

To: Jerry Patterson, Board President
Jim Moreno, Board Vice President
Lorraine Prinsky, Ph.D., Board Clerk
David Grant, Trustee
Mary Hornbuckle, Trustee
Lee Fuller, Student Trustee

Copy: Christian Teeter, Ed.D., Secretary of the Board

From: Ding-Jo H. Currie, Ph.D., Chancellor

Date: April 6, 2011

Re.: Chancellor's Statement regarding Board Resolution #11-15 to Approve District-Wide Freeze for Transfers, Promotions, Temporary Transfers, and Temporary Promotions for Management Employees

As Chancellor, I am speaking to express serious concerns regarding the proposed Board Resolution #11-15. This resolution came as a total surprise since there has been no conversation, discussion or collegial consultation regarding this item.

This resolution, should it be approved, will be devastating to the entire Coast District. I would like to delineate just a few areas of specific impact to explain the gravity of the situation for your consideration.

1. Negative Impact to Students

Managers plan and schedule classes, coordinate services, and respond to student requests, concerns, questions, complaints, grievances, etc. in addition to supervising everyday programs and services for students. Under the current staffing constraints and with the decrease in class offerings, managers have already had to respond to increased questions, complaints, concerns about classes and services. This resolution further cripples the colleges ability to support students by eliminating the flexibility to organize our work in order to ensure class offerings are properly planned or complaints addressed in a timely manner (preventing formal grievances), and that services are properly coordinated so students do not suffer. This is just one example of the impact this resolution will have upon our students directly.

2. Negative Impact to Program and Services Oversight and Operations

Each of our institutions has to have a minimum administrative infrastructure to effectively facilitate planning, coordination, and communication. Last year's ENDS program has created many negative consequences including gaping holes in the organization infrastructure that have been filled by managers. Those additional responsibilities and organizational changes were presented and explained to the Board on March 16.

The VSP program further compounded the problem with some employees having already left the District on March 30 and many others to leave on or before June 30. Under the resolution, some managers will be doing three jobs without relief. This will lead to a total breakdown of oversight, not to mention the many tasks that simply can't be completed.

If this resolution is enacted, Coastline will be left without any vice presidents and Golden West will be left with one. Both colleges have already spent an extended period of time utilizing interim positions that are a temporary patchwork necessary to conduct college operations. This was never the management choice of reorganization, but the only prudent way to temporarily fill the holes in oversight responsibilities without attacks. There are countless examples of additional oversight breakdowns in other areas that will occur under this resolution. It simply exasperates the current challenging situation to unthinkable, unbearable and unacceptable conditions that will be nearly impossible to manage well.

3. Negative Impact to Accountable Outcome, Potential Income Revenues Loss and Loss of Contracts for Ancillary and Grant Funded Programs

If management is to be held accountable, then we must be empowered to decide how we would manage our situation. This resolution ties our hands and makes it difficult to hold any manager accountable when they do not have the flexibility to manage the planning, organization, and staffing for their operations.

Many managers are overseeing income generating operations that have already been negatively impacted because they have been subjected to the current hiring freeze processes limiting their ability to compete for contracts or suffer decreases in income generation. Ancillary programs make positive impacts upon our students. We have been quietly accepting this because management has been reluctant to voice the real need for adequate oversight in those ancillary operations due to the lack of understanding in their unique needs. As a consequence, revenues have already been affected. To further freeze management positions in those areas is certainly unwise at a time we actually need to invest even more in those areas so they can enhance their capacity to generate more revenue streams for the District.

We have several major grants that require a great deal of management oversight with prescribed contract conditions that must be met. This resolution will affect all of those

grants and contracts, which may result in the colleges losing grants such as the Title III at OCC, ANNAPISI and One Stop Center at Coastline and the Edison CTE grant at Golden West College – just to mention a few major grants and contracts.

4. Accreditation Standard Compliance

This resolution may put the Colleges' accreditation affirmation status at risk. I understand that our General Counsel advises the Board on accreditation, as well, from a legal standpoint. There are many areas of governance that are totally legal yet still not compliant to accreditation standards. To have this issue tested by the next accreditation visit and WASC's determination may result in the colleges being sanctioned due to District Office or Board actions. In the latest ACCJC news this week, it noted that 14 colleges have been given sanctions because the Governing Boards failed to adhere to appropriate roles, and five colleges have governance issues.

Let me reference the concern according to accreditation standard IV, subsection B 2.

The President has primary responsibility for the quality of the institution he/she leads. He/she provides effective leadership in planning, organizing, budgeting, selecting and developing personnel.

To that end the President plans, oversees, and evaluates an administrative structure organized and staffed to reflect the institution's purposes, size, and complexity.

In addition, the President effectively controls budget and expenditures.

Under this resolution, the responsibility, leadership, and authority has been effectively taken away from the Presidents and the Chancellor as the accreditation prescribes for good reasons. We generally exercise those authorities in consultation with our constituency groups under a shared governance model. The approval of this resolution most likely will raise concerns by WASC.

I understand that our General Counsel may disagree with me again from a legal standpoint. I would like to recommend that this issue be referred to the Board's Accreditation Committee to research with WASC.

5. Impeding with Current Budget Development Process

We have been engaged in an intensive budget development process, especially as the state budget situation worsens. The Board has been kept apprised of our budget in both open and closed sessions as it relates to our negotiations progress. Today's Budget Study Session was intended to bring you even more up to date on the budget planning and development progress. The District Budget Advisory Committee is also engaged in the development process and kept as up to date as possible. We have calendared to present our tentative budget in May and your final adoption of our District's tentative budget in June. We are right on schedule in this process and this

resolution impedes the budget development process in allowing the management to work with our constituencies in reaching the best budget mitigation solutions.

6. Equal and Fair Treatment

While the resolution cites current state budget uncertainty and shortfall, the resolution calls for immediate freezing of management positions, targeting a group that does not have any power to negotiate for their work conditions. In fact, this group has consistently been open to criticisms and suggestions for position eliminations and change of work conditions in public. Regardless of categories in which an employee belongs, everyone deserves equal respect and treatment as an employee. I think that is why the public educational institutions have differed from many private for-profit entities where employees have no rights and are subject to changes in their work conditions without consultation, negotiations, or discussion. I would hope that regardless of whether an employee belongs to a unionized group or not, when their work conditions would change, that at a minimum, the group is consulted as we currently meet and confer with management and confidentials.

The Board has its own policy and process for these types of procedures and its own Personnel Committee. No one was asked, including myself as the Chancellor, what the impact would be if such a resolution were approved and executed. The Vice Chancellor in charge during my absence on Thursday was informed by the Board Secretary that this resolution was already placed on the Board agenda and to review it. Needless to say, it sent shock waves throughout the entire District. This comes at a time when the District is engaged in negotiations with all employee groups. Management will be the first and only employee group that has committed to take backs on their salary and benefits and provided a draft MOU to me and the Vice Chancellor's today.

My recommendation is to respectfully request that the Board consider taking this resolution item off of the agenda at this time and allow us to continue our critical budget deliberations in the coming weeks. Our goal and promise to you is still to deliver a balanced budget with the least impact to our students, minimal take backs from our employees, and avoid layoffs of any classified and management positions. I requested today's Budget Study Session to make sure we provide another budget update, budget development progress, current analysis of various scenarios we are working on and solicit your input, suggestions, and questions.

Thank you for your consideration.