the process used would immediately follow.

On a motion by Trustee Healy, seconded by Trustee DePauw, by vote of 7-0, and by advisory vote of Aye (Student Trustee Gutierrez), the Board moved to approve the Association of Community College Trustees as the Search Firm and directs the administration to enter into a contract for Professional Services to conduct a national search for the next Superintendent/President.

INFORMATION ITEMS

**CONSTRUCTION
PROJECTS – UPDATE**

The Board received an updated, written report on the current construction projects. The report is on Page 233 of the November 29, 2011 Meeting Agenda Packet housed at:

http://www.hartnell.edu/board/packets/November_29_2011_Packet.pdf

**FINANCIAL
STATEMENTS**

The Board received the financial statements for the periods ending October 31, 2011.

FIRST READING

The Board reviewed the first reading of Board Policy 1010, Annual Organizational Meeting and Officers and Trustee Montemayor stated that he would like to see the Annual Organizational Meeting held in December of each year. Dr. Helm responded that revising the existing policies allows for variances in the calendar and dates of election, which can impact the Annual Organizational Meeting in election years.

SENATE REPORTS

There was no Student or Classified Senate report.

Nancy Schur read aloud two Resolutions adopted by the Academic Senate.

- 1) Academic Freedom - Removal of Textbook
- 2) Blueprint for Student Success at Hartnell College (not Statewide initiative)

Also, Ms. Schur stated that the Senate understands the budget constraints and that they are not asking to not seek exemption from the 50% law, but that they are deeply concerned and would not want to see this repeated because the risk is great.

The Senate fully supports the Faculty Hiring Committee's recommendation to hire 11 new faculty and strongly urges reconsideration.

PRESIDENT'S REPORT

Dr. Helm announced that the Soccer Team will be playing in Sacramento on Friday, December 2nd and hopefully again on Sunday, December 4th at 2 p.m.

Also, she announced on Saturday, December 3rd, The Western Stage will hold their Annual Gala. She stated she is proud to state that The Western Stage is operating in the black and she recognized Melissa Chin, Jon Selover, Beverly Grova, and Jackie Cruz for all of their efforts.

Dr. Helm reiterated the importance of the work of Academy of College Excellence students. These students will present their research projects twice next week, once in the afternoon and once in the evening.

BOARD REPORTS

Trustee Donohue reported that she attended the Football Banquet - she was pleased and impressed with the accomplishments of the students and coaching staff and that she thoroughly enjoyed her first Hartnell College soccer game.

Student Trustee Gutierrez reported on a recent meeting he attended with other student trustees; he congratulated Matt Coombs on moving college technology forward; he thanked Trustee Healy for this service, and congratulated those Trustees elected/re-elected.

Trustee Montemayor reported that the Sunrise House received grants from the Harden Foundation and Monterey Peninsula Foundation; that the Sunrise House plans to donate 40 Christmas dinners and plans to take students to Cal Poly over the holidays, and stated that he has a financial report for anyone to view.

Trustee Healy expressed his appreciation for the opportunity to serve, and believes the college moved in the right direction during his service; he congratulated the football team, and welcomed Al Muñoz back to the college.

Trustee DePauw reported she attended the football banquet and that she was impressed how Coach Collins was able to recognize each player on a personal level and that she was inspired and said she would miss Trustee Healy and thanked him for his service.

Trustee Freeman stated he would like to see the college schedule ESL courses for students; he would like to work toward helping disabled students getting to the second floor of the Visual Arts Facility; and he expressed his pleasure in all of the

athletic achievements this fall and these accomplishments set the bar for spring sports.

Trustee Gonzalez-Castro stated that she is happy to be re-elected and that she is ready to work and looks forward to more accomplishments - that it has been amazing; that we always need improvement, but believes the success of the students is result of great facilities, great faculty and administration. Also, she would like to see ESL students receive the courses they asked for and she stated that she will miss Trustee Healy a lot.

Trustee Padilla-Chavez congratulated the Trustees on their elections because she believe each cares about moving our community forward and she invited each member to engage with her regarding questions and/or ideas because she wants to set a culture of team work and this Board is a contributor to the college's success. She wished Trustee Healy well.

CLOSED SESSION

The Board of Trustees and Dr. Phoebe K. Helm, Superintendent/President, Terri Pyer, Associate Vice President, Human Resources, and Alison Neufeld, Legal Counsel, Liebert, Cassidy, Whitmore, moved to Closed Session at 8:25 p.m. to consider legal, personnel, labor and/or contract matters authorized for Closed Session per Government Code Sections 3549.1, 54956.9, 54957, and/or 54957.6.

1. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Section 54956.9(b): One case

RECONVENE PUBLIC SESSION AND REPORT OUT FROM CLOSED SESSION

Trustee Padilla-Chavez reconvened the public session at 8:50 p.m. and stated there was no reportable action.

ANNOUNCEMENTS

1. Board Social – December 6, 2011, 5 p.m., CALL, Room 208
2. Board Special Meeting – December 13, 2011, 5 p.m., CALL, Room 208
3. Regular Board Meeting – January 24, 2012, 5 p.m., CALL, Room 208

ADJOURNMENT

On a motion by Trustee Gonzalez-Castro, seconded by Trustee Montemayor, and unanimously carried, the Board moved to adjourn the meeting at 8:53 p.m.

Erica Padilla-Chavez
Board of Trustees President

Phoebe K. Helm
Board Secretary

APPENDIX A

HARTNELL COLLEGE

**50% Exemption Application
Public Hearing
November 29, 2011
5 p.m.**

C. M. Brahmhatt



50% Law
Passed in 1958

Required amount of general funds to be spent in the classroom.

The definition allows for faculty salaries and benefits, not counselors, librarians, or other necessities.

Ratio determined by:
teaching salaries and benefits = numerator
and all other costs fit in the denominator

Categorical Funding does not count.

In 2010-11 college's Categorical Funds were cut by \$1,055,905.

The college provided \$753,053 general funds in excess of the required match to keep from totally cutting those services.

This increased the denominator.

At the same time, the college did not have summer school, reducing the expenditure for teaching by \$1 million. This decreased the numerator by \$1 million.

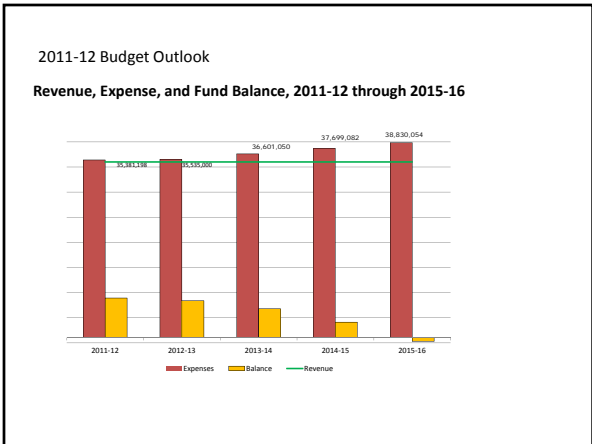
State Categorical
↓ \$1.05 Million

Hartnell

N ↓	\$1 million
D ↑	\$753 thousand

The result of those decisions were good for students and for the college's current financial health, but resulted in 48.7% being spent in the classroom.

An Exemption is being requested.
A public hearing is required.



ANNUAL ORGANIZATIONAL MEETING OF TRUSTEES: November 29, 2011

<u>Title</u> Designation of 2012 Board Meeting Dates and Times	<u>Number</u> III. D
<u>Area</u> Superintendent/President	<u>Status</u> Action

Recommendation

It is recommended that the Board of Trustees adopts the dates and times for regular meetings and for board development for calendar year 2012.

Summary

Education Code Section 72000 requires that the governing board of each community college district hold regular monthly meetings and Accreditation Standard IV. B.1.f. requires the governing board have an on-going program for board development.

The dates of the Board’s regular meetings are recommended the first Tuesday of each month and the development meetings on the third Tuesday of each month, except where noted.

The Board will open its regular business meeting at 5:00 p.m., closed session to follow immediately after, if needed.

The Board’s development meetings will open at 5:00 p.m.

The dates for both meetings are as presented below:

2012

January 24.....Regular Board Meeting
 February 7.....Regular Board Meeting
 February 21.... Board Development
 March 6.....Regular Board Meeting
 March 20.....Board Development
 April 10.....Regular Board Meeting
 April 24.....Board Development
 May 1Regular Board Meeting
 May 15.....Board Development
 June 5.....Regular Board Meeting
 June 19.....Board Development
 July 10Regular Board Meeting
 July 17Board Development (TBD)

August 21Regular Board Meeting
 August 28.....Board Development
 September 4 ...Regular Board Meeting
 September 18 .Board Development
 October 2Regular Board Meeting
 October 16Board Development
 November 6 ...Regular Board Meeting
 November 20 .Board Development
 December 4....Annual Organizational Mtg
 December 18..Board Development

2013

January 22 Regular Board Meeting

AT THEIR REGULAR MEETING OF NOVEMBER 29, 2011, THE BOARD OF TRUSTEES APPROVED AND/OR RATIFIED THE FOLLOWING PERSONNEL ITEMS:

I. Retirements, resignations, releases, and leave requests

A. Ratify release of regular probationary employee:

1. Raymond Porrez, Utility Custodian (#CL-15), Maintenance Department, effective November 10, 2011, due to failure to complete probationary period.

II. Classification and Compensation

- A. Approve the reclassification of Development Officer, Management (#A-49), from Management Level X to Management Level V, Director of Development (#A-64), effective January 1, 2012. Reclassification addresses increased autonomy of position and expansion of responsibilities to include major gifts.

III. Appointments

A. Ratify appointment of management personnel:

1. Alfred Muñoz, interim Vice President Support Operations, (#A-46), Management Salary Schedule, Range I(a), Step C, effective November 21, 2011.
2. Mary Dominguez, interim Vice President Student Affairs, (#A-43), Management Salary Schedule, Range I(a), Step B, effective January 3, 2012.

B. Ratify appointment of classified employee to management position:

1. Andy Newton, Title V collaborative Grants Director, (#A-64), Management Salary Schedule, Range VII, Step B, effective December 1, 2011.

C. Ratify appointment of classified employees to **management** positions:

1. Jessica Tovar, interim Financial Aid **Manager**, (#A-10), Range **XII**, Step **B**, effective **February 1**, 2012.
2. Irene Haneta, interim Enrollment Services **Manager**, (#A-11), Range **XII**, Step **B**, effective **February 1**, 2012.

A. Ratify appointment of part-time instructors for fall semester 2011:

1. Efren Celaya, Agriculture Industrial Technology. Appointment based on equivalency as follows: has adequate coursework for an AA or BS degree and has 17 years of experience in the agriculture industry.
2. Bihn Cheung, Agriculture Industrial Technology
3. Fay Griffin, Mathematics
4. Mary Gustus, Nursing
5. Martin Need, English
6. Andrew Seminario, Construction
7. Maximino Zabala, Nursing
8. Angelica Zanetos, Physical Education

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B. Ratify appointment of donated instructor for fall semester 2011:

1. Derek Webster, Electric Apprenticeship

C. Ratify appointment of Professional Experts:

Hartnell's theater arts program – The Western Stage (TWS) provides students the opportunity to learn their craft within a professional context. Assignment is for 2011 subscription season, which runs January 24 – December 17, 2011:

1. Desma Johnson, \$1650 total, musician, November 9 – December 11, 2011.
2. Stephen J. Uccello, \$1275 total, musician, November 9 – December 11, 2011.

Hartnell College provides Crisis Counseling Services that are completely confidential and free of charge to enrolled Hartnell students. A Marriage & Family Therapist Counseling Intern is available to assist students in crisis:

3. Laurie Lindley-Muender, \$20/hr (16 hrs/week), intern, November 1, 2011 – August 1, 2013.

Hartnell College is creating 2+ 2+ 2 career pathways for technicians, engineers, and engineering designers in two emerging fields of sustainable energy, power engineering and engineering design. The goals of the project are (1) improve the STEM pipeline from two high schools to Hartnell College and to the University of California at Santa Cruz, (2) integrate renewable energy technologies into existing curricula at participating high schools and Hartnell, and (3) prepare students to work in sustainable energy and engineering technologies jobs. The project is forming a consortium of at least 10 partners, including industry, in sustainable energy education: creating and supporting new energy career pathways; increasing student enrollment in high school and bridge program sustainable energy programs; developing and implementing an internship program; and using a newly constructed sustainable energy and research facility. Project deliverables include new courses, research findings from student projects, a model consortium, high school outreach and instructional materials, and project evaluation data.

4. Janice Archuleta, \$2210/mo. Project coordinator, October 1, 2011 – September 30, 2012.

The Nursing and Health Sciences Department comprises four programs: Registered Nursing, Vocational Nursing, Emergency Medical Technician (EMT), and Certified Nursing Assistant. Lab instruction assistants are required to meet Board of Registered Nursing (BRN) requirements for specific student-to-certified-instructor ratios.

5. Lisa Anne Garcia, \$47.86/hr (10 hrs/week), NVN Instructor, September 28 – November 1, 2011.

D. Ratify appointment of playground assistant:

1. Nubia Patricia Gomez, \$12/hr (35 hrs/week), November 1, 2011 – June 30, 2012.

AT THEIR REGULAR MEETING OF NOVEMBER 29, 2011, THE BOARD OF TRUSTEES APPROVED AND/OR RATIFIED THE FOLLOWING PERSONNEL ITEMS:

- E. Ratify appointment of substitute position:
 - 1. Tina Cazares, \$14.99/hr (20 hrs/week), A& R Technician, October 10 – December 2, 2011.

- F. Ratify appointment of volunteer positions:
 - 1. Alejandro Alcaraz, Physical Education, July 1 – December 16, 2011.
 - 2. Phillip Cuevas, Physical Education, October 14, 2011 – May 31, 2012.
 - 3. Rudy Dominguez, Physical Education, September 30, 2011 – May 31, 2012.
 - 4. Kimberly Kouka, Physical Education, July 15 – December 11, 2011.
 - 5. Micah Spane-Wilson, Physical Education, August 15, 2011 – November 15, 2011.
 - 6. Joan Spannagel Rentz, Academic Center, September 19, – December 16, 2011.
 - 7. Levy Zamora Jr., Speech Department, October 24 – December 16, 2011

- G. Ratify appointment of Student Workers for fall semester 2011:
 - 1. Liliana Bautista, DSPS, Student Worker II
 - 2. Rusty Guzman, Maintenance, Student Worker I
 - 3. Jasmine Hernandez, Tutorial Center, Student Worker II
 - 4. Carolina Lopez-Romero, Tutorial Center, Student Worker II
 - 5. Lorena Mendoza, ACE, Student Worker I
 - 6. Riley Schofield, East Salinas GEARUp, Student Worker III