

SOLANO COMMUNITY COLLEGE DISTRICT

UNADOPTED MINUTES

May 20, 2009

Special Board Meeting

**APPENDIX A**

**Comments by Governing Board Members to the Grand Jury Report**

*Marie Young*

**Overall Comments**

- A large portion of the background and summary is not “tied into” findings and recommendations and noted.
- Uses the term “Accreditation Board” throughout the report when the appropriate title should be Accrediting Commission for Community and Junior Colleges (ACCJC).

**Page 1:**

*Marie Young*

- **Grand Jury Actions:** Interviewed administrative staff. What are the titles of the employees interviewed?

Pam Keith

- **Background Summary (1st paragraph):** Construction and renovation funding for all campuses is through the Measure G construction bond in 2004. **Should be 2002.**

*Marie Young*

*Rosemary Thurston*

- **Background Summary (2<sup>nd</sup> paragraph):** It states the commission placed the college on **probation** in 2007, which is an incorrect. The college was placed on “**warning**”.

*David Brannen*

**Background Summary (2<sup>nd</sup> paragraph):** The California State College Accreditation Board. There is no such entity. **Should be Accrediting Commission for Community and Junior Colleges - Western Association of Schools and Colleges**

**Page 2:**

*Marie Young*

- **1<sup>st</sup> paragraph:** States if matters are not resolved by December 31, 2009, the college would lose its accreditation and financial aid. Is this statement correct? It does not appear accurate. (See page 4, 2<sup>nd</sup> paragraph –date June 30, 2009)

*Rosemary Thurston*

- **Next paragraph-bullet one:**
- The two systems have not been able to reconcile the data. **Is this true?**

- The June 30, 2008, year-end Financial Report could not be finalized because of an approximate \$1 million discrepancy. **This statement is not true.**

*Marie Young*

- **Next paragraph-bullet one:**

- Bullet number one mentions as of January 26, 2009, the financial report had still not been finalized. Since this statement is present in the report, the report should also note that the CBO was not available to complete the report because she was still on paid administrative leave and similar reports by the CBO were submitted in a timely manner for the prior fiscal school year.

*Pam Keith*

- **Next paragraph-bullet two:**

- There was an inappropriate transfer of funds from the Measure G Bond fund to the General Fund in order to cover expenditures that should have been paid from the General Fund. **This is not true.**

*Marie Young*

- **Next paragraph:** It states that the new interim Superintendent/President requested an "independent investigative report", which the Governing board approved on a split vote (4?-2). (Was Denis present at this meeting?) It was not an investigative report, but a review of the district's internal controls, an examination of external reports and performance of a fiscal health analysis. Special Trustee Tom Henry called it an "independent external review."

*Marie Young*

- **Next sentence:** It states the Interim Superintendent/President also suspended the financial director. **The title (financial director) of the person is incorrect.** The Board was informed that she was placed on paid administrative leave. **Since this is a personnel matter, how is it relevant to this report?**

*Marie Young*

*Jim Claffey*

*Rosemary Thurston*

- **Bullet comments-#3:** What are the allegations relative to Brown Act violations?

*Rosemary Thurston*

- **Bullet comments-#4:** Excessive turnover in leadership positions within the College, for example, the five Vice President positions have been filled by 14 people during the last five years. **Is this true?**

*Marie Young*

- **Item 2):** States the College purchasing agent; however, the EDMAC report does not refer to "the purchasing agent" relative to this issue.

Marie Young

- **Bullet comment next to last on page:** The final adoption of the budget and the books not being closed was after October 6, 2008. It should be stated that the staff failed to accomplish this in the absence of the CBO.

**Page 3:**

Jim Claffey

David Brannen

Tom Henry – taken out of context – not consistent with EdMAC Report.

- **Item #2:** After two thefts from College safes, money is now being secured in metal lockers located in a hallway. **The Board didn't get this report. This allegation was made in the paper. If true, getting information from local papers, which are necessarily accurate.**

Marie Young

- **First Bullet Comment:** The second sentence states "the Board has allocated \$937,234 for this year's Retiree Health Benefit"-This is not true, it was deposited years ago (2005-06 fiscal year). According to the Board literature that I received at Board meetings, the amount allocated was \$917,234 and it has earned interest to reach the total it stands at now. Further, the college is not required to fund the liability, but instead book it. However, it is a Board goal and we are working on a plan to start funding the liability.

Rosemary Thurston

- **Third Bullet Comment:** There is a \$217,138 charge for maintenance paid from the Measure G Bond Funds. (This was an accounting error that has subsequently been corrected.) **Why is this in the report?**

Rosemary Thurston

Marie Young

- **Fourth Bullet Comment:** The College inappropriately transferred \$1,045,105 .... **This entire paragraph is incorrect: The recent newspaper article cleared up this matter and therefore it should not be even mentioned. The press release by the chair of the CBOC cleared up this matter.**

Marie Young

- **Next Paragraph:** The above issues were all discussed in the EdMAC Report .... **There was no direction to recruit a CPA. It has not happened and even the current job description states CPA preferred. Further, the Board did not direct this action.**

Rosemary Thurston

- **Next Paragraph:** In the latter part of 2008, one of the College Board members submitted an article to the Vacaville Reporter.... **What is the relevance to this report?**

Marie Young

- **Next Paragraph:** On January 7, 2009, the CCC State Chancellor .... **The date should be January 5, 2009, not January 7, 2009.**

Rosemary Thurston

Pam Keith

Marie Young

- **Next Paragraph:** In December 2008, the Chairperson of the Board of Trustees met with the Interim Superintendent/President .... **The date should be January 5, 2009. The Chairperson of the Board of Trustees met with the Interim Superintendent/President as directed by the Board in closed session on December 17, 2008. The rest of the paragraph is completely untrue. Tom Henry plans to respond.**

Marie Young

- **Last paragraph on page 3 ending on page 4:** I see the Executive Committee as a very important committee on campus and find it alarming that no minutes were available for October 2008 – January 2009, when the Interim Superintendent-President chaired the committee.

**Page 4:**

Rosemary Thurston

- **Second Paragraph:** The second sentence states the College has until June 30, 2009 to prove to the Accreditation Board why it should not lose its accreditation. This is a contradiction with an earlier comment at the top of page 2, which states December 31, 2009. Which is correct? The comment on the top of page 2 was made by the Interim Superintendent President. Dates need to be checked.

Rosemary Thurston

- **Third Paragraph:** In our February 2009 interview with the Special Trustee, he .... **Tom will be reviewing very carefully for accuracy. Will come back to Board for review.**

**Topic:** Findings and Recommendations:

Marie Young

Pam Keith

- **Finding 1:** Second sentence should remove word "the" or add "of" in front of the word replacing. Pam said, "not true."

Marie Young

Phil McCaffrey

- **Finding 2:** When and what was the violation of the Brown Act?

Pam Keith

- **Recommendation 2:** Yes. **Recommend training for Trustees. Knowing and violating are two different issues.**

Rosemary Thurston

- **Finding 3:** Questions that 14 persons heading the five departments.

**Page 5:**

*Pam Keith*

- **Recommendation 4: This is done or in the process of being done.**

*Rosemary Thurston*

*Pam Keith*

- **Finding 5: Don't feel the statement is true. Long-standing problems, but geography has nothing to do with disputes.**

*Pam Keith*

*David Brannen*

- **Recommendation 5: Possible loss of accreditation as opposed to serious problem of loss of accreditation. Murphy may have caused concerns, but he resigned. No one on the Board currently wants to sink the college....everyone wants to save it. David communicated that while the Board has had its disputes, since the Board has been working with Dr. Jensen and Special Trustee Henry, we are now functioning well under this leadership.**

*Pam Keith*

- **Finding 6: We are in better shape than most Boards.**

*Rosemary Thurston*

*Marie Young*

- **Recommendation 6:** It uses the word "restoring". Why restoring-nothing was taken away. If something was taken away, what? Interesting wording.

*Rosemary Thurston*

*Pam Keith*

- **Finding 7 and Recommendation 7: Assumption that changing the law firm would improve things. Not sure distance is the problem.**

## **Page 6:**

*Marie Young*

### **Comments-2<sup>nd</sup> paragraph:**

The second paragraph is not clear. Who on the administrative staff was thorough? Was the information received from those interviewed vetted?

*David Brannen*

**Conclusion:** Dr. Beno said we didn't provide evidence. We praised ourselves. What about the 109 other schools as opposed to "one of the few community colleges within the state who credits directly transfer ...." We are following the report. We may need to employ counsel for a response. Maybe we are saving money by reducing liability to the college with litigation.

Denis Honeychurch

It is unfortunate that there are inaccuracies in the Grand Jury Report, but it correctly reflects the College needs improvement and that the College is on the road to improvement.

Sarah Chapman

Has not been on the Board long enough, but hopes that the comments made will enable Mr. Henry and Dr. Jensen to reflect the inaccuracies, which should serve us well.