The Board of Trustees of the San Luis Obispo County Community College District met in Regular Session in room 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California, members having received notice as prescribed by law.

1. Call to Order
   The meeting was called to order by Board President, Patrick Mullen at 3:02 p.m.

2. Roll Call - Establish Quorum
   Board Members
   Patrick W. Mullen, President
   Angela Mitchell, Vice President
   Gaye Galvan
   Per Mathiesen
   Marie Kiersch (absent)

3. Approval of Agenda
   Motion to approve: Mitchell — Passed by unanimous vote of those members present to approve the agenda, as presented.

4. Recess to Closed Session
   The Board recessed to Closed Session at 3:03 p.m.

5. Reconvene in Open Session & Pledge of Allegiance
   The Board reconvened in Open Session at 4:08 p.m. Josh Shepherd led the pledge of allegiance.
6. **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

Board President Patrick Mullen announced the following actions taken in closed session.

- The Board conducted closed session during their workshop, held earlier in the day. They conducted the evaluation of the Superintendent/President, reviewed the college-wide surveys on Dr. Pelham and conducted a thorough discussion. The Board appreciates the faculty and constituent feedback.

- Trustee Mullen reaffirmed the Board's support for Dr. Pelham.

- The Board unanimously approved the addition of another year to the Superintendent/President's contract as per the criteria of the original employment contract.

- All classified/management actions were approved as presented.

- All faculty actions were approved as presented.

- Instruction was provided by the Board to the President and staff regarding current labor negotiations.

### SUPERINTENDENT/PRESIDENT

- **Evaluation**
  - Agency Negotiator: Patrick Mullen
  - Instructions Regarding Unrepresented Employees: Superintendent / President; general evaluation

### CLASSIFIED/MANAGEMENT PERSONNEL

- **Motion to Approve**: Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Classified/Management personnel:
  - Appointments, Classified/Management
    - a. Short-term, Hourly Employees
    - b. Financial Aid Specialist
  - **Retirement**
    - a. Library Media Technician I
  - **Public Employee Discipline/Dismissal/Release**
    - None

### ACADEMIC PERSONNEL

- **Motion to Approve**: Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Academic personnel

Appointments
  a. Division Chair, Human Development

**LABOR NEGOTIATIONS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND UNREPRESENTED EMPLOYEES**

- Agency Negotiator: Annette Loria
  Instructions Regarding Classified Employees; Negotiations
- Agency Negotiator: Annette Loria
  Instructions Regarding Academic Employees; Negotiations
- Agency Negotiator: Patrick Mullen / Dave Pelham
  Instructions Regarding Unrepresented Employees: Superintendent/President, Confidential, Managers, Supervisors

7. REPORTS FROM EMPLOYEE ORGANIZATIONS

**Academic Senate**

Academic Senate President Steve Leone presented the following to the board:

- The Senate has completed some amendments to its constitution.
- The Senate has developed a usage policy for communications and the use of faculty list-servs. They anticipate the completion and implementation of the lists by fall semester.
- The Senate has been working on the ACCJC response report drafts. Updates will be provided throughout the summer.
- He will be attending an upcoming faculty leadership institute in Tahoe.
- The faculty are pleased with the process which took place regarding spring budget reductions but not with the overall outcome. There have been no statements regarding the implementation of any recommended items that were approved in committee. The sunshine proposal and apparent desire to discuss salary published in this board packet appears to send a message that participatory government is not being practiced and that the voice of the faculty will not be held.

**CCFT**

CCFT President, Allison Merzon presented the following to the Board:

- She has just completed her first year as union president.
- The unit had 32 new members join.
- The counsel of representatives met twice every month between August and May.
- She summarized the activities of the union for the past year.
- With regard to Item O.2 of the agenda for this meeting, faculty are going to have many questions that will have to be answered by the District. Why is this item appearing now, eight days after the end of the semester and at the first board meeting of the summer and when current negotiations have not been completed for 08-09? What action has taken place regarding other reduction recommendations?
- It appears that the District is going after plan "c" without considering "a" or "b".
- The unintended consequences of placing this item in the board packet during the summer is that it undermines whatever sense of transparency and campus esprit de corps that was created during the budget reduction process over the past semester. It creates the perception that the process that many faculty struggled with but committed to, did not matter. Perceptions may not always be accurate but they are real to those who hold them. Faculty will asked for public answers and a return to discussions regarding salary and fringe for 08-09. We are looking at all sources for 08-09

**CCCUE**

CCCUE President, John Fetcho presented the following to the Board:

- CCCUE had their end-of-year banquet last week. He thanked everyone who participated.
- He announced new officers, Karen Reyes (VP) and Sarah Mitchell (Secretary).
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- These new officers have already proposed new ways in which to communicate with the classified employees that includes creating a channel on MyCuesta.
- The executive board is planning a retreat for next month.
- Many are concerned about the enforcement of parking policy by the Chief of Police. He published the policy the day after the semester ended. There are concerns of how this came to be since it did not come before budget and planning or shared governance. It smacks to him as a summer surprise and not transparent communication.
- Regarding Item O.3 - the unit is not finished bargaining regarding 2008-2009 and is not interested in addressing 2009-2010. It appears the only thing that has been implemented as a result of the previous budget reduction discussions is the reduction in summer semester. They were told at the table that there were things that could not be presented in the open committee and that they would have to be presented at the table. They have not seen anything at the table yet. The union is wondering what those ideas were.
- Two days were spent on interest based bargaining training and principled communications. This was not principled communication. The group was not asked what they thought of this idea. He considers interest based bargaining dead.

Management Senate
Management Senate President, Patrick Schwab presented the following to the Board:

- This is his last meeting serving as President of the Management Senate. Beginning July 1, Jay Chalfant will be the Senate President and Todd Frederick will assume duties as vice president. He is confident in Jay’s abilities and looks forward to his leadership.
- The budget has been the main item of discussion for the management senate. The group hopes the college will protect its core infrastructure and not dismantle parts of the college that may never be recovered and hold true to the highest standards of service to the students as the primary concern.

8. OATH OF OFFICE
Dr. Pelham administered the Oath of Office to incoming Student Trustee Josh Shepherd.

9. REPORTS FROM BOARD MEMBERS

Trustee Mitchell
Trustee Mitchell presented the following to the board:

- She attended the Foundation Executive Board meeting on Monday.

Trustee Mullen
Trustee Mullen presented the following to the board:

- He participated in commencement which is the highlight of his year. The look of the graduates offstage waiting to hear their names is priceless. The effort of everyone at the college is reflected in their faces.

Trustee Galvan
Trustee Galvan presented the following to the board:

- She attended the Cuesta College Athlete of the Year Event.
- She attended the alumni barbeque.
- She attended the RN and LVN graduation ceremonies and the regular commencement ceremony.
- She attended the CCCUE annual banquet and thanked John Fetcho for his invitation.
- Today she attended the County Board meeting and a Grizzly Academy meeting.
- She expressed appreciation to the students who attended the last board meeting and complimented them on their successes.
Trustee Mathiesen presented the following to the board:

- This Wednesday, the Auto Department is hosting a small trade show. It is expected that 50 vendors from around the county will participate. The event is from 5:00 to 9:00 p.m.

Trustee Kiersch was absent.

Trustee Shepherd presented the following to the board:

- He is preparing the ASCC for next year.
- The ASCC is working with marketing in an effort to re-brand and refresh its image, and redesign the student ID.
- They are also working with the web coordinator to enhance functionality.

In addition to the following written report, Dr. Pelham presented the following to the Board:

- Dr. Pelham said he echoed Trustee Mullen’s comments regarding graduation.
- It has been a rough year and it is a pleasure to participate in events like graduation that remind us why we are all here.
- He read the Foundation monthly gift report.

NOTE: Members of the Board of Trustees and/or the Superintendent/President may report the receipt of various items of correspondence that may be of interest to the College District.

None.

13. Reports

South County Centers Development

Dr. Pelham stated that he had made a request to Sandee McLaughlin to look into expanding operations in the South County based on recent enrollment. There are questions as to whether the college should focus on South County. He is glad to have Alan Hancock as close as it is but it is not an excuse to not serve all the students in the district. Those who would lose the most are the most, at risk students. They are not served well by the college not having a focus in the South County. The following is an update to the board on the details of the current and future efforts in the South County.

Sandee McLaughlin and Jeff Mendoza presented the following to the board:

- Ms. McLaughlin thanked Jeff Mendoza, Mark Wilwand, and June Stephens for their support and efforts supporting the South County.
- Mr. Mendoza briefed South County plan. (Attachment A)
- The cost of the current lease in South County has gone from $45,000 to $145,000.
- Ms. McLaughlin referenced a previously conducted Claris Survey that indicated the preference location for the majority of respondents is Arroyo Grande.
- Current offerings are limited to evening classes only.
- Transition from an outreach center to an education center would result in increased apportionment.
- Mr. Mendoza thanked Ron Strong, Linda Van Fleet, John Shoal, Leonard Grant, Mike Gulik, and Nick Tompkins for their assistance in the South County.
- Dr. Pelham thanked Mr. Tompkins for his involvement. There are several things that have to occur and relationships are developing that will be beneficial to this effort and the students in the south.
- Ms. McLaughlin said there is no concept that the development in the south would be anything like
North County. It is an urban area with different dynamics.

**BUSINESS AGENDA ACTION / DISCUSSION ITEMS**

1. Curriculum  
   **Motion to approve:** Mitchell — *Passed* by those members present to approve the recommendations of the curriculum committee, as presented.

   Peter Dill presented the curriculum packet to the board on behalf of Kevin Bontenbal (committee chair):
   
   - Over the past year, the committee approved: (64) new courses, (47) revisions, 37 requisite/pre-requisite/advisory revisions, (29) new degree/certificates, (58) degree/certificate revisions, (4) program changes, (17) distance education and (7) general education courses.
   - A new curriculum program (Curriculum Net) has been acquired. This program will revolutionize the appearance and method of processing curriculum. Implementation is pending. Discussions begin in spring with full implementation targeted for fall 2010. This is a major event.
   - The Fire Science program has moved to Cuesta.

2. The San Luis Obispo County Community College District (District) Initial Proposal for 2009-2010 Negotiations covering July 1, 2009 through June 30, 2010 with the Cuesta College Federation of Teachers (CCFT)  
   **Motion to approve:** Mathiesen — *Passed* by those members present to publish and present the District's initial proposal for 2009-2010 negotiations covering July 1, 2009 through June 30, 2010 with the CCFT, as presented.

   Dr. Pelham presented the following to the board:
   
   - When the college participated in discussions regarding budget reductions on campus there were few restrictions placed on suggestions. The resulting list had many issues that were negotiable items. The bargaining units requested that any negotiable items be removed from the list. This was accommodated. In later conversations some of those issues surfaced across the board. Allison Merzon commented that those issues not been introduced in negotiations. Approximately two weeks ago, after the various state budget propositions failed, the proposed budget deficit for the college increased from approximately $2 million to over $4 million. The process of looking at all the alternatives now must include wages, and that is why items O.2 and O.3 are on the Board's agenda.
   - He finds any surprise over these items appearing on the agenda curious because this issue has been discussed off-and-on for some time. This must be part of the discussion when 85 percent of the college budget covers salaries and benefits.

   Trustee Mathiesen said he was bothered by the term "summer surprise" at Cuesta College. Things do not stop when the semester ends and the District must prepare for when instruction begins again. Things have to be done during that period and some see that as a surprise. It is also a surprise when the Governor informs the District that its budget is going to be cut $5 million. What is the District to do - not do anything about it until classes start in the fall? The use of "summer surprise" is ridiculous and should be discontinued. It is not a surprise just because it is summer. Issues happen, requiring immediate action by the college and the district on any given day. A crisis does not take respite just because it is summer.

   Trustee Mullen said the annual budget for the District is approximately $61 million. Approximately 85 percent of that budget covers salaries and benefits. We have seen the resulting carnage of the budget reductions the Lucia Mar and other school districts have had to deal with. It could be argued that the board may have been a little over optimistic with regard to the overall impact and
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hopeful a $2 million would be manageable, albeit painful. Areas that would not
have been impacted under such circumstances are now exposed by a cut in
excess of $4 million in relation to the size of the budget. He does not like it any
more than the rest of those present that it is occurring over summer when there
are fewer people available to debate and discuss the issue. The Board is going
to have to make some extremely difficult decisions and will need everyone’s help
in doing so. The discussion is just beginning and will go deep. He feels for the
frustration but it is what it is.

3. The San Luis Obispo County Community College District (District)
   Initial Proposal for 2009-2010 Negotiations covering July 1, 2009 through June 30, 2010 with the Cuesta College Classified United Employees (CCCUE)

Motion to approve: Mathiesen — Passed by those members present to present the District’s initial proposal for 2009-2010 negotiations covering July 1, 2009 through June 30, 2010 with the CCCUE, as presented.

4. Proposed 2009-2010 Tentative Budget

Motion to approve: Galvan — Passed by those members present to approve the proposed 2009-2010 tentative budget, as presented.

Dr. Pelham presented the following to the board:

- The proposed tentative budget does not assume any of the reductions that have been previously discussed this evening.
- Chris Green has not been asked to make changes in response to every proposal that occurs at state level because they have been too frequent.
- This year the process has been particularly difficult. The normal process of the governor proposing a budget in January, then publishing a May revise, then having the legislature submit a counter-proposal, and finally, everyone reaching agreement somewhere in the middle has been mired by a declining economy. Revenue for the state continues to dry up. The College League has indicated that the governor’s budget proposal may be as good as it gets. That is the underlying reason for an increased sense of urgency. Under normal circumstances the May revise usually does not invoke such a response. Until the governor’s announcement after the May elections, it was thought that the college would be able to weather the crisis without layoffs. Recent developments indicate that this will not be the case.
- Chris Green introduced and thanked Laura Becker, who prepared the budget.
- Mr. Green summarized the budget process and reviewed the proposed tentative budget. (Attachment B)
- The data presented in the proposed budget reflects hard data available prior to the May revise.
- The ending balance/reserve is not a cash reserve but a budgeted reserve.
- The operating budget is the one approved at the regular September board meeting.
- Mr. Green summarized budget assumptions and the outlook for the year. (Attachment B)
- Responding to Trustee Mullen, Dr. Pelham said the best case scenario regarding impact to the budget is $4.5 million; the worst case would be $5 million, based on current information. It is a moving target as to how those cuts will manifest at the college level.
Trustee Mullen said with 85 percent of the college budget going towards salary and benefits, positions are potentially impacted. It only leaves just over $9 million for the remaining obligations of the institution.

Dr. Pelham said the formula used as rule of thumb for regarding cuts is 1.5 positions for every $100,000. It is a broad generalization.

Dr. Pelham said if the board waits to act on reductions and layoffs until the budget is approved, the impact of those reductions and layoffs would be minimized in the time lost waiting, i.e., the savings would be realized over only two-thirds of the year instead of the full year.

Responding to Trustee Mathiesen, Dr. Pelham said the College League anticipates approximately $250,000 students will be cut from community college rolls.

Mr. Green said the college will not realize the amount saved this year until the books are closed. It will include backfill and growth.

Trustee Mullen said at this level of projected budget reduction every organization on campus is going to be affected.

Trustee Galvan noted to the board and the public that the governor's office is no longer accepting email as are many legislators.

Trustee Mullen said tough choices will have to be made. Everyone is human and he asked the constituencies to work together for the long term to set the college on the road to success when this crisis abates. The Board will do its best to make the best decisions while minimizing impact. Some will feel that their opinion did not hold while others did. He asked that everyone share their comments with Dr. Pelham and others working on this problem. Board member email addresses are available on the website. Trustee Mullen also said the District must get through this crisis while maintaining proper demeanor and decorum.

The Board took a 5 minute recess at 6:15 p.m.
The meeting reconvened at 6:23 p.m.

5. Revise One Job Description and Salary Increase for Assessment Services Specialist Position

Motion to approve: Mitchell — Passed by those members present to approve the revision of one job description and salary increase for the Assessment Services Specialist Position, as presented.

Dr. Pelham indicated this revision had been under review for some time. It is the result of a process to identify individuals who have been working out-of-class.

6. 2011-2015 Five-Year Capital Outlay Plan / District's Order of Priority for Initial Project Proposals (IPP) and Final Project Proposals (FPP)

Motion to approve: Mitchell — Passed by those members present to approve the 2011-2015 five-year capital outlay plan / District order of priority for initial project proposals (IPP) and final project proposals (FPP), as presented.

Mark Wilwand, Director of Facilities Planning and Construction presented the following to the board:

This item presents the District's capital outlay plan and order of priority to be submitted to the Chancellors Office.

Priorities (1 and 2) are under bid and ready to award once the Chancellors office releases the funds.

Priority (3) is the Early Childhood Development Center in North County. This was funded to design for 2008-2009 but the funds were diverted due to budget issues. It was previously listed lower on the list.

Priority (4) is the SLO campus math building; the final project of the facilities master plan.

Priority (5) is the North County humanities building. It was submitted as an FPP last year. This year it is submitted as an IPP because there can only be
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one FPP submitted for each year.
- Dr. Pelham said the math building was moved down on the list based on the conversations Mr. Wilwand and Toni had with the Chancellors office. There was an understanding that the childhood development center had a much better chance for approval than the math project.
- Mr. Wilwand said the college is not committing to anything.
- Allison Merzon said the ACCJC took issue with this, i.e., the disconnect between long term planning and short term funding. There has been no discrete dialogue regarding the prioritization of projects and the follow-on funding for them.
- Dr. Pelham agreed that must be addressed but said this action is consistent with current process. This is a five-year outlay. It should be noted that the Theater Arts Building was on the list for many years.
- The Board requested the Superintendent/President to facilitate planning to tie the building projects and collateral funding levels. Total costs including staffing and equipment must be included.

7. Change Orders for the Theater Arts Building

Motion to approve: Mitchell — Passed by those members present to approve change orders for the Theater Arts Building, as presented.

Dr. Pelham presented the following to the board:
- At the last regular board meeting, Trustee Mitchell requested the sources for funding for change orders be included when they were presented to the board and they exceeded the contingency package for the project. He is currently investigating restructuring the debt and rolling in an amount of approximately $1 million, which includes the parking lot. This makes the most sense. Additional change orders could come in at $600,000 and the parking lot would be an additional $300,000.
- Responding to Trustee Mitchell, Dr. Pelham said the change orders are reviewed and approved by Mark Wilwand, Toni Sommer, and the project manager.
- Mr. Wilwand said the project should be finished in August. He is confident in this estimate and is able to better predict the timeframe based on what remains to be done.
- Responding to Trustee Mathiesen, Mr. Wilwand said change orders originate with the contractors who are due fair compensation.
- Dr. Pelham said mistakes made by construction management do not show as change orders.

8. Student Parking Fees

Motion to approve: Galvan — Passed by those members present to approve the increase in student parking fees, as presented.

Bart Topham, Director of Public Safety presented the following to the board:
- Discussion regarding this issue began last year.
- The infrastructure of the department is deteriorating and the fund supporting it cannot keep up.
- He recommends a separate account be set aside for parking. This will not have an immediate effect but will show its value in the long run.
- He was impressed with the discussions involving student government and the grasp of their understanding of the issue. It has been over 10 years since any fees were adjusted.
- The increase would take effect in spring 2010. Per board policy, parking will be enforced Monday thru Saturday, 7:00 a.m. to 10:00 p.m.
- Mr. Topham said the district is below the majority of other community colleges and is not even on the chart in comparison to the UC/CSU system. Many colleges are reviewing this issue.
Trustee Shepherd said the students came to a near unanimous decision to support this considering the fees had not been adjusted in over a decade, and with no foreseeable funding from the state. They want to see improvements.

9. Agenda Items for Next Meeting

A preliminary list of proposed agenda items for the July 1, 2009 Regular Board meeting is presented for review.

The board agreed by consensus to move the regular meeting to July 22, 2009.

The board wants an update on the budget plan and pending proposals.

### BUSINESS AGENDA

#### INFORMATION ITEMS

10. Consultant Agreement

Annette Loria presented the following to the board:

- This agreement facilitates the search for a new Chief Business Officer (Assistant Superintendent/Vice President, Administrative Services).
- The agency has served the district well in the past.
- Dr. Pelham said this agency aided the district during the recruitment for the Director of Nursing / Allied Health, and because the company felt they did not fulfill their contract, they offered to refund a portion of their fee. They are an excellent organization.

11. Quarterly Financial Status Report (311-Q)

Chris Green presented the following to the board:

- The District is on track for expenditures.

12. Community College League of California; Board Policy and Administrative Procedure Service - Spring 2009 Update #16

Todd Frederick presented the following to the board:

- The item is presented to keep the board informed of current updates from the College League regarding board policies.
- A copy of the update and corresponding tracking sheets was forwarded to the respective cluster for review and appropriate action.
- Board policy review was addressed in recommendation 8 of the ACCJC’s evaluation report of January 2009.
- This is part of a developing process to improve the efficiency of the board policy and college procedure process.

### CONSENT AGENDA

**NOTE:** The Board of Trustees will be asked to approve all of the following items by a single vote. Any Board member or public individual may ask that an item be removed from the Consent Agenda to be considered and discussed separately. The Student Board Member **may vote** on any of the items listed under Consent Agenda.

1. Consent Agenda

   **Motion to approve:** Galvan — **Passed** by unanimous vote of those members present to approve the consent agenda, as presented.

2. Approval of Minutes

   Approve Draft Minutes of the May 6 2009 regular meeting as presented.
3. Approval of Warrant Listings

Approve warrant listings, as presented:

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Total: $313,581.14

4. Approval of Payroll Orders

Approve Payroll Orders, as presented:

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</table>

5. Approval of Gifts to the College

Approve gifts to the College, as presented:

a. Antique sewing machine donated by Giselle Maylor for use by the Human Development Department.
b. Wood dowels donated by Linda Groover for use by the Human Development Department.
c. Plywood donated by Dorothy Graves for use by the Engineering/Technology Department.
d. Books (200) donated by Susan Marsala for use by the Learning Resources Department.
  e. Various automobile fenders donated by Matthew Konopa for use by the Engineering/Technology Department.
  f. Various sanding materials donated by Kevin Brown for use by the Engineering/Technology Department.

Q. DISCUSSION

1. What went well?

- Trustee Mitchell – The meeting went well. The budget changes on a daily basis and she hopes everyone understands the fiscal year starts in 30 days and is something that cannot be delayed. It is not intended to be a surprise, and she appreciates the way it was communicated by constituent leaders. The board does have an ethics policy.

- Trustee Mathiesen - It was a long meeting and a long day. Both meetings were conducted well and in an orderly fashion. Communication between the board and the college population is one of the most important things. They must be made aware of what occurs and how the board reaches its decisions. It currently lies on the shoulders of the constituent leaders to communicate this and he hopes that it is being done fairly without prejudice and slang. He follows the ethics of the Rotary Club.

- Trustee Galvan - It was a good meeting and these difficult issues require involved discussions. She encourages people to attend the meetings to hear firsthand the business of the district. She presented a copy of “Key Ethics Law Principles for Public Service - Institute of Self-Government” to Trustee Shepherd.

- Trustee Mullen – He would like to share more information regarding the self-evaluation conducted during the workshop. The board discussed broadening the instrument through surveys conducted by college staff and faculty. He asked Mr. Frederick to review the board policy on ethics and ensure the board has addressed specific behaviors.

- Trustee Shepherd – This was a great learning opportunity and he thinks the most is learned when hard decisions are made. Keeping an environment of full disclosure will help the college meet its mission.
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**ADJOURNMENT**

**Adjournment**  The meeting was adjourned at 7:25 p.m. Unless otherwise announced, the next meeting of the Board of Trustees will be held on Wednesday, July 22, 2009, in room 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California

Dave Pelham
Superintendent/President