

Commission Concern Special Report

**Ventura County Community College District
255 West Stanley Avenue, Suite 150
Ventura, CA 93001**

**A Public Report Prepared for the Accrediting Commission
for Community and Junior Colleges (ACCJC)**

**This report represents the District activities and actions taken as follow-up
to the Commission February 2, 2012
Concern Letter and Probationary Sanction**

March 15, 2012

INTRODUCTION

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting January 10-12, 2012, reviewed the institutional Follow-Up Reports and the evaluation team reports for Moorpark, Oxnard, and Ventura colleges within the Ventura County Community College District. The Commission acted to impose Probation on all three institutions due to deficiencies identified in the Commission Concern about Board governance, as well District Recommendations 1-7.

The Commission required that a March 15, 2012 Special Report be prepared to address the Commission Concern, as follows: "The team report confirmed that board development activities had been provided and that all board members were encouraged to attend. At the same time, the team expressed concern about the consistency and long-term sustainability of the Board's demonstration of its primary leadership role, and reiterated its recommendation for evidence of ongoing professional development for all Board members. Specifically, the Commission notes a particular board member's disruptive and inappropriate behavior, and the entire board's responsibility to address and curtail it." (Eligibility Requirement 3; Standard IV.B.I.g-i.)

A follow-up Accreditation visit will occur at a date to be established by the Commission in response to the Commission's Concern letter. A follow-up report is due on October 15, 2012 pertaining to District Recommendations 1-7, and will be followed by a visit of Commission representatives.

Report

The Chancellor for the Ventura County Community College District received formal notification of the Accrediting Commission for Community and Junior Colleges January 2012 action on February 6, 2012. In response, the Chancellor disseminated the Commission's correspondence to the Board of Trustees and ensured appropriate public notification was made. As part of the Chancellor's Cabinet meeting on February 6, 2012 (Exhibit 1), the Chancellor discussed the Commission Concern letter and team reports with college presidents, vice chancellors, and director of administrative relations. The Chancellor held an emergency meeting with the Board Chair in the late morning of February 6, 2012. By 2:00 p.m. all Board members were contacted and a Special Board Meeting was scheduled February 22, 2012. A copy of the Commission Concern letter and press release (Exhibit 2) were posted on the District's website and announced by college presidents on campus at 3:00 p.m. on February 6, 2012.

As an outcome of the emergency meeting with the Board Chair and a Chancellor's Cabinet meeting, a Study Session was agendaized to publicly review and discuss the Commission's February 2, 2012 letter during the February 14, 2012 Board of Trustees meeting (Exhibit 3) and a Special Board Meeting was confirmed for February 22, 2012 to formally accept the Commission letter and establish an action plan to address the Commission Concern letter.

During the February 14, 2012 Study Session, the Chancellor reviewed the ACCJC Commission Concern letter, dated February 2, 2012, and accreditation team findings for the three colleges and outlined the Commission sanction process and explained probation. Trustees acknowledged and discussed at length the importance and urgency of preparing a Special Report to ACCJC by March 15, 2012. The Board Chair also reviewed a preliminary outline for the Special Board Meeting and sought input from Trustees regarding the agenda. The matter of Board development and the need to demonstrate the Board's consistent leadership role was noted as matters for immediate attention.

During the February 14, 2012 Study Session, Trustees acknowledged work the colleges have done in meeting accreditation requirements and expressed Board commitment to meet accreditation concerns. Chair Blum requested the Ad Hoc Strategic Planning Committee, consisting of Chair Blum and Trustee McKay, develop a strategy for addressing the Commission's Concern letter.

In preparation for the February 15 ad hoc committee meeting (Exhibit 4), the Chancellor and Board Chair reviewed and assembled documents, including the tentative February 22, 2012 Special Board of Trustees Meeting agenda. Many documents obtained from recent Trustee professional development were compiled into the agenda. The Board ad hoc committee met on February 15, 2012 (Exhibit 5), reviewed the draft agenda, and agreed to meet monthly or as necessary. Trustees determined the Special Board Meeting should be used to formally acknowledge and accept the Commission Concern

letter, provide Trustee professional development to ensure Board members clearly understand their role and responsibilities pertaining to District leadership, and review Board policies and procedures to ensure consistent and sustainable Trustee commitment to their leadership role. Previously compiled documents were reviewed and selected. It was further determined an expert should be employed to facilitate this Special Board meeting. Trustees requested that the study session format allow for constituent input during the Special Meeting. At the request of the three college Academic Senates, the Board incorporated a presentation on the role of the Academic Senate and faculty in the accreditation process, presented by the three college Academic Senate Presidents (Exhibit 6).

Subsequently, on February 21, 2012, the Chancellor secured the services of Mr. John Didion, Executive Vice Chancellor of Human Resources and Educational Services, Rancho Santiago Community College District, to serve as facilitator of the February 22, 2012 Special Board meeting (Exhibit 7). Mr. Didion was provided the Commission Concern letter and the Board of Trustees February 22, 2012 meeting agenda, which included materials addressing accreditation concerns, as recommended by the Board ad hoc committee.

The facilitator, Board Chair, and Chancellor met during the afternoon prior to the February 22, 2012 Special Board Meeting to review the agenda and discuss an approach to the Board's facilitated training and facilitated meeting.

During the Special Board Meeting, the facilitator reviewed and Trustees reaffirmed a list of accepted ground rules, introduced by ACCJC during the November 8, 2011 Board Meeting *Accreditation and Trustee Roles and Responsibilities Workshop*.

Ground Rules

1. Be on time.
2. Everyone participates.
3. Stay within the agreed upon objective/agenda.
4. No private conversations.
5. Say what's on your mind to all.
6. Listen for content before forming an opinion (open your mind to others).
7. Suspend judgment until there has been sufficient discussion and data.
8. Be specific and use examples, provide data when possible.
9. It is okay to disagree but be open to new ideas and don't be caught up in your own visions.
10. All topics/issues are fair game.
11. No cheap shots.
12. No Hogging / Frogging / or Bogging.

Additionally, Trustees agreed to employ these ground rules for all future Board and standing committee meetings. The agreement of ground rules was followed by a lengthy examination and discussion of all Commission Eligibility Requirements, with

emphasis on Requirements 3 and 21 and Accreditation Standard IV.B.1.g-i. During the discussion on Accreditation Standard IV.B.1.g-i, *Governing Board Self Evaluation Process, Board Code of Ethics, and The Boards Role in the Accreditation Process* was reviewed for purposes of clarity and understanding. Trustees further discussed the Commission accreditation and sanction process and the Board expressed a strong desire to meet the Commission Concern and remove the colleges from probation.

Trustees discussed their roles within the scope of best practices contained in Community College League of California *Board and CEO Roles, Different Jobs, Different Tasks* to clearly delineate their roles from that of the CEO, including strengthening the Board and CEO relationship, organizational leadership, fiscal affairs, human resources, and community relations. Trustees reviewed and discussed the Association of Community College Trustees *Role of a Trustee*, a document prepared by the Board Chair, *Role of a Trustee*, and the *California School Board Association's Professional Governance Standards*.

The Board reviewed and discussed the Brown Act and the January 1, 2009 changes. As an outcome, Trustees agreed on the importance of not disclosing votes, engaging in serial meetings, and/or revealing their positions on votes that will come before the Board. As elected officials, Trustees are expected to listen to public advocacy without revealing any Trustees' position, including their own. The Board Chair emphasized individual Trustees engaging in Brown Act violations will not be legally protected from personal liability by VCCCD.

Board policies and administrative procedures related to Board roles and responsibilities were reviewed and discussed pertaining to policy and leadership roles, including:

- BP 2200 Board Duties and Responsibilities
- BP 2430 Delegation of Authority to CEO
- BP 2434 Chancellor's Relationship with the Board
- BP 2715 Board Code of Ethics/Standards of Practice
- AP 2715-A Code of Ethics
- AP 2715-B Standards of Practice
- BP 2720 Board Member Communication
- AP 2720 Board Member Communication
- BP 2740 Trustee Professional Development
- AP 2740 Trustee Professional Development
- BP 2745 Board Self Evaluation
- AP 2745 Board Self Evaluation

After discussion, Trustees concluded that several policies, including BP 2715 Board Ethics, needed further strengthening to comply with the Commission Concern letter of February 2, 2012. Trustees requested a Special Board Policy Meeting to review the policies to further align policy to the Commission Concern letter. Several policies and procedures were recommended for improvement:

- BP 2715 Board Code of Ethics/Standards of Practice
- AP 2715-A Code of Ethics
- BP 2740 Trustee Professional Development
- AP 2740 Trustee Professional Development
- BP 2745 Board Self Evaluation
- AP 2745 Board Self Evaluation

Several policies and procedures, presented for information only during the February 22 Special Board Meeting, were agendaized for review during the Special Board Policy Committee meeting:

- BP 2210 Officers
- BP 2215 Role of the Board Chair
- BP 2710 Conflict of Interest
- AP 2710 Conflict of Interest
- AP 2712 Conflict of Interest Code

The facilitator and Board concluded that Trustees generally had adequate policies and procedures in place that outline appropriate practices for the Board and Trustees' leadership and policy roles. Trustees committed to be more knowledgeable and follow Board policies and procedures more carefully. Board members further committed to hold one another accountable to the provisions contained within District policies and procedures.

A facilitated discussion about future professional development activities followed. The entire Board committed to attending the annual Community College League of California Trustee Conference in San Diego May 4-6, 2012 and participate in workshops as part of the Board's professional development plan. Board members committed to attending one additional conference/workshop by January 2013. The Board also planned professional development during future Board meetings or special meetings, at least once per quarter. Subsequently, the Academic Senates were placed on the Board of Trustees March 13, 2012 meeting agenda to provide a presentation on the role of the Academic Senates and its ten areas of authority and responsibility. The Senate emphasized the involvement of faculty in the accreditation process as part of their presentation, consistent with their earlier discussion with the Board during its Special Board Meeting on February 22, 2012.

Consistent with the Board's previous commitment to professional development, the full Board participated in a study session during the December 13, 2011 Board of Trustees meeting to address parliamentary practice in the conduct of its meetings. A facilitator, Mary L. Dowell, Esq., conducted the training (Exhibit 8). In order to strengthen the effectiveness of Board meetings, Trustees publicly recognized the role of the chairperson in conducting the meeting. A formal motion is the only way in which the Board takes action. The training emphasized making and debating motions. Members

of the Board have the right to speak and debate on actions before the body, have the right to understand the motion before them, have majority and minority views heard, and the majority vote decides. Ms. Dowell further outlined that no debate or discussion of a Board action item can take place until a Trustee motion is made, another Trustee seconds the motion, and the Board Chair states the question before Trustees. Trustee remarks must be germane to the motion and debate is impersonal. Upon conclusion of the training, Trustees committed to follow the precepts outlined by the facilitator in conducting effective and efficient public meetings.

On January 27, 2012, four Board members attended the Community College League of California's three-day *Effective Trusteeship Conference* in Sacramento, California (Exhibit 9). Members of the Board participated in the following workshops: *Introduction to Trusteeship: Roles and Responsibilities*; *Board Role in Fiscal Policy*; *Board Chair Workshop*; *Local Decision Making: Faculty, Staff and Student Roles*; *The Board/CEO Partnership: Making It Work*; and *Introduction to the Brown Act*. Additionally, one VCCCD Trustee co-presented the *Board Role in Fiscal Policy* workshop. Trustees also used the occasion to advocate, on behalf of the Ventura County Community College District and California community colleges, with legislators. Post-conference Trustee assessment indicated all attendees agreed that conference/workshops were beneficial in their performance of their Trustee roles and responsibilities. Further, attending Trustees found informal workshop/conference activities were beneficial to their Board roles. Trustees concluded their participation in the conference/workshop was a useful and productive professional development activity.

In addition to the professional development schedule established during the February 22, 2012 Special Board meeting, Trustees also requested the Board Chair send a formal request letter to the Accrediting Commission for technical assistance in strengthening its performance in meeting the Commission Concern letter, Eligibility Requirements, and Accreditation Standards. Trustees also committed to a Best Practices Agreement and adherence to the behaviors, practices, and activities contained in the documents presented during the study session. Trustees recognized the need for ongoing assessment and improvement based on thoughtful reflection and evaluation. This assessment will be measureable and lead to sustained and strengthened practice. Trustees acknowledged by taking action on a best practices agreement and forwarding the document to the Commission, the action would be binding within the provisions of Accreditation Eligibility Requirement 21: Integrity in Relations with the Accrediting Commission.

On February 23, 2012, a Special Board Meeting assessment was sent to Trustees. The full Board participated in the evaluation (Exhibit 10). Outcomes from the assessment demonstrated that Trustees understand their roles, responsibilities, and accountability requirements to the State of California, Accreditation Commission, general public, and VCCCD students.

As an outcome of the Special Board Meeting, Trustees all agreed they had read, discussed, understood, and will comply with:

- Commission Eligibility Requirement 3: Governing Board
- Commission Standard IV: Leadership and Governance
- Commission Eligibility Requirement 21: Integrity in Relations with the Accrediting Commission
- Policy on Commission Actions on Institutions, Policy Element IV: Sanctions
- Requirements of the Brown Act
- BP 2740 Board Professional Development

The full Board reported the study session met Trustee needs in order to begin to address the Accreditation Commission Concern letter and document their continuous and sustainable activities in the pursuit of best Board practices.

The Special Board Policy Committee meeting took place March 7, 2012 (Exhibit 11). Trustees met to review policies, as requested by the Board during the February 22, 2012 Special Board Meeting. Trustees reviewed and discussed the following Board policies and procedures for consistency and alignment with effective trusteeship:

- BP 2210 Officers
- BP 2215 Role of the Board Chair
- BP 2200 Board Duties and Responsibilities
- BP 2430 Delegation of Authority to CEO
- BP 2434 Chancellor's Relationship with the Board
- BP 2710 Conflict of Interest
- AP 2710 Conflict of Interest
- AP 2712 Conflict of Interest Code
- BP 2715 Board Code of Ethics/Standards of Practice
- AP 2715-A Code of Ethics
- AP 2715-B Standards of Practice
- BP 2720 Board Member Communication
- AP 2720 Board Member Communication
- BP 2740 Trustee Professional Development
- AP 2740 Trustee Professional Development
- BP 2745 Board Self Evaluation
- AP 2745 Board Self Evaluation

As an outcome of the March 7, 2012 Board Policy Committee meeting, Trustees agreed to significantly clarify and strengthen BP 2715 Board Code of Ethics/Standards of Practice; BP 2430 Delegation of Authority to Chancellor; BP 2740 Trustee Professional Development; and BP 2745 Board Self-Evaluation in response to the Accrediting Commission's Concern (Eligibility Concern 3; Standard IV.B.1.g-i) by specifically addressing Trustees' roles in decision-making; the use of appropriate formal channels of communication; compliance with accreditation requirements; commitment to

measurable, sustainable improvement in Board performance through professional development and Board self-evaluation; adherence to Board best practices; and defined sanctions for Trustee misconduct. Changes were made to AP 2715 (A) Code of Ethics and AP 2745 Board Self Evaluation for alignment and consistency.

During the Board of Trustees March 13, 2012 Regular Board meeting, Trustees received a report from the Chancellor regarding the District's progress in meeting the seven accreditation recommendations in preparation for the October 2012 Commission report (Exhibit 12). In addition, a study session responding to the Commission Concern letter dated February 2, 2012 was held. The Board again reviewed and discussed the Best Practices Agreement, Board Policies, Board Professional Development Plan, and a Request for ACCJC Technical Assistance. In addition, Trustees also reviewed and discussed the Board of Trustees Special Report.

During the Board of Trustees March 13, 2012 Regular Board meeting, Trustees Adopted:

- Board of Trustees Best Practices Agreement (Exhibit 13)
- The following reaffirmed or modified policies (Exhibit 14):
 - BP 2200 Board Duties and Responsibilities
 - BP 2210 Officer
 - BP 2215 Role of the Board Chair
 - BP 2430 Delegation of Authority to CEO
 - BP 2434 Chancellor's Relationship with the Board
 - BP 2710 Conflict of Interest
 - AP 2710 Conflict of Interest
 - AP 2712 Conflict of Interest Code-Form 700: Statement of Economic Interest
 - BP 2715 Board Code of Ethics/Standards of Practice
 - AP 2715-A Code of Ethics
 - AP 2715-B Standards of Practice
 - BP 2720 Board Member Communication
 - AP 2720 Board Member Communication
 - BP 2740 Trustee Professional Development
 - AP 2740 Trustee Professional Development
 - BP 2745 Board Self Evaluation
 - AP 2745 Board Self Evaluation
- Board Professional Development Plan (Exhibit 15)
- Request for Accrediting Commission of Community and Junior Colleges, to provide Ventura County Community College District Board of Trustees with technical assistance (Exhibit 16)
- Board of Trustees Special Report to address the Commission Concern letter

VCCCD Board of Trustees assures the Accrediting Commission all Trustees will work in full cooperation to remove the District's colleges from probationary sanction.

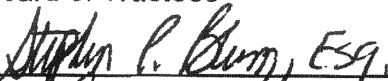
The Board recognizes its primary leadership responsibilities and the delineation of its policy role from operational matters.

The full Board recognizes its responsibility for ensuring Trustees perform within their prescribed duties and responsibilities, consistent with Eligibility Requirement 3 and Standard IV.B.1.g-i.

The Board will fulfill its obligation to engage in continuous assessment and quality improvement to best serve students. This constitutes the response to the Commission Concern. The other seven recommendations will be fully addressed in the follow-up that will be submitted on or before October 15, 2012.

Sincerely,

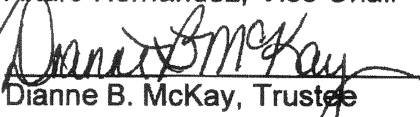
Ventura County Community College District
Board of Trustees



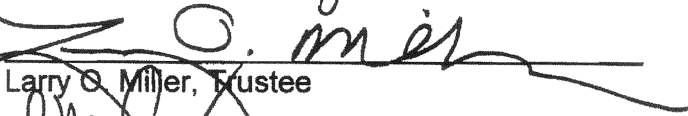
Stephen P. Blum, Esq., Chair



Arturo Hernandez, Vice Chair



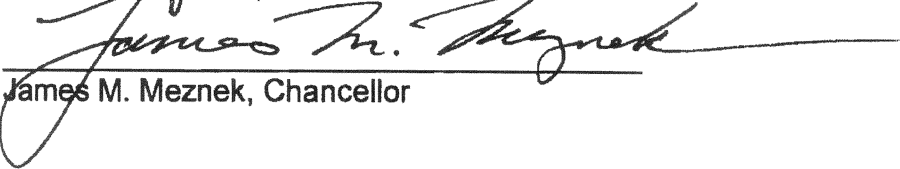
Dianne B. McKay, Trustee



Larry O. Miller, Trustee



Bernardo M. Perez, Trustee



James M. Meznek, Chancellor

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| c: | Chancellor | Academic Senates |
| | College Presidents | Classified Representatives |
| | Vice Chancellors | Associated Senate Presidents |

Supporting Documentation

1. Chancellor's Cabinet agenda 02.06.12
2. VCCCD Press Release 02.06.12
3. Board of Trustees Meeting agenda 02.14.12
4. Ad Hoc Strategic Planning Committee Meeting agenda 02.15.12
5. Ad Hoc Strategic Planning committee Meeting notes 02.15.12
6. Board of Trustees Special Meeting agenda 02.22.12
7. Facilitator John Didion Biography
8. Mary Dowell Parliamentary Procedure presentation 12.13.11
9. Community College League of California Effective Trusteeship Conference 01.27.12
10. Special Board Meeting Assessment 02.22.12
11. Special Board Policy Meeting agenda 03.07.12
12. Board of Trustees Meeting agenda 03.13.12
13. Best Practices Agreement
14. VCCCD reaffirmed/modified policies and procedures
15. Board Professional Development Plan 2012-2013
16. Board Chair Request for Technical Assistance letter