



**ACADEMIC SENATE
COMPTON COMMUNITY COLLEGE DISTRICT**
Minutes
Academic Senate Meeting
Tuesday, September 8, 2011

Attendance:
Senators

Michael Odanaka
Tom Norton
 Estina Pratt
Saul Panski
Leonard Clark
 Shirley Thomas
 Jose Villalobos
Leticia Vasquez

Darwin Smith
Jose Bernaudo
 Fred Lamm
Chris Halligan
 Jerome Evans
Mandeda Uch
 Pamella West

Administrators/Visitors*

Dr. Genethia Hudley-Hayes
Barbara Perez
Antoria Davis
Ophelia Harper
David Vakil
Dalia Juarez
Micah Pyre
Ramund Box
Dr. Ruth Roach
Carmela Aguilar
Shemiram Lazar
Eddie Boatwright
Dr. Susan Dever

Dr. Keith Curry
Rodney Murray
Sheila Scott
Curtis Garrett
Diane Elaine Collins
Shirley Thomas
Toni Wasserberger
Chelvi Subramaniam
Dr. Don Roach
Aurora Cortez-Perez
Rony Alpern
Ali Abbassi
Rodney Murray

*Other visitors attended but did not sign the sign-in sheet

I. Call to Order - Saul Panski

II. Approval of Agenda - Pratt/Smith - approved.

III. Approval of Minutes – Minutes for 6.2.11, 8.9.11, and 8.26.11 adopted with revision to indicate Darwin Smith's attendance at 6/2 and 8/9 meetings.
Jose Bernaudo/Estina Pratt

IV. Reports

Special Trustee-

Dr. Genethia Hudley-Hayes spoke to the faculty and guests.

- She said that she wanted to respond to rumors and innuendos and to things shared on Flex Days. She said that she was not resigning, had not been asked to resign, and had not been fired.
- She stated that she was here for one reason only - AB318 dictates that a special trustee must oversee the distribution of funds and ensure that they all strictly accounted for. That's what she had been doing. She was not sure what has caused the strain in the partnership but her job was to ask questions regarding money.
- The Chancellor, she added, believes that there is no support for her and that the campus community believes that she is not competent to do the job and is the "fly in the soup." She said that she had no intention of resigning. She stated that a person resigns only when they believe that they have done something wrong. She didn't believe that she had done anything wrong. She said that she was interested only in the dignity of the District, and that the partnership maintain a modicum of dignity as well.
- She acknowledged that the accreditation of our institution is with El Camino. The revocation of our accreditation was our fault - ECC is not responsible for that. However, there must be accountability.
- Nothing supersedes the law - namely AB318 – she stated, and it is stated flatly in the bill that a partner wanting to exit the partnership must find another partner first.
- She acknowledged that the faculty is fearful. However, she did not believe that the partnership was in jeopardy. Everyone needed to sit together and get to a place where things can be agreed upon. She did not like the fact that every time the partnership is questioned, or anytime anyone wants an answer or an explanation, the partnership is jeopardized. She believed this was wrong. She stated, "I haven't been critical toward ECC, but I do believe that we need to revisit the partnership. There must be a dignity and mutual respect. We need to be able to demonstrate that we can handle ourselves."
- She responded to statements that she had implemented extensive consulting contracts, saying that the agreements she had implemented total some \$372,000 and were:

Vasquez accounting firm.

She decided to find a consulting firm that "didn't have a nickel in the dime" and had a reputation for sound business principles. During the April 8th, 2011 meeting, she told everyone that it wasn't ECC, it was us who had created the problems. She said that she needed to know that what she was saying to the community was true regarding how money was being spent. That is her job.

Martin Ludlow

This is a \$150,000 contract. The consultant was here before she came. She said she has known M. Ludlow for 20 years. He has friends and a network in Sacramento and has been working on behalf of the district. There are a total of 17 deliverables on this contract, and it is capped at \$150,000.

CHP Contract

This is \$84,000 total for the year and \$34,000 had been spent so far. She stated that, she shouldn't be concerned for her safety. She stated that the CHP officer is not paid an exorbitant amount and is only used for official college business.

She added that there had been additional, unanticipated expenses related to personnel matters connected with the faculty and that these could not be discussed in a public forum.

She concluded by stating that the Chancellor seemed to believe that the Compton faculty and staff would like her to resign. This is what he's been told. ECC would like her to resign, too, but she's not going to do it. She stated that she has spent thirty years of her life dedicated to equality and justice. We need to make a decision for ourselves. She said she would answer all questions. Before doing so, she told the group that at the beginning of the recent controversy, she had been asked by the Chancellor to not talk about the partnership - to not politicize it. She did what the Chancellor asked her to do. She added that she had not seen the new partnership agreement (MOU) being developed. She had honored the Chancellor's wishes.

She had also recently taken a week off to figure out if she had somehow not adequately discharged her duties as Special Trustee and, after consideration, had decided that she had. She strongly believed that after five years the partnership agreement needed to be re-evaluated. She finished by stating her strong belief in the adage that though "*the arc of life is long , it always bends towards the truth.*"

Questions and Discussion

Alpern - Can you work with Dr. Fallo?

H.H. - Yes.

Lamm - Has ECC violated AB318? Particularly as it relates to CCCD bond funds?

H.H. - That's why I am asking questions, to obtain information.

Panski The bond money is allocated, approved and disbursed by CCCD staff and any intimation otherwise is an unfounded allegation that needs to be refuted.

Perez - ECC has no power over district money. Bond audit reports were handed directly to the Special Trustee.

Nehasi Lee- Did the former trustee abdicate his responsibilities to ECC?

H.H. - This is why I asked for the audits. I don't know if the former trustee did this, but if there is something to take back, it will be done, if necessary. I don't sling mud unless the subject is in the room so I do not want to comment on any individual.

Don Roach - The ECC Senate made a resolution to steer clear of the politics. You said you can work with Fallo, so I think that we, too, should steer clear. What is happening on September 13th?

H.H. - We must have a budget. I am recommending that some allocations be charged in such a manner that they are on the right side of the budget and not charged to the general fund. For example, my salary should be coming from the line of credit, not the general fund. We need to charge such costs correctly. I am not a CPA. I do not know the questions that must be raised. I am happy to meet ECC half way, but we both must be comfortable. I could come here twice a week, three hours each day, and pick up my salary and go home. If I did, I wouldn't be in the middle of this firestorm. But I won't do that. I am here because I need to see what is going on with this campus

Bunting - Are our jobs on the line?

H.H. - No! ECC cannot just drop us. That's what the law says. You were told that your jobs are in jeopardy. My position is that your jobs are not in jeopardy. The only reason why there is tension is because I am asking questions

Ruth Roach - Why is this happening then? Are they are not talking to you?

H.H. - That's the \$4 million dollar question, isn't it? ECC thought it should get \$4 million dollars in perpetuity. I disagreed. I was asked not to discuss it. The Chancellor asked Dr. Fallo to go away and create a new partnership agreement. But I haven't seen it. As far as I know, we are still operating on the old agreement from 2008. The Chancellor makes these decisions. Dr. Jack Scott is my boss. I accept his directives.

Panski - There are actually three main issues related to the current crisis:

- 1.) The MOU being negotiated with the Chancellor's Office that deals with the partnership.
- 2.) Personnel conflicts.
- 3.) The fiscal stability and resources of the district. In the Midterm Report to the

ACCJC, going to the ECC Board tonight. ECC has stated its rejection of the proposed

CCCD budget and expressed concerns over Compton's fiscal resources. These matters have an impact on ECC's accreditation.

He added that the Commission is autonomous and not subject to any entity or state legislature. If the partnership ended, the Commission would set the terms of dissolution regardless of AB318. This would probably include a "teach out" plan and at the end of this period the Center would cease to exist. And if by that date the Commission had not approved a new partnership, Compton would close for at least a period of time.

He added that a large component of a teaching plan could include provision for students at the Center to complete their coursework on the Torrance campus, and not necessarily at Compton.

Bernaudo - AB318 cannot coerce the Commission. What are the specifics of any new partnership? Are you thinking this through? Can you show us evidence from the Commission that it would accept a new partner?

H.H. - I am not looking for a new partnership. This is not my position.

Bernaudo: You are gambling with our existence.

H.H. - I'm not gambling. ECC is gambling. If someone told me what the issues were, perhaps I could give you a better answer today.

Bernaudo As a result of your leadership, we are suddenly in a major crisis.

H.H. - You haven't been solvent for five years! You haven't met the 50% Law since 1985. You are accusing me of something, but the only thing I have accomplished in my time here is making the Business Office that much closer to being solvent.

Panski- We have asked for re-alignment of the budget, citing over expenditure of the 5000's and failure to meet the 50% law. These matters were brought directly to you by the BPC at the time the Tentative Budget was adopted but no changes have been made.

Nehasi Lee: - What is the role of the CEO in clarifying these issues ?

H.H. – I have never been invited to attend a BPC meeting and the CBO does not report to me; he reports to the CEO.

Micah Pyre (ASB interim pres.) - You were delivered a copy of the complaints from Dr. Fallo several months ago. You should have addressed them in the spring. Some of these problems stem from your unwillingness to address or show up at meetings. It was vital that we addressed Dr. Fallo's letter to the Chancellor immediately.

H.H. - I didn't have this information. I never saw or received the letter from Dr. Fallo to the Chancellor.

Micah - We were told you did read the letter.

Panski- You were certainly aware of the ninety day timeframe in which ECC's concerns needed to be addressed.

H.H. - The Chancellor asked Fallo - "Do you want to end the partnership or what?"

Panski - But Dr. Fallo absolutely indicated that he would end it if by September 13th his concerns had not been addressed. This ninety day time frame for dissolution is set forth in the legislation.

H.H. – Dr. Fallo took the letter back. I saw him.

Halligan While there may be problems, the partnership must be preserved. It is the partnership that has kept our doors open and maintained our jobs.

Dr. Roach - Why doesn't ECC have a budget rep working here at the Center to help resolve our fiscal issues?

Panski – Jo Ann Higdon has been at every meeting of the BPC and has been working with the CBO to address budget issues .

Panski concluded this portion of the meeting by thanking the Special Trustee for meeting with the Senate and for discussing the current budget and partnership crisis with the faculty. He stated that at this point the faculty relied upon the Chancellor, in consultation with both Dr. Fallo and the Special Trustee, to resolve the situation .

V. Discussion Items—None

VI. Action Items —None

VII. Adjournment

Motion to Adjourn: Bernaudo/Halligan - passed