

**PALO VERDE COMMUNITY COLLEGE DISTRICT**

**SPECIAL MEETING**

**BOARD OF TRUSTEES**

One College Drive in Blythe – CL 101

*(and Teleconference held at 725 West Broadway in Needles-Classroom#8)*

**Tuesday, March 13, 2012**

**5:00 p.m.**

**Meeting 12-05**

**MINUTES**

**OPENING OF MEETING**

The Special Meeting of the Board of Trustees was called to order by the President of the Board, Mr. Gonzales from the Needles Center in Needles, CA at 5:00 p.m.

The Salute to the American Flag was led by Mr. Arneson, Trustee of the Board.

Present: Ed Gonzales, President (by ITV from Needles Center)  
Millie Rodriguez, Vice President  
Jerry Lewis, Clerk of the Board (by ITV from Needles Center)  
Ted Arneson, Trustee  
Lincoln Edmond, Trustee  
George Thomas, Trustee  
Frannie Gregory, Associated Student Government

Administrators Present: Denise Whittaker, Interim Superintendent/President  
Diana Rodriguez, Vice President of Student Services  
William Smith, Vice President of Instructional Services

Recorder: Carrie Mullion

Visitors: On file in the Superintendent/President's Office.

Ms. Whittaker introduced Ms. Gregory, the new Student Trustee, who will be sworn in at the Board of Trustees Meeting on March 27, 2012.

It was moved by Mr. Arneson, seconded by Mr. Burton, and unanimously carried, that the agenda for this meeting be approved.

**HEARING OF CITIZENS (AGENDA ITEMS)**

Mr. Copple, President of CTA, spoke on behalf of the faculty regarding Resolution 12-05 C-08. CTA strongly opposes this resolution. Mr. Copple stated that it could potentially affect faculty and meeting the requirement of the Fifty Percent Law. Legal fees due to layoffs could be very costly to the District. CTA has been very impressed with the Interim Superintendent/President, Denise Whittaker, as well as the Vice President's, Willie Smith and Diana Rodriguez, in working with the budget, and is looking forward to continuing these relationships in good spirit.

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(These minutes are a concise summary of reports, discussion and actions taken at this meeting. For detailed comments and discussion a tape is available to the public for 30 days after the date of this meeting.)

## ACTION ITEMS

### C. PERSONNEL

#### (Academic Personnel)

#### **Resolution 12-05 C-08 – ADOPT COMPLIANCE RESOLUTION FOR MARCH 15<sup>TH</sup> NOTICE**

BE IT RESOLVED, that the Palo Verde Community College District Board of Trustees approves Resolution regarding layoff of academic employees due to a reduction in, or discontinuance of particular kinds of services.

PALO VERDE COMMUNITY COLLEGE DISTRICT  
RESOLUTION REGARDING LAYOFF OF ACADEMIC EMPLOYEES  
DUE TO A REDUCTION IN OR DISCONTINUANCE OF  
PARTICULAR KINDS OF SERVICES

WHEREAS, the College and the Board of Trustees recognizes the severe state of Palo Verde Community College District finances and understands that both the Chancellor's Office and the Accreditation Commission expects us to demonstrate due diligence in the 2012-13 budget development process; and

WHEREAS, the College community has unanimously identified four funding values in priority order as: Preserve Jobs (no layoffs), Preserve Classes & Instruction, Preserve Student Services, Preserve Other College-Wide Components; and

WHEREAS, the College community and constituent leaders have been diligent about identifying budget savings and cuts to address the current deficit anticipated for 2012-13; and

WHEREAS, the goal of such savings and cuts are to mitigate the need for layoffs; and

WHEREAS, the time required to negotiate with CTA/NEA regarding items that may or may not impact the need for layoffs overlaps with the March 15th notice requirement and places undo pressure on both the faculty leadership, administration, and the Board to act hastily; and

WHEREAS, Education Code requires that preliminary notice of a potential layoff be approved by the Board of Trustees and served to affected employees by March 15th; and

WHEREAS, the Board of Trustees, upon recommendation of the Superintendent/President has reluctantly determined that it is in the best interest of the Palo Verde Community College District, and the students thereof, to prepare to layoff academic employees pursuant to the provisions of Education Code by virtue of the decision of the Board of ~~Education~~ **Trustees** to reduce or discontinue certain particular kinds of services hereinafter enumerated; and

WHEREAS, in accordance with Education Code, Faculty Service Areas (FSA), and competency requirements, qualifications to teach for those identified for layoff or reassignment will be reviewed and those with lesser seniority in the teaching area identified will be notified accordingly;

THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

The following particular kinds of services shall be reduced at the close of the 2011-2012 school year. The particular kinds of services to be reduced or discontinued by full time equivalent position are as follows:

**ACTION ITEMS (continued)**

**PARTICULAR KINDS OF SERVICES TO BE REDUCED**

**NUMBER OF FULL TIME EQUIVALENT POSITIONS**

Counselors	5
Librarian	1
Physical Education <i>Instructor</i>	1
(Academic Employees Seniority List shown loose in Board folders.)	

BE IT FURTHER RESOLVED, that the Superintendent/President or her designated representative is directed to serve notices of layoff on the affected employees as a result of the reduction or discontinuance of the particular kinds of services specified in this Resolution.

It was moved by Mr. Lewis, and seconded by Mr. Arneson, that Resolution 12-05 C-08 be approved.

Ms. Whittaker requested (because of the seriousness of this Resolution) to read this Resolution out loud. Ms. Whittaker expressed the sadness with which the District must comply with the law in order to prove to the Chancellor’s Office and the Accrediting Commission that the District is diligent in the budget development process. Failure to take this action at this point in time might jeopardize accreditation and the Chancellor’s Office confidence in the District. Ms. Whittaker explained the seniority list and bumping rights, and that although 20 faculty members could potentially receive notices, at the most only 7 would be affected. Ms. Whittaker strongly stated that she does not anticipate that the District will have to implement this action, and that it is incumbent upon the District to negotiate as quickly as possible, in order to relieve the concerns of the faculty.

Discussion occurred with the Board of Trustees. Mr. Copple, President of CTA, and Ms. Whittaker clarified.

Student Trustee	<u>Not sworn in</u>	Edmond	<u>YES</u>	Rodriguez	<u>YES</u>
Arneson	<u>YES</u>	Gonzales	<u>YES</u>	Thomas	<u>YES</u>
Burton	<u>YES</u>	Lewis	<u>YES</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent \_\_\_\_\_

**REPORT**

Ms. Whittaker, Interim Superintendent/President, provided a report on the current status of the purchase of the Certificates of Participation (COP’s). RBC Capital Markets has recommended that the District delay this process due to the complexity of the sale, regulations, and the liability involved. It was also recommended that the District contract with a fiscal financial advisor that is an expert in the field to review the unique situation, and make a recommendation as to the best option to mitigate the amount of debt. Ms. Whittaker stated that she and Mr. Brahmhatt are reviewing a list of financial advisors and will potentially have a recommendation for the March 27 board meeting.

Ms. Whittaker announced that there will be an Inland Valley Trustees Association meeting at Mt. San Jacinto College San Gorgonio Pass Campus in Banning on Thursday, March 22, 2012. Mr. Arneson and Dr. Thomas will attend with Ms. Whittaker.

**HEARING OF CITIZENS (NON-AGENDA ITEMS)**

Mr. Raman, Math/Chemistry Instructor, commented regarding grants and fundraising. Mr. Raman requested that the incoming Superintendent/President have expertise in grant writing and fiscal resources in order to promote professional development.

**ADJOURNMENT**

The meeting was adjourned at 5:37 p.m.

The next Regular Meeting will be held on Tuesday, March 27, 2012, in Blythe, CA.

**Minutes approved at the April 24, 2012  
Regular Meeting of the Board of Trustees**

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**Interim Secretary of the Board**