

**WEST KERN COMMUNITY COLLEGE DISTRICT  
MINUTES OF THE BOARD OF TRUSTEES**

**REGULAR MEETING**

**January 10, 2018**

The regular meeting of the Board of Trustees of the West Kern Community College District was called to order at 5:03 p.m. by President Dawn Cole. Secretary Emmanuel Campos and Trustees Michael Long, Dr. Kathy Orrin, and Billy White were present. Superintendent/President Dr. Debra Daniels and Executive Secretary Sarah Criss were in attendance.

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

No comments were heard.

**CLOSED SESSION**

At 5:04 p.m. it was moved by Trustee Long, seconded by Secretary Campos and unanimously carried, that the Board convene in Closed Session to discuss the District's position regarding the following matters:

- A. Public Employee Appointment/Employment, Government Code Section 54957
- B. Public Employee Performance Evaluations, Government Code Section 54957
- C. Public Employee Discipline/Dismissal/Release/Reassignment, Government Code Section 54957
- D. Conference with Labor Negotiators (Government Code section 54957.6)  
Agency Designated Representative: Superintendent/President  
Employee Organizations: TC Faculty Association, CSEA Chapter #543 &  
Management/Supervisory/Classified Confidential Employees
- E. Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9 – 2 Potential Cases  
Claim Received from Donald Thornsberry  
Claim Received from Melissa Thornsberry  
Claim Received from Kelly Donovan
- F. Student Discipline and Other Confidential Student Matters, Education Code Sections 35146, 48900 et. Seq. and 48912(b)

**RECONVENE IN PUBLIC SESSION; ANNOUNCE CLOSED SESSION ACTIONS**

At 6:06 p.m., it was moved by Trustee White, seconded by Trustee Long and unanimously carried, to reconvene in Public Session. President Cole reported the action that was taken during Closed Session.

On the item Public Employee Discipline/Dismissal/Release, the Board took action by the following vote to approve and accept the resignation and agreement of Employee ID no. A00200787. The vote was 5 to 0, with members Cole, Campos, Long, Orrin, White voting yea, and no members voting nay.

Yes: Emmanuel Campos, Dawn Cole, Billy White, Michael Long and Dr. Kathy Orrin

No: None

Abstain: None

Absent: None

On the item Public Employee Discipline/Dismissal/Release, the Board took action to approve the termination without cause of the District's Vice President of Instruction under the terms set forth in Section (9)(d) of the employee's Employment Agreement. The vote was 5 to 0, with members Cole, Campos, Long, Orrin, White voting yea, and no members voting nay.

The Board further authorized the Superintendent/President to address the release from employment, in the alternative, by executing a separation agreement with the employee on terms that are consistent with Section (9)(d) of the Employment Agreement, if an agreement can be reached by the end of this week.

Yes: Emmanuel Campos, Dawn Cole, Billy White, Michael Long and Dr. Kathy Orrin

No: None

Abstain: None

Absent: None

#### **PLEDGE OF ALLEGIANCE**

President Cole led the pledge of allegiance.

#### **PUBLIC COMMENT ON OPEN SESSION ITEMS**

No comments were heard.

#### **GENERAL COMMUNICATIONS**

There were no general communications.

#### **PRESENTATION - Fall Athletic Update**

Athletic Director Kanoe Bandy presented a fall athletic update via PowerPoint (copy attached to official minutes). Ms. Bandy provided an overview of the state of the California Community College Athletic Association (CCCAA), which she will now serve as Vice President on the management council of the CCCAA. The two priority topics that CCCAA management council is currently focused on are recruiting and possible re-conferencing of state divisions.

Ms. Bandy reviewed team recognitions and student-athlete academic data for Fall 2017. Of special note, the Women's Volleyball team has a team fall semester of 3.51, the highest in College history. The team information will be submitted as a candidate for the team academic honor from CCCAA. Ms. Bandy also recognized the Men's Soccer team for winning the semi-final match and competing in the championship

game while riding on a 17 game win streak. College athletes also provided support to the community this fall – from clean up at the local golf course to service with the local youth sports programs. The athletes have participated in a wide variety of community service projects.

The Women’s Golf team competed their first season this fall. Kaleigh Irey and Ireland Barton addressed the Board, both sharing their appreciation for the opportunity to play for the College.

### **APPROVAL OF MINUTES**

On a motion by Trustee Orrin, seconded by Secretary Campos and unanimously carried, the minutes of the Regular Meeting held December 13, 2017 and the Special Meeting held December 13, 2017 were approved.

### **NEW BUSINESS**

#### **Request for Action – Consideration of Claim by Kelly Donovan**

On a motion by Secretary Campos, seconded by Trustee White and unanimously carried, the claim was rejected in its entirety.

#### **Request for Approval – West Kern Community College District Annual Financial Report, June 30, 2017**

Fiscal Director Amanda Bauer presented a review of the audit as prepared by Vavrinek, Trine, Day and Co., LLP. She thanked the College staff for their participation in the audit and commended them for a team effort. Ms. Bauer shared that there was one internal control finding that has been corrected prior to receiving the audit. The auditors did note that there is a lingering Transition to Independent Living and Childcare negative balance issue that will need to be addressed in the future. On a motion by Trustee Long, seconded by Trustee White and unanimously carried, the financial audit was approved (copy can be obtained in Administrative Services office).

#### **Request for Approval – Proposition 39 Measure A General Obligation Bonds Audit Report for the Year Ended June 30, 2017**

Ms. Bauer reviewed the audit as prepared by Vavrinek, Trine, Day, and Co., LLP. The Measure A audit had no findings. She did note that the balances in the audit report are not reflective of today’s balances due to construction costs with the Student Center Project underway. On a motion by Trustee White, seconded by Trustee Orrin and unanimously carried, the financial audit was approved (copy can be obtained in Administrative Services office).

#### **Request for Approval – Change Order #3 – Student Center Project – Contract Amendments**

Mr. McMurray reviewed the changes that Change Order #3 would bring to the contract for the Student Center Project. The changes include an updated contract timeframe, detailed liquidated damages, a waiver of contractor rights for alleged delays prior to December 15, 2017, and clarification of storage area

usage during construction. On a motion by Trustee White, seconded by Trustee Long and unanimously carried, the change order was approved (copy attached to official minutes).

### Second Reading and Request for Approval - Board Policies Update

**#5520 - Student Discipline**

**#7250 - Educational Administrators**

**#7310 - Nepotism**

On a motion by Trustee Long, seconded by Trustee Orrin and unanimously carried, the Board Policy updates were approved (copy attached to official minutes).

### First Reading - Board Policy #4250 - Probation, Dismissal & Readmission (No Action)

The Board reviewed the Board Policy updates. The update reflects the Board of Governor's suggested Grade Point Average standard.

### CONSENT AGENDA:

- A. Request for Approval - 2018/19 Nonresident Tuition Fees
- B. Request for Approval - Course Inactivations

#### Applied Technologies Division

IES	1051	OSHA's Ergonomics Guidelines for Nursing Homes O 7000
IES	1057	Fall Arrest Systems O 3110
IES	1060	Trainer Update Course OSHS O502
IES	1062	Trainer Course in OSHS O 501
IES	1063	Trainer Update Course OSHS O 503
IES	1066	Intro to Machinery O 7100
IES	1068	Pesticide Applic. Safety Train
IES	1103	Plus Safety Training
IES	1118	Confined Space Training for Su

#### English Division

ESL	0040	ESL Level 4
ESL	0052	ESL Level 5
ESL	0090	ESL for Early Child Ed
ESL	0600	ESL EAP Writing & Grammar I
ESL	0605	EAP Reading & Vocabulary I
ESL	0610	EAP Listening & Speaking I
ESL	0700	ESL EAP Writing & Grammar II
ESL	0705	EAP Reading & Vocabulary II
ESL	0800	ESL EAP Writing & Grammar III
ESL	0805	EAP Reading & Vocabulary III

CONSENT (continued):

ESL 0905 EAP Reading & Vocabulary IV

Liberal Arts Division

ART 1650 Watercolor Painting

MUSC 1520 History of American Jazz

Learning Support Division

LRSK 0220 Improving Learning Potential

LRSK 0230 Functional Word Processing

LRSK 0260 Functional Reading Enhancement

LRSK 0920 Functional Word Processing I

LRSK 0930 Math Concepts

LRSK 0940 Improve Study Skill Strategies

Social Science Division

CJA 1003 Chemical Agent Deployment

CJA 1004 Defensive Tactics - Weaponless

CJA 1005 Unarmed Self-Defense

CJA 1057 Arrest and Control Techniques

CJA 1100 CJA Special Topics

C. Request for Approval – Course Revisions

Social Science Division

ECEF 1500 Introduction to Early Care and Education: Principles and Practices

ECEF 1501 Early Care, Education, and Family Studies Curriculum

ECEF 1590 Health, Safety, and Nutrition

ECEF 1601 Diversity in Early Care, Education, and Family Studies

Liberal Arts Division

ART 1610 Advanced Design

ART 2010 Introduction to Printmaking

D. Request for Approval – Contract with School Datebooks to Produce Student Planners for the 2018-19 Academic Year, Not to Exceed \$9,404.07

E. Request for Approval – Agreement with Dr. Sterling Bryan as Supervisory Dentist for the Dental Hygiene Program, \$350.00 per session for up to 21 days

F. Request for Approval – Agreement with Dr. Robert Reed as Supervisory Dentist for the Dental Hygiene Program, \$350.00 per session for up to 19 days

*CONSENT (continued):*

- G. Request for Approval – Agreement with Dr. Charles Walker as Supervisory Dentist for the Dental Hygiene Program, \$350.00 per session for up to 20 days
- H. Request for Approval – Agreement with Dr. Heath Walker as Supervisory Dentist for the Dental Hygiene Program, \$350.00 per session for up to 13 days
- I. Request for Ratification – Agreement for Services with Liebert Cassidy Whitmore for Title IX, Equal Employment Opportunity, and Harassment Training, 1/8/18, \$3,800.00
- J. Request for Approval – Agreement with Quicksilver Software, Inc. to Update TC-Stats Software to iOS11, \$750 for iOS11 and \$500 for Maintenance and Enhancements if Requested
- K. Request for Approval – Facility Use Agreement with Taft Union High School Soccer Fields for Spring 2018, January 18, 2018 – May 18, 2018, \$5,000.00 (Not Including Possible Maintenance Costs)
- L. Ratification of the December 2017 Vendor Check & Purchase Order Registers
- M. Routine Personnel Items:
  - Request for Conference Attendance and Expenses as of December 19, 2017

On a motion by Trustee Long, seconded by Trustee Orrin and unanimously carried, Consent Agenda Items A – M were approved as presented (materials related to items A – M are attached to official minutes).

**PUBLIC COMMENTS ON ITEMS OF GENERAL INTEREST**

There were no comments on items of general interest.

**EMPLOYMENT**

On a motion by Trustee White and seconded by Secretary Campos, Employment Items A – D were approved by the following vote (Employment Items A – D (*Appendix I & II*) are attached to official minutes):

Yes: Emmanuel Campos, Dawn Cole, Billy White, Michael Long and Dr. Kathy Orrin  
No: None  
Abstain: None  
Absent: None

**REPORTS**

## **Financial Reports**

The financial reports listed on the page following were presented for information (copies attached to official minutes).

Financial Reports (for information):

1. Revenue Accounts (Account Level 1) FY 2017/18
2. Expenditure Accounts (Account Level 1) FY 2017/18
3. Expenditure Detail of \$10,000.00 or Greater, December 2017
4. Student Organization and Special Accounts, December 2017
5. Funds Deposited in County Treasury, December 2017

## **Trustee Reports**

Trustee White reported that he attended the Winter Extravaganza, the Fall Athletic Banquet and the Foundation Christmas dinner. He noted that the events each went well and staff work was well appreciated. He also stated he was proud of the way the coaches and athletes of the Men's Soccer team represented the college through the athletic season and award ceremonies.

## **Academic Senate**

Geoffrey Dyer, President of the Academic Senate (AS), reported current AS activity. One item the AS is currently working on is the Guided Pathways work plan. The plan will indicate which of the 14 elements of Guided Pathways that the College is prepared to work towards locally.

## **Administrative Services**

Brock McMurray, Executive Vice President of Administrative Services, reported that the Governor's January budget update was released. The favorable budget had two key areas of interest. First, the general operational budget for community colleges is expected to have \$175 million increase. Second, there will be a new outcomes based funding formula.

## **Foundation**

Sheri Horn-Bunk, TC Foundation Director, thanked the Board for their attendance at the Foundation Christmas dinner. Ms. Horn-Bunk updated the Board on Foundation staffing changes and fundraising efforts. The Foundation is preparing to roll out the 5<sup>th</sup> year of Faculty Innovation grants. This year, with the addition of the Harry Wilson trust funds, there will be \$20,000 in grants awarded.

## **Transition to Independent Living**

Carey Carpenter, Interim Director of Transition to Independent Living (TIL), stated that the TIL students returned to campus on January 3<sup>rd</sup>. Staff is currently focused on the TIL work opportunities that will be affected by the closing of Kmart this spring.

## **Institutional Research & Planning**

Oleg Bespalov, Executive Director of Institutional Research & Planning, reported that the campus wide Program Review process is underway with the reports due at the end of January. The process to rank

resource requests will follow. The Strategic Action Plan is now in draft form and is being reviewed by Governance Council. The plan will be presented to the Board in March. The IR department is collaborating with Information Services to centralize reporting efforts.

### **Student Services**

Severo Balason, Jr., Vice President of Student Services, stated that enrollment is currently up by 5.7%. The campus will conduct a fire drill this coming Friday. Mr. Balason also noted that the annual Al Baldock Golf Tournament will be on April 20, 2018.

### **Phi Theta Kappa**

Sharon Eveland, Advisor of Phi Theta Kappa, told the Board that a PTK member has applied for USA All Academic status. It is a tedious process and Ms. Eveland thanked the many staff who made themselves available to students who attempted the process.

### **WESTEC**

Gary Shaw, Program Manager at WESTEC, told the Board that the Court Reporting program is in its tenth year. The program had three of four test takers pass the state license which is a very high success rate.

### **Information Services**

Andrew Prestage, Director of Information Services, informed the Board that the campus will see a major Banner system upgrade in February. The department is currently working to complete a printer use survey that would show the costs and resources used. Information Services is also conducting a test of the Banner system recovery process.

### **Taft College Faculty Association**

Diane Jones, President of the Faculty Association, thanked Trustee White for his years as Board President and welcomed President Cole to the role. She also reported that she met a former student/athlete who was proud to show his daughter the campus and had positive things to say of the impact his time at Taft College had on his life.

## **REPORT OF THE SUPERINTENDENT**

### Winter Extravaganza

Dr. Daniels said that the event was successful – from food to games to staff participation. The event is the host to the TC Promise basket fundraiser. With the generous donation from staff members, \$3,600 was raised for the Promise program.

### Governor's Budget

Dr. Daniels told the Board that the Governor's budget showed that there will be a statewide Promise Program. The program will have connections to the Guided Pathways initiative and the College will watch to see how the program will unfold.

### Enrollment



Dr. Daniels stated that while statewide enrollment continues to report low figures, the College is showing strong growth. She thanked staff for the work and determination that made the growth possible.

Dr. Daniels also welcomed President Cole to the role. She thanked Trustee White for his years of service as the Board President.

**NEXT MEETING**

The next monthly meeting is scheduled for Wednesday, February 14, 2018, at 5:00 p.m.

**ADJOURNMENT**

At 7:40 p.m., on a motion by Trustee Orrin, seconded by Trustee White and unanimously carried, the meeting was adjourned.

Respectfully Submitted:

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Emmanuel Campos, Secretary