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**MINUTES OF THE STUDY SESSION OF THE GOVERNING BOARD**

**April 22, 2014**



**1. Call to Order / Open Session**

Vice President Oxborrow called the study session of the Board of Trustees to order at 10:00 am.

Board members present:

Mark McKean, President  
Nina Oxborrow, Vice President  
Jack Minnite, Clerk  
Jeff Levinson  
Edna Ivans  
Jack Minnite

Board members absent:

Len Falter  
Eric Andrade, Student Trustee

Administrators present:

Frank Gornick, Chancellor  
Ken Stoppenbrink, Deputy Chancellor  
Stu Van Horn, Vice Chancellor of Educational Services and Workforce Development  
Don Warkentin, President, West Hills College Lemoore  
Carole Goldsmith, President, West Hills College Coalinga  
Becky Cazares, Director of Human Resources  
Sylvia Dorsey-Robinson, Vice Pres. of Student Services, West Hills College Lemoore  
Sandy McGlothlin, Vice President of Student Services, West Hills College Coalinga  
Dave Bolt, Vice President of Educational Services, West Hills College Lemoore  
Frances Squire, Executive Director of West Hills Community College Foundation  
Mark Gritton, Associate Dean of Student Services, West Hills College Coalinga  
Marcel Hetu, Director of North District Center, Firebaugh

**A. Flag Salute** – Vice President Oxborrow led the Board members and audience in the flag salute.

**B. Introduction of Guests** – There were no guests introduced at this time.

**C. Public Comments** – There were no public comments made at this time.

**2. Study Session**

**A. FTES/FON 10-Year Forecast** – Mr. Ken Stoppenbrink discussed the FTES apportionment and FON forecast chart for 2014 to 2024. He explained that funding is based on 3% growth each year. The current Faculty Obligation

Number (FON) requirement is at 85. Dr. Frank Gornick stated that we have made some assumptions. The dollars are focused on activities that the colleges are performing for student success that will be reimbursed. The dollars will also be attached to how successful we are. We are in a new era of funding from the state.

**B. Fifty Percent Law** – Mr. Stoppenbrink provided a PowerPoint presentation on the Fifty Percent Law.

President McKean arrived to the meeting during the presentation.

Mr. Stoppenbrink explained that the Fifty Percent Law is included in Education Code and was originally enacted in 1961 when most community college districts were part of the K-12 system. It was designed to result in districts allocating sufficient revenue to support instruction and was enacted before collective bargaining was implemented. The Fifty Percent Law was to be a class-size reduction measure for K-12, but it applies equally to community colleges. The specifics of the law state that “There shall be expended during each fiscal year for payment of salaries of classroom instructors by a community college district, 50 percent of the district’s current expense of education”. It defines an instructor as an “...employee of the district employed in a position requiring minimum qualifications and who duties require him or her to teach students of the district for at least one full instructional period each school day for which the employee is employed.” Mr. Stoppenbrink described some of the unintended consequences of the Fifty Percent Law, explaining that expenditures on classroom technology, hardware and software needed to offer online education, instructional designers, and online tutors all fall on the wrong side of the Fifty Percent Law. It would be impossible for faculty to effectively teach online without this equipment and support. Mr. Stoppenbrink provided a comparison of the Fifty Percent Law versus the Faculty Obligation Number (FON), stating that only the salaries and benefits of classroom instructors count toward meeting the Fifty Percent Law Obligation; while the FON can be met by hiring needed librarians and counselors (who fall on the wrong side of the Fifty Percent Law). He also described allowable and non-allowable positions

Trustee Minnite questioned the process for getting the Fifty Percent Law revised. Mr. Stoppenbrink explained that there would have to be a change in the law. Brief discussion took place for purposes of clarification.

**C. Student Housing Private Public Venture** – Dr. Gornick briefly explained the need for new student housing at West Hills College Coalinga and the possibility of a partnership. Mr. Stoppenbrink introduced Mr. Robert Kim of Hanover Pacific. Mr. Kim provided a presentation on the proposed development team and timeline for the student housing project. Project opportunity sites for both student housing and a District Office were discussed, along with land conveyance. Discussion took place regarding the establishment of a 501(c)(3) as the owner. President McKean questioned the funding source for the District Office and discussion took place concerning the possibility of a general obligation bond or

the use of general fund dollars. Discussion also took place regarding housing possibilities and it was stated that the development would be a little different than traditional dorms. Dr. Gornick commented on losing students to Reedley College because of what can be offered in terms of the residence halls.

- D. General Obligation Bond Survey Results** – Mr. Stoppenbrink explained that Dale Scott & Company was asked to prepare a general obligation bond election survey. He introduced Mr. Dale Scott and Mr. Mark Farrell. Mr. Scott stated that the purpose of the survey was not to educate people and tell them of the plans, but to determine how they currently feel about what the District is doing and about passing a bond in the future. Survey results were distributed and the demographics and survey results were discussed.
- E. Affordable Care Act** – Mr. Stoppenbrink introduced Ms. Becky Cazares. Ms. Cazares provided an overview of the Affordable Care Act and discussed how the District can mitigate potential penalties. The Affordable Care Act definition of a covered employee is any individual hired into a full time position or any individual who, at the time of employment, is expected to work an average of 30 hours or more per week. The potential issues are part time classified staff who are working over schedule; temporary staff working 30 hours or more; and adjunct faculty members teaching and performing other duties. If an employee works at least 30 hours per week/average of 130 hours per month, the District will be required to offer the employee health insurance coverage or face penalties. There are two type of penalties: Penalty A is \$2,000 per year multiplied by all full time employees; and Penalty B is \$3,000 for each employee that receives a federal subsidy from Exchange and elects coverage. The Human Resources office is currently tracking the hours of all active employees. They are researching the possibility of offering employees (currently ineligible for health insurance) a health plan they would pay for through SISC. All student employees will now be required to go through the financial aid work study program. The penalties begin in 2016 for tax year 2015. The District must report to the IRS by January 31, 2016 a list of every employee and retiree, including all dependents enrolled in medical coverage, and the months of coverage.
- F. Athletic Programs Report** – Dr. Carole Goldsmith and Mr. Don Warkentin introduced their respective athletic directors, Mr. Mark Gritton and Mr. Allen Fortune. Dr. Goldsmith also introduced Mr. Kyle Crider who provided information on the data in the athletics programs report. The mission statements of the college athletic programs were shared, along with the sports offered at each college, the number of student athletes by term and sport, unduplicated headcount of student athletes, and in state versus out of state versus international student athletes. Discussion took place concerning loan default rates of student athletes from 2008-2009 to 2012-2013. Student athlete retention rates were shared, along with graduation rates and transfer rates. Athletic participation by ethnicity and gender were also discussed. The median GPA of student athletes was shared with the Board. Title IX requirements and compliance were discussed and survey results on intercollegiate athletics interest were summarized. The group also discussed feeder high school athletic

participation and future plans for West Hills College Coalinga and West Hills College Lemoore. In closing, athletic program highlights and state and regional issues were shared with the Board.

### **3. Adjournment**

There being no further business before the Board of Trustees, the meeting was adjourned at 12:08 pm.

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Jack Minnite  
Clerk of the Board of Trustees

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