

## **Evidence: Vote of No Confidence against Mr. Baron, Chancellor**

Evidence can be located by following the links and going to the appropriate page number. In some instances, as in the SBVC Self-Study, additional evidence is cited in the text. Evidence that cannot be linked to can be found following this list (page numbers are referred to following the item in the list).

### **1. Leadership and vision (including hiring practices and HR issues)**

- 1.1. Mr. Baron allows HR Department to operate in violation of hiring policies (pp. 12 - 15)
- 1.2. Mr. Baron himself violates hiring policies (p. 16)
- 1.3. Mr. Baron is responsible for nine violations of law and policy during the hiring of the SBVC President (p. 17 - 24)
- 1.4. Mr. Baron did not take disciplinary action permitted under AP 3430 when presented with evidence of sexual harassment of a student (p. 25 - 26)
- 1.5. Mr. Baron's hiring process for Chancellor was done against policy ([SBVC Self-Study](#) p. 379)
- 1.6. Mr. Baron's performance reviews as Chancellor have been done against policy ([SBVC Self Study](#) pp. 242, 243, 377)
- 1.7. Mr. Baron has not implemented CBT Three Year Staffing Plan recommendation "3. Consider initiating an organizational climate survey to determine strategies the District can institute to improve the organizational culture and build employee confidence" (p. 59). In fact, the "warning" from the ACCJC based on the 4 recommendations to remedy District deficiencies and the Commission recommendation regarding 3<sup>rd</sup> party comment has done more to demoralize the campuses.
- 1.8. District Recommendation 3 to resolve a deficiency in the ACCJC Action Letter illuminates the lack of leadership and vision in Human Resources ([ACCJC Action Letter](#))
- 1.9. Lengthy negotiations between District and CTA regarding compensation for Student Learning Outcomes contributed to College Recommendation 1 to resolve a deficiency in the ACCJC Action Letter ([SBVC Self Study](#) p. 75)
- 1.10. Inconsistency in hiring processes for Classified Professionals ([SBVC Self-Study](#) p. 239)



- 1.11. Mr. Baron has not taken action to guarantee that Commission Recommendation 1 “ensure that the President holds an appropriate degree” will be fully resolved when the Follow-Up report is due on 3/15/16. Mr. Baron states that Dr. Beno has verbally assured him that the plan for Ms. Fisher to earn the appropriate degree will be sufficient. However, Dr. Beno has also stated that ACCJC does not tell colleges and districts how deficiencies should be resolved. (pp. 27 – 32)
- 1.12. The evaluation of personnel is not always completed timely. An initial draft of the SBCCD Three Year Staffing Plan showed a significant proportion of staff and management evaluations were over 60 days past due, and nearly half the evaluations of probationary Classified employees were not completed. The College Brain Trust, the consultant group that developed the plan, cited the lack of District tracking and follow-up and a lack of Management accountability for past-due evaluations as the reasons for the District’s high number of past-due evaluations (III.A.12 p. 6). (CHC Self Evaluation Report p. 247)
- 1.13. The chancellor has been invited to attend all of the CHC Academic meetings, however he has not done so.
- 1.14. Human Resources - Underpayment of salary; No consistent policy on step placement; Customized job description to hire/promote pre-selected candidates (pp. 33 - 36)
- 1.15. Campus Climate Surveys show disconnect between District and Campuses. (pp. 37-38)
- 1.16. Management positions at the District and Campuses are created outside of campus processes such as Program Review Needs Assessment and management positions do not go through a prioritization process ([SBVC Self-Evaluation](#) pp 237-238). Managers can also be reclassified to higher paying positions without any shared process or prioritization for instance Dr. Matthew Isaac being reclassified from Executive Director to Associate Vice-Chancellor at the 4/9/15 board meeting ([Board Agenda 4/9/15](#) p. 169). Manager can also be eliminated without cause with no collegial input to the impact the loss of the position would have on the campus or department. This occurred



at SBVC when 5 Student Service managers were released at the same time which undermined leadership and morale in Student Services. ([SBVC Self-Evaluation](#) p, 243, p. 340).

1.17. The 2013-2014 Board of Trustees Self-Evaluation ([Board Agenda 4/9/15](#) p. 344) indicate that the Board is concerned about their relationship with the Chancellor.

1.18. ACCJC recommendations from the 2008 Crafton Hills College accreditation visit include the same themes as the current District recommendations; integrated planning, human resources, and transparent processes ([ACCJC Follow Up Report \(2010\) pp. 6-7](#)).

## **2. Training and informing the board**

2.1. District Recommendation 2 to resolve a deficiency in the ACCJC Action Letter indicates that the Board is not fully educated by the Chancellor on Board Policies and Administrative Procedures, nor are those policies and procedures followed ([ACCJC Action Letter](#)).

## **3. Respect for and knowledge of collegial process**

3.1. Mr. Baron does not follow collegial consultation processes

3.1.1. AP 6610 (evidence SBVC [Self-Study](#))

3.1.2. MOU – K-12 Bridge Project ([SBVC Self-Study](#) p. 385-386)

3.2. Resolution SP 13.02 was read to the board (5/9/13). The CHC Academic Senate position on and support of to the collegial decision making process. (p. 39)

3.3. Resolution FA 12.01 was read to the board (9/6/12). SBVC Academic Senate position on and support of the collegial decision making process. (p. 40)

3.4. Resolution SP 13.01 was read to the board (5/9/13). The CHC Academic Senate urged the board to add the 13-14 budget deficit to the agenda to engage in discussion to develop a funding plan that will support CHC's anticipated growth. (p. 41)

3.5. Board policy BP & AP 2510: In issues related to academic and professional matters the Board will rely primarily on the Academic Senate. Other areas of decision-making in regard to Board Policy are to be mutually agreed upon between the Governing Board, the Academic Senate, administration, staff and student.

3.6. The CHC Academic Senate stated that the timeline for consideration of the proposed CBA program should have provided adequate time for effective vetting by to the CHC Academic



Senate as well as all other district shared governance groups. The Academic Senate recommended that the District: Conduct a complete and detailed analysis of Community Benefit Agreements (CBAs) in order to identify and assess the pros, cons, benefits, costs and other impacts of implementing and maintaining a CBA program for Measure M projects. Share such research, studies and its findings with the Academic Senate to enable its members to fully understand the pros, cons, benefits, costs and other impacts of the proposed CBA. Delay consideration of approval of the CBA to allow ample opportunity for the Academic Senate to discuss the CBA and its impacts; and, to provide recommendations, if any, to the Board. This request was not followed and there were no reasons forwarded as to why this recommendation was not followed. (CHC AS Address to the Board, Nov. 2014)

- 3.7. On November 19<sup>th</sup>, 2014 the CHC Senate voted to forward a recommendation to the SBCCD Board of Trustees to reject the proposed CBA. The chancellor and board did not provide a response to our recommendation. (CHC AS Address to the Board, Dec. 2014)
- 3.8. Whereas, as established by Board Policy 2225 for purposes of academic and professional matters, “the Board shall rely primarily on the advice and judgment of the senate when adopting policies and procedures on ‘academic and professional matters’ and if the Board has a compelling reason for not accepting the advice of the Academic Senate, it shall provide that reason in writing upon request of the Academic Senate.” Resolved, the Crafton Hills College Academic Senate reaffirm their right to participate effectively in collegial consultation in particular areas where they have responsibility and expertise as specified in Title 5 regulations and as established by Board policy 2225; and (Board Agenda Minutes, May 2013 meeting)
- 3.9. The governing board delegates full responsibility and authority to him/her to implement and administer board policies without board interference and holds him/her accountable for the operation of the district/system or college, respectively (ACCJC Self Evaluation p. 330)
- 3.10. Board Policies and Administrative Procedures are the foundation by which the San Bernardino Community College District is to be governed. The periodic and timely update of Board Policies and Administrative Procedures was too long neglected. Faculty consultation is essential on those Board Policies and Administrative Procedures involving academic and professional matters. And finally the unrealistic timeline as established by the Chancellor to review over 400 BPs and APs including more than 100 new BPs and APs, has resulted in an inability for the Academic Senate to conduct an appropriate evaluation with any meaningful feedback (CHC Resolution S15 03).



3.11. The governing board created a policy subcommittee on March 14, 2013 to consider and recommend changes to outdated policies (IV.B.24). Since the creation of this board subcommittee, numerous new policies and procedures have bypassed the district assembly collegial consultation process: BP 2140 Public Participation at Board Meetings, BP 6610 Local Hire Policy, and BP 6320 Investments (IV.B.25; IV.B.26; IV.B.27; IV.B.28)( ACCJC Self Evaluation pg 353)

**3.12. INTERNATIONAL PROGRAM**

3.12.1. Per BP/AP 2510 The Academic Senate makes recommendations with respect to academic and professional matters to the Board of Trustees including Educational program development and Standards and policies regarding student preparation and success. This would include the development of an international program. The CHC Academic senate has not been consulted, and has not participated in any discussions related to the development of an international program at CHC.

3.12.2. Bruce said he was hoping that we would already be working on expanding the number of international students attending our colleges, however, over the summer he learned that the district is not yet prepared to assume an international students program based on the information gathered by Jeanne Marquis. He acknowledged and thanked her for her work. Steps are being taken to address the issues and to move ahead with the expansion of international students.(District Assembly 9-4-2014).

3.12.3. MOUs are being prepared between SBCCD and the University of Redlands and Cal State University San Bernardino, we move closer to increasing recruitment of more international students to the district. The MOUs are for guaranteed admittance to the colleges for international students who meet certain criteria. This is an important "selling point" in recruiting students from other countries to a community college. We are working on a similar agreement with UCR (Chancellor's Chat 11-31-14).

3.12.4. Currently, Dr. Glen Kuck has stepped into the leadership role to continue the development and expand this program. Glen has developed MOUs with University of Redlands and Cal State University San Bernardino for the smooth articulation of international student graduates into programs at those schools. Agreements with University of California Riverside and Loma Linda are in the works. In addition, Glen has updated the district's materials that can be used for recruitment of international students and is working on an update of the district's website as well. In December, Glen will be



attending the nation's largest recruitment gathering for international students where recruiters who work in many countries will be present and can be signed-up to recruit on behalf of SBCCD. Our goal is to add 25 additional international students next year with more ambitious goals for the following years as we get our program running smoothly (Chancellor's Chat 12-24-14).

- 3.13. Inconsistency in reporting out of actions of closed sessions. [Board Minutes 7-12-12](#)

#### **4. Interference with college process and purview**

- 4.1. Mr. Baron does not follow college process/policies for field trips. (pp. 42 – 46)
- 4.2. Interference with WST Program - Requests for Public Reports. (pp. 47 – 53)
- 4.3. [ACCJC Action Letter](#) finding were reported in the Riverside Press Enterprise on 2/6/15 and the article included quotes from Board Members prior to notifying campuses of results. SBVC Campus was informed on 2/9/15 ([RPE Article](#))
- 4.4. **AB 955** The decision to participate in AB 955 was made by the chancellor without any collegial process. The college was not asked if they wanted to participate.
  - 4.4.1. SBVC Student Trustee voice concerns and relayed complaints from students about AB 955. CHC Student Trustee had sent letters to Senators opposing AB 955
  - 4.4.2. 17 members of the public voiced their concerns and oppositions for AB 955. Trustee Williams asked for the item to be Agenized.
  - 4.4.3. Request from CHC AS to remove CHC from all language of the law with respect to AB 955. SBVC and CHC Associated Students took official stand against AB 955.
  - 4.4.4. Board asked for a special meeting for October 29<sup>th</sup> at 4pm to address AB 955.
  - 4.4.5. An 'Redlands Daily Facts' article regarding 'Students protesting AB 955 requiring to pay more for higher demand courses, and Crafton Hills College is listed as one of the pilots'. No one is aware that CHC is piloting in this program. More follow-up needs to be made to confirm if we are or not.
  - 4.4.6. CHC Student Trustee spoke in opposition to AB855
  - 4.4.7. CHC and SBVC Presidents requested the district take a public position in opposition to AB955. CTA made the same request. The district took no such action



4.4.8. Trustee Williams asked for dialogue on the subject – perhaps a study session. Trustee Henry concurred stating the board needed to find a better way to communicate and dialogue with stakeholders and make sure that everyone is included in the discussion. Trustee Ferracone asked to be added to AB955

4.4.9. CHC Academic Senate has taken an official stand against AB 955. (statement to board from CHC AS)

4.4.10. AB 955 is a perfect example of why we felt it was necessary to draft and present a resolution on Collegial consultation to the board. The CHC AS learned via several emails (from organization opposing AB 955 - the CHC Student Senate, the statewide AS, the State CTA) that the Chancellor, Bruce Baron had submitted CHC as an interested college and to allow CHC to be included in the language of the legislation, along with 5 other California Community College. The decision to offer up CHC as a beta campus was made without campus-based input or any type of collegial consultation.... This is unacceptable. We would like to hear from the board about this issue and would encourage the board to do everything in its power to withdraw CHC from the list of eligible Community Colleges in the language of the law. We also asked the board to forward a copy of the agenda date and agenda item number when this action was approved – and an explanation as to why the CHC Academic Senate was not consulted on this matter. The CHC AS concerns (and requests) were not addressed. (CHC AS Report to the Board, Sept 2013).

4.5. The Chancellor gives full responsibility and authority to the presidents of the colleges to implement and administer delegated district/system policies without his/her interference and holds them accountable for the operation of the colleges. (ACCJC Self-Evaluation)

## **5. Fiscal management**

5.1. The Hay Group Study for a Classification and Compensation Study approved on April 11, 2013 for \$197,500.00 has, according to public statements by Mr. Baron not yet been completed indicated poor judgment in the choice of a consulting firm and waste of fiscal resources. (p. 201 of Board of Trustee agenda 4/11/13)

5.2. Mr. Baron commissioned multiple studies from the College Brain Trust then totaling in excess of \$ 135,000.00 and has failed to fully implement the recommendations of the College Brain Trust and/or the recommendations of the District Budget Committee. (p. 54)



### **5.3. CBT Resource Allocation Model**

5.3.1. January 2014 CBT provided a report on the Resource Allocation and Utilization for SBCCD.

The January report contained 9 financial recommendations. Of those the district , as of the Nov update had only implement one fully.

5.3.2. With regard to the distribution of funded FTES between the colleges in the RAM. The CBT had provided recommendations to bring stability to and “confidence in” the resource allocation process, however as of Nov 2014 the responses to these recommendations were inconclusive and did not reflect a directed approach to the issue.

### **5.4. CBT Three- Year Staffing Plan**

5.4.1. Contrary to recommendation 7 of the College Brain Trust Three-Year Staffing Plan (p.62), Chancellor Baron has not increased the number of FT Faculty. Instead there is a hiring freeze and even replacement faculty positions are not immediately filled.

5.4.2. Under Chancellor Baron’s leadership, \$218,000 has been lost due to failed recruitments (Three-Year Staffing Plan p. 20)

5.4.3. Chancellor Baron reported the recruitment has begun for the Vice Chancellor of Fiscal & Business Services. The Chancellor is pleased with enrollments across the District with the aggressive 6% goal. Brain Trust Report has been worked on collegially and we will revolutionize the way we look at budget and funding for the colleges. There are recommendations in the report that will benefit the District as a whole. Bruce asked campus presidents to schedule time for the Chancellor to meet with managers, classified senates, and academic senate on campus to give updates and answer any questions.

5.4.4. The Brain Trust consultants recommended that the CHC reduce the cost of administrators by about \$250,000. However, the District Chancellor’s Cabinet argued against a reduction in administrators since the College is now in a growth mode.

5.4.5. The validity of the data in the College Brain Trust Three-Year Staffing Plan has been questioned.

### **5.5. CBT Enrollment Management Plan**

5.5.1. Another key factor noted by CBT. Bond funds were allocated to CHC to grow to support a much larger student populations and this work is either done or underway. However this was done without a real plan on how the additional FTES would be generated. The costs of



the new facilities coming on-line are a big part of the reason for the anticipated operating deficits at CHC. The status quo approach to FTES management is a passive approach to dealing with a real problem created by past actions of the organization.

5.5.2. CHC is in the midst of a building program that will add over 46,000 ASF of instructional space, increasing the instructional capacity by 50% resulting in an estimated new annual operating cost of \$750,000 for maintenance and operations of the new buildings. The consultants are unaware of any plan to increase the funded FTES of CHC to correspond to the increase in structural capacity created by the current building program. Why was this funded FTES plan not developed prior to constructing the buildings?

5.5.3. The new facilities increase instructional capacity by 50% so in order to fully utilize the new facilities, CHC funded FES would need to be increased to 6,000 FTES. This means a growth of funded FTES by 1,000 which allows for 50% use of the new capacity and should provide adequate marginal net revenue to offset the new maintenance and operating costs

5.5.4. There needs to be a district commitment to find a way to increase CHC funded FTES to 5,000 by 2020 or this exercise is pointless.

5.5.5. The first order of business is to gain a commitment or decision by the Board of Trustees. This needs to begin by having the Chancellor provide an “education session” with the Board on the financial status of CHC. (Nov 14 recommendation)

5.5.6. The Board has authorized an extensive capital outlay program at CHC that will increase its instruction space by 50% without developing a plan as to how the district will pay for a corresponding increase in the college’s FTES

5.5.7. The Board must make an additional decision to increase the funded FTES of CHC or plan on an even larger subsidy. It would be politically unacceptable to not put additional classes in the new facilities to absorb a portion of the excess student demand.

5.5.8. The stage has been set to talk about solutions. If everyone agrees about the definition of the problem, the solutions can look at the options.

5.6. Gloria Fisher has been paid a Doctorial stipend without possessing a Ed.D or Ph.D.

5.7. As Jack Miyamoto was paid \$ 120,159.60 for a **6 month** consulting contract, December 2014-June 2015 ( [Board Agenda](#) 11-13-13) which is more than a 50% increase on the [annual salary](#) for the position which is \$ 152,713.



- 5.8. Mr. Baron purchased software and failed to fully implement the software on both campuses. (p. 55)
- 5.9. The faculty at CHC believe it is time for the campus to grow – We fully support the boards’ directive for establishing two “comprehensive colleges” within the San Bernardino community college district. The 10 taxpayer funded bond projects as identified in the October 2000 MAAS Company report are either completed, under way, or in the cue to be built over the next 3-4 years. Again, these bond funded projects will add over 85,000 net assignable square feet of building space, which will accommodate the an underserved student population in excess of 10,000 - The campus has been working hard to meet this mark and is now asking the board to clarify the district plan to accommodate the growth as promised to the taxpayers in the East end of the Valley. We look forward to working with the board and district staff on this issue. No Action Was Taken in Reponse to our May 2013 request. (CHC AS Statement to the Board, May 2013)
- 5.10. Whereas, the identified local taxpayer funded bond projects will add 84,000 net assignable square feet of new building, lab, and classroom space which when completed will accommodate at least 10,000 FTES;  
Resolved, the Crafton Hills College Academic Senate requests the San Bernardino Community College District Board work with the chancellor to re-evaluate the allocation model and develop a plan to support an anticipated Crafton Hills College student population increasing to more than 10,000 students, and  
Resolved, the Crafton Hills College Academic Senate requests the San Bernardino Community College District Board work with the chancellor to re-evaluate the allocation model and develop a plan to support student success at Crafton Hills College, including the addition of new and expanded courses, programs, services, and full-time faculty positions (CHC Resolution SP1301)
- 5.11. For 2013-2014 there is still a need for CHC to have an increased allocation of about \$300,000 to meet their current commitments and to move toward the comprehensive campus status. This would need to be allocated from district reserves. We will have more information on this at the Board of Trustees Budget Workshop on May 30th at about 4pm (immediately following the 3pm closed session). (Chancellor’s Chat 5-28-13).
- 5.12. The CHC AS asked for an explanation as to why the \$300,000 included in our 13-14 budget to “address access, comprehensive college, and new construction strategic issues” (quote taken from the 5-30-13 Budget presentation to board) had in fact, been withdrawn. The



CHC AS wanted know why this was done and how the board expected the college to resolve the 13-14 budget deficit created as a result of this action.

We urged the board to add this item to one of their upcoming agendas, so that our elected representatives would engage in a discussion and develop a funding plan that would support CHC's anticipated growth in excess of 10,000 students. This was never done and was in fact noted as an deficiency in the fall 2014 CBT report: "The consultants are unaware of any plan to increase the funded FTES of CHC to correspond to the increase in structural capacity created by the current building program. Why was this funded FTES plan not developed prior to constructing the buildings?" (CHC AS Address to the Board, May 2013)

- 5.13. Lack of budget planning example –Agreements reached with bargaining units in May 2014 resulted in salary increases of 4% for 2013-14 and 4% for 2014-15. These cumulative increases of 8.16% were expensed to the college budgets, resulting in deficits. The college had not budgeted for an 8.16% increase in the salary line. (CHC ACCJC Self-Evaluation Update).
- 5.14. Mismanagement of funding (Perkins). (pp. 56 – 58)
- 5.15. HLS Ventilation (p. 59)
- 5.16. District hired a consultant for \$186,000.00 to address many of the District issues resulting from Crafton's 2008 Accreditation. Many of the areas of concern cited in 2008 have surfaced again (See 1.18).



## 1.1. Mr. Baron allows HR Department to operate in violation of hiring policies

On Mar 9, 2015, at 8:45 AM, "Lopez, Leonard P." <[llopez@sbccd.cc.ca.us](mailto:llopez@sbccd.cc.ca.us)> wrote:  
Mr. Baron has allowed the HR department to operate in violation of our policies (see email, below).

Under our policy, the hiring committee is to elect a Chair, and the Chair is then charged with scheduling meetings and interviews according to availability. In violation of this policy, Mr. Baron has allowed HR to usurp responsibility for the scheduling even when this results in members being removed from the committee.

Leonard López

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From: Lopez, Leonard P.  
Sent: Monday, February 10, 2014 2:19 PM  
To: Baron, Bruce  
Subject: FW: Committee Schedule: Instructor, PE/Asst. Football Coach

Hi Bruce.

This was meant for you.

Leonard

-----Original Message-----

From: Miyamoto, Jack  
Sent: Mon 2/10/2014 12:36 PM  
To: Lopez, Leonard P.  
Subject: Re: Committee Schedule: Instructor, PE/Asst. Football Coach

Bruce, I need to speak with you about Lopez's email. There I more to this.

Jack

Sent from my iPhone

On Feb 10, 2014, at 12:30 PM, "Lopez, Leonard P." <[llopez@sbccd.cc.ca.us](mailto:llopez@sbccd.cc.ca.us)> wrote:

Hi Bruce.

Board Policy and Administrative Procedures provide that the Human Resources Generalist will schedule interviews, not committee meetings (BP 7210; AP 7210, "Interviews", line 466). Contrary to this policy, Julia scheduled meetings for a hiring committee and then told faculty members that they could not serve on the committee if they could not make the meetings as she scheduled them.

This affects Board policy and procedures that provide that Departments and the Academic Senate shall appoint members of the committee (AP 7210, "Membership", lines



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287, 294). In turn, this effects the provisions of the Education Code regarding the Academic Senate's role in the "Hiring criteria, policies, and procedures for new faculty members" (Section 87360 (b)).

I am the Academic Senate appointee to the committee and Julia has scheduled meetings fully aware that I am not available to attend.

Now Julia refuses to answer in writing whether her actions were consistent with Board Policy and Administrative Procedures, which provide that the meetings are scheduled by the Committee Chair (AP 7210, Appendix B III, line 749), who must "Confirm selection location, schedule, and procedures with committee members" (AP 7210, Appendix B III, line 758). The Committee Chair is selected by the committee during their first meeting (AP 7210, "Membership", line 319).

The Department Chair and I have asked that we follow the process outlined in the Policy and Procedures, and Julia has offered no substantial response. As you can read below, she says we will discuss the process only after the process has begun.

I have filed a complaint through the District's website, but with two days to go before the meetings begin, I hope you can help resolve this. Is Julia's scheduling ultimatum consistent with law and policy?

Thank you.

Leonard

From: Sanchez, Julia C  
Sent: Mon 2/10/2014 8:44 AM  
To: Lopez, Leonard P.  
Cc: Miyamoto, Jack; Millican, Edward S.  
Subject: RE: Committee Schedule: Instructor, PE/Asst. Football Coach

Good Morning Leonard,

We will discuss the recruitment process in detail at the first meeting on Wednesday.

I look forward meeting you and working with you and the other committee members.

Respectfully,

Julia Sanchez, MBA/MHR  
Human Resources Generalist  
San Bernardino Community College District  
114 South Del Rosa Drive|San Bernardino, CA 92408  
( Phone [909.382.4016](tel:909.382.4016) |  
6Fax [909.382.0173](tel:909.382.0173)

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From: Lopez, Leonard P.  
Sent: Monday, February 10, 2014 8:09 AM  
To: Lopez, Leonard P.; Sanchez, Julia C  
Cc: Miyamoto, Jack; Millican, Edward S.  
Subject: RE: Committee Schedule: Instructor, PE/Asst. Football Coach

Hi Julia.

The first meeting is in two days and I have not heard back from you.

Can you please tell me if we are following Board Policy and Administrative Procedures?

If we are not, can you please provide me with a copy of the alternate policy and procedures?

Thank you.

Leonard

From: Lopez, Leonard P.  
Sent: Thu 2/6/2014 3:24 PM  
To: Sanchez, Julia C  
Cc: Miyamoto, Jack; Millican, Edward S.  
Subject: RE: Committee Schedule: Instructor, PE/Asst. Football Coach

Hi Julia.

Board Policy and Administrative Procedures provide that the Human Resources Generalist will schedule interviews, not committee meetings (BP 7210; AP 7210, "Interviews", line 466).

The meetings are scheduled by the Committee Chair (AP 7210, Appendix B III, line 749), who must "Confirm selection location, schedule, and procedures with committee members" (AP 7210, Appendix B III, line 758).

The Committee Chair is selected by the committee during their first meeting (AP 7210, "Membership", line 319), and we have agreed on February 12th as our first meeting.

Now, if we are not going to follow Board Policy and Administrative Procedures, can you please provide me with the policies and procedures we will be using?

Thank you,



## 1.1. Mr. Baron allows HR Department to operate in violation of hiring policies

Leonard

From: Sanchez, Julia C  
Sent: Thu 2/6/2014 10:25 AM  
To: Hauge, Kristin B; Emerson, Kevin; Rubio, David; Banola, Erwin J; Blumenthal, Kenneth S; Lopez, Leonard P.; Wall, Mark G.  
Cc: Trasporte, Catalina Valdez  
Subject: Committee Schedule: Instructor, PE/Asst. Football Coach

Good Morning Committee Members,

First let me thank you for your willingness to serve on this screening committee.

The finalized committee schedule is below:

1st Meeting: 2/12/14: 1-3pm in PS148

2nd Meeting: 2/19/14: 1-3pm in PS148

1st Level Interviews: March 6th & 7th: District Office ATTC 119 (Note: The primary day of interviews will be March 7th. However, if the committee wishes to interview more candidates that time permits in one day, interviews will also be conducted on March 6th.

Attendance at both meetings and the interview are required to participate on the committee. As we all know coordinating so many schedules can be a challenge, and I ask that you be as flexible as possible with your schedules as we need to move forward with this recruitment. Dr. Kinde has informed me that she would approve substitutes for faculty who will miss instruction because of participation on this committee.

If you are unable to participate on this committee, please inform me by Friday, February 7th.

I look forward to working with each of you.

Respectfully,

Julia Sanchez, MBA/MHR  
Human Resources Generalist  
San Bernardino Community College District  
114 South Del Rosa Drive|San Bernardino, CA 92408  
( Phone [909.382.4016](tel:909.382.4016) | 6Fax [909.382.0173](tel:909.382.0173)

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## 1.2. Mr. Baron himself violates hiring policies

On Mar 9, 2015, at 5:42 PM, achala chatterjee <[achalachatterjee@hotmail.com](mailto:achalachatterjee@hotmail.com)> wrote:

**In fall 2011 I applied for the position of the Dean of the Applied Technology, Transportation and Culinary Arts Division. I was one of the finalists for the position and my name was forwarded to the Vice President and President of the Valley College.**

**I had an interview with then SBVC President Deb Daniel, VPI Larry Buckley and the Academic Senate President in November 2011.**

**The next day I got a call from the Chancellor Baron's secretary asking me to come for an interview with the Chancellor that afternoon. It came as a surprise to me that the Chancellor wanted to meet me. He asked me detailed questions about my qualification, my management style, etc.**

**The next day I was called for another interview with the college president and vice-president with some follow-up questions along the line the Chancellor had asked me. Eventually I was offered the job and I accepted it.**

**The position of the instructional dean is the lowest level instructional manager position on the campus. So I was surprised that the Chancellor was so involved in the selection process.**

**I asked three other instructional deans on the campus if they were interviewed by the chancellor during their hiring process. They all said no. They recalled having a single interview with the president and the vice-president of instruction, before being offered the job.**

**I believe that chancellor's involvement in the selection of an instructional dean is interference with the college process and purview.**

**Achala D. Chatterjee**



1.3. Mr. Baron is responsible for nine violations of law and policy  
during the hiring of the SBVC President.

Leonard Paul López

[leonardpaullopez@yahoo.com](mailto:leonardpaullopez@yahoo.com)

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November 24, 2014

Mr. Bruce Baron, Chancellor  
San Bernardino Community College District  
114 South Del Rosa Drive  
San Bernardino, CA 92408

Re: Amended Complaint and Agenda Request

Dear Chancellor Baron:

At the last Board meeting, Trustee Harrison pulled the hiring of the President from the consent agenda. During discussion, she sought assurance that board policies were followed throughout the hiring process, and “put it at [your] feet ...” (Audio at 1:54:00). In response, you asserted that “a committee ... was selected through the appropriate process, the names were forwarded through the appropriate process ... second-level interviews were conducted through the appropriate process...” (Audio at 1:58:00) Much was missing in this narrow response.<sup>1</sup> This letter is a complaint against you and Dr. Jack Miyamoto, alleging that the hiring process for the SBVC President violated various laws, policies and past practices, as described below:

A. Violation of Common Law (Personal Interest), AP 3050, AP 7250

In your comments at the meeting, you failed to mention the pre-screening process: the job description and the job announcement.<sup>2</sup> The job announcement set the point of comparison at a level that could benefit a candidate who never earned an undergraduate degree, let alone a doctorate in education, liberal arts or a related field. Who imposed the ban on undergraduate transcripts? Who did this after the

<sup>1</sup> [http://www.sbccd.org/Board\\_of\\_Trustees/Board\\_Agendas\\_-a-\\_Minutes](http://www.sbccd.org/Board_of_Trustees/Board_Agendas_-a-_Minutes)

<sup>2</sup> <http://www.higheredjobs.com/details.cfm?JobCode=175947277>



### 1.3. Mr. Baron is responsible for nine violations of law and policy during the hiring of the SBVC President.

desired qualification of an earned doctorate “in education, liberal arts or related fields” was eliminated? Who decided to end the hiring process three weeks early, and before investigations were completed?

As an employee and an agent of the District, you and Dr. Miyamoto are expected to conform your actions “to the requirements of the law and District policy related to [your] position and area of responsibility, and to ethically and effectively carry out [your] responsibilities” (AP3050). As Chancellor, it is your responsibility to work with Dr. Miyamoto to approve the process to hire the SBVC President, and this begins with the content of the job announcement (AP 7250). Only candidates who met the specifications of the job announcement could proceed to the stages that you chose to mention to the Board. To ethically and effectively carry out these responsibility for the content of the job announcement, you and Dr. Miyamoto must ensure the District’s commitment “to an open, inclusive, and lawful hiring process that supports ... providing equal consideration and opportunities of all qualified candidates” (AP 7250). In this light I would ask: why did that announcement not conform to the job description for “College President” currently posted on the District’s website?<sup>3</sup>

Maybe the website is out-of-date, but that wouldn’t explain this inconsistency: The job description you approved for the SBVC President contradicted the instructions you approved for the same position at CHC.<sup>4</sup> The 2012 CHC announcement not only allowed candidates to submit undergraduate transcripts, but expressly required them to do so, specifying “All college transcripts.” This requirement was removed from the SBVC announcement and replaced with a new and bewildering anti-requirement: a proscription that says “Only transcripts showing the awarded degree or higher degree will be accepted.” It’s a ban on undergraduate transcripts; a ban on the very thing we produce. This new ban on undergraduate transcripts did not appear in the previous job announcement for the position of SBVC President.<sup>5</sup> As a result, the public introduction of the 2013 finalists for SBVC President included a comparison of the undergraduate experience supporting their advanced degrees, while the public presentation of the 2014 finalists did not.<sup>6</sup>

How can you impartially determine whether a degree is an “advanced” one, a graduate degree, without proof of a prior degree from an earlier graduation? According to the U.S. Department of Education, a Bachelor’s degree “is the degree that gives access to advanced study”<sup>7</sup> and the minimum qualifications for President require the advanced degree that follows a bachelor’s degree. In contrast, a Juris Doctor would not satisfy this minimum qualification without a finding of equivalency, since, according to the U.S. Department of Education, a Juris Doctor is merely a “first-professional degree” that prepares

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<sup>3</sup> [http://www.sbccd.org/Human\\_Resources-Jobs/Job\\_Descriptions/Management-Supervisory?index=C](http://www.sbccd.org/Human_Resources-Jobs/Job_Descriptions/Management-Supervisory?index=C)

<sup>4</sup> <http://www.higheredjobs.com/details.cfm?jobcode=175656251>

<sup>5</sup> <http://www.higheredjobs.com/details.cfm?JobCode=175715861>.

<sup>6</sup> [http://www.valleycollege.edu/news/2013\\_Press\\_Releases/2013-may/presidential-finalists-named](http://www.valleycollege.edu/news/2013_Press_Releases/2013-may/presidential-finalists-named) (The recent candidate biographies have been removed).

<sup>7</sup> [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCMQFjAA&url=https%3A%2F%2Fwww2.ed.gov%2Fabout%2Foffices%2Flist%2Fous%2Finternational%2Fusnei%2Fus%2Fbachelor.doc&ei=OM1xVJT4JornoASp1oGYCg&usq=AFQjCNG4OexgFM4BhBh9M537COdn\\_\\_ycVw](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCMQFjAA&url=https%3A%2F%2Fwww2.ed.gov%2Fabout%2Foffices%2Flist%2Fous%2Finternational%2Fusnei%2Fus%2Fbachelor.doc&ei=OM1xVJT4JornoASp1oGYCg&usq=AFQjCNG4OexgFM4BhBh9M537COdn__ycVw)



1.3. Mr. Baron is responsible for nine violations of law and policy  
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holders for later “graduate study” in law.<sup>8</sup> Here is the Government’s description of degrees like the one possessed by Ms. Fisher:

Several of these [first-professional degrees] use the term “doctor” in the title, but these degrees do not contain an independent research component or require a dissertation (thesis) and should not be confused with PhD degrees or other research doctorates.”<sup>9</sup>

The changes enfeebled the job description and job announcement by eliminating two points of comparison. This may have denied some candidates a holistic appraisal of their academic experience and qualifications – perhaps another example of a skewed comparison after the Public Forum results (see C, below). This amounts to an unfair and unequal hiring process.

B. Violation of Common Law (Personal Interest), AP 3050, AP 7250

In his letter of November 21, Dr. Miyamoto makes clear that Ms. Fisher was never pre-screened *specifically* for the position of President, in violation of AP7250. Instead, the District assumed she was qualified on account of her ongoing employment, not on a separate assessment of the documents she submitted. This was unfair; a privilege that could not be granted equally to every applicant.

When challenged on its assumption, the District denied the existence of my complaint and then, three months later, finally responded with a reference to a letter from 2006. However, that 2006 letter discussed the minimum qualifications for an *entirely different position*. It discussed a position Ms. Fisher held at an earlier point of her ongoing employment, rather than the 2009 law in effect during the pre-screening process for the President position. It did not because it could not, since the law came into effect three years after the letter was written. In the opinion of the District, Ms. Fisher was somehow “qualified” in 1986 for a second-round interview held in 2014 –and despite any subsequent and substantive changes in the law. This amounts to an unfair and unequal *pre-pre-screening* procedure, one completed before the position was even announced.

Moreover, the 2006 letter applied a 1986 definition of “accredited” that distinguished between “institutions of higher education” and “institutions of higher education for training in ... [a] profession.” This tracks the distinction between institutions granting “first-academic degrees” and those granting “first-professional degrees.” Regarding the latter, the 1986 definition allowed for a “recognized professional organization which awards accreditation ... in that profession.” The definition cited in my complaint makes the very same distinction, and identifies the “recognized” organization as the American Bar Association. Though the 1997 definition of “accredited” expressly recognized the State Bar of California; neither the prior nor the subsequent definition does.

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<sup>8</sup>[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDgQFjAB&url=https%3A%2F%2Fwww2.ed.gov%2Fabout%2Foffices%2Flist%2Fous%2Finternational%2Fusnei%2Fus%2Fprofessional.doc&ei=sc1xVMiSEdProASazlLwDQ&usq=AFQjCNFU\\_vgtO4CctdtKyhOSmzODaNm-Kw](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDgQFjAB&url=https%3A%2F%2Fwww2.ed.gov%2Fabout%2Foffices%2Flist%2Fous%2Finternational%2Fusnei%2Fus%2Fprofessional.doc&ei=sc1xVMiSEdProASazlLwDQ&usq=AFQjCNFU_vgtO4CctdtKyhOSmzODaNm-Kw)

<sup>9</sup> Ibid.



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According to the District, a definition used 25 years ago to determine the accreditation of an institution of higher education “for training in ... [a] profession” is the appropriate standard to use in determining whether a graduate of that school qualifies to serve as President of the *other kind of institution* -- even where a candidate may have never earned a bachelor’s degree and either failed or avoided the licensing exam supported by her training degree. Would an unlicensed and inexperienced graduate of a chiropractic school qualify to serve as SBVC President?

C. Violation of Common Law (Personal Interest), BP 2430, AP 3050, AP 7250

At the last Board meeting, Trustee Harrison stated that the Board had “no other option” but to approve your recommendation of Ms. Fisher, since “there has been no formal objection” to the hiring process “as far as [she] knows...”<sup>10</sup> While Board Policy requires the Trustees to act on the recommendation of the Chancellor, as cited above, this only applies where the Chancellor is acting with “policy direction.” Trustee Harrison’s comment appears to refer to this application, and, as such, mistakenly characterizes the circumstances surrounding the action. In fact, there is no policy direction on “special instructions” in job announcements. Instead, you and Dr. Miyamoto Mr. Baron were acting under reviewable discretion when you approved the change to the job description and the job announcement. In light of the comment by Trustee Harrison, it appears you did so without informing the Board of the nature of this decision.

There is no policy or procedure for formal complaints regarding minimum qualifications. Instead, under Board Policy 2430, “The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.” Under this delegated authority, “The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no policy direction, “the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written board policy if one is required.” Indeed, the Board has required that “All such charges or complaints shall be presented to the Board through the Chancellor in writing and shall be signed and verified by the person making the charge or complaint.”<sup>11</sup>

On August 27, 2014, you received a formal complaint based on a 2009 change in the legal definition of “accredited.” The complaint alleged that the District knew or should have known that Ms. Fisher failed to meet the minimum requirements to serve as President after the 2009 change in the law. The District, through the coordinated actions or omissions of you and Dr. Jack Miyamoto, falsely denied that it had received this complaint.<sup>12</sup> This false denial was made to the State Chancellor’s Office, and it appears that this false denial resulted in a failure to inform the Board of any formal complaint, contrary to your duty as Chancellor, and in violation of the process used by the Board. This resulted in a violation of the

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<sup>10</sup> [http://www.sbccd.org/Board\\_of\\_Trustees/Board\\_Agendas\\_-a-\\_Minutes](http://www.sbccd.org/Board_of_Trustees/Board_Agendas_-a-_Minutes)

<sup>11</sup>

<sup>12</sup> Voicemail from Javier Gonzalez to Leonard López, 11/12/14.



1.3. Mr. Baron is responsible for nine violations of law and policy  
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Brown Act, for denying the public, including me, of information necessary for informed participation. Only after the Board acted to hire Ms. Fisher, in a letter dated November 21, 2014, did the District concede that it had, in fact, received my complaint.

- D. Violation of Common Law (Personal Interest), Ed. Code §87359 (a), Title 5, CCCR §53430, BP 2430, AP 3050, AP 7250

Under Education Code §87359 (a) and Title V, CCCR §53430, “The criteria used by the governing board in maintaining the determination shall be reflected in the governing board’s action employing the individual.” Dr. Miyamoto’s letter cites the Appellate Court’s description that “Fisher’s law degree satisfied the requirement of a master’s degree.” Due to the omissions, false statements and improper delay described above, this equivalency was not reflected in the Board’s action to hire Ms. Fisher.

- E. Violation of Common Law (Personal Interest), Ed. Code §87359 (a), Title 5, CCCR §53430, BP 2430, AP 3050, BP/AP 7250

You and Dr. Miyamoto should have waited until all investigations were completed. And you could have. According to the job announcement you both approved, “The new College President will be announced on or about December 11, 2014 ...” Dr. Miyamoto’s letter came well within the timeframe set by the announcement. If you had respected this timeline, I would have had the information to present a more comprehensive complaint to the Board before it acted. I would have also had the information to prepare for informed participation at that meeting.

- F. Violation of Gov. Code Section 87100, Common Law (Personal Interest), Ed. Code §87359 (a), Title 5, CCCR §53430, BP 2430, AP 3050, BP/AP 7250

Dr. Miyamoto’s false denial was made while the extension of his consulting contract was awaiting Board approval; only after that contract was approved did he acknowledge the existence of my complaint.

- G. Violation of Common Law (Personal Interest), Ed. Code §87359 (a), Title 5, CCCR §53430, BP 2430, AP 3050, BP 2430, BP/AP 7250

As a result of the false denial made by Dr. Miyamoto, the letter to me was improperly delayed, without explanation. It was also non-responsive, for a number of reasons. First, Dr. Miyamoto addressed Ms. Fisher’s qualifications *only* as they pertain to the minimum qualifications to serve as an instructor, referring to a letter from the State Chancellor sent four years before Ms. Fisher was hired as Dean. In contrast, from subject line through signature, the point of my August letter was her qualifications to serve as Vice President or President. Second, the letter referred to by Dr. Miyamoto was a response to a complaint regarding her qualifications to teach under former CCCR Title 5 §52001, not her qualification to serve as Dean under Education Code § 94712. Third, my complaint addressed the 2009 change in the legal definition of “accredited.” This has never been evaluated by either the Chancellor’s Office or the courts, and the change was specifically directed at private institutions like the school Ms. Fisher



1.3. Mr. Baron is responsible for nine violations of law and policy  
during the hiring of the SBVC President.

attended, aiming at “Prevention of the deception of the public that results from conferring, and use of, ... substandard degrees.” (Ed Code §94801.D.6). Fourth, as described in my complaint, this change in the legal definition occurred before Ms. Fisher was appointed to the Interim Vice-President and before she was appointed to Interim President. And, as the District argued to the Superior Court, the controlling legal definition of “accredited” is the definition in effect before she was hired as an educational administrator in 2000, and not at the time she was hired as an instructor in 1991. Here, again, is what the District argued to the Court:

With respect to Ms. Fisher’s law degree, Education Code § 94712, effective in 1997 *before her assignment* to the Dean position, provides that an “accredited” private higher education institution mean, in part, that an institution has been recognized or approved by the Committee of Bar Examiners for the State of California. Ms. Fisher graduated from San Joaquin College of law in 1986, after it was accredited by the Committee of Bar Examiners.<sup>13</sup>

Fifth, Dr. Miyamoto falsely characterized the decision of the Court of Appeal as a decision on the merits. In fact, that decision affirmed a summary judgment for laches.<sup>14</sup> Sixth, the Court of Appeal noted that the Chancellor’s Office did not require any “additional information” regarding her qualification to serve as an educational administrator. This is because the definition of “accredited” was effectively the same under CCCR Title 5 §52001 (in 1986) and Education Code § 94712 (in 1997). However, the definition was no longer the same at the time Ms. Fisher was hired as Interim Vice President, Interim President, or President. As the District has acknowledged, the minimum qualifications for these positions are governed by the law in effect prior the appointments, in this case, that law is Education Code § 94813. Finally, the Court of Appeal noted the State Chancellor’s finding that “Fisher’s law degree satisfied the requirement of a master’s degree.” However, Dr. Miyamoto’s letter does not address the issue raised by my complaint: If she never earned an undergraduate degree, how is her degree equivalent to a master’s degree? What are the criteria? The letter “relied upon” by Dr. Miyamoto never mentions Ms. Fisher, and hypothetical generalizations will not do, since her law school admitted students with and without undergraduate degrees. Particularity is necessary for a finding of equivalency.

H. Violation of Common Law (Personal Interest), Ed. Code §87359 (a), Title 5, CCCR §53430, BP 2430, AP 3050, BP 2430,BP/AP 7250

The Agenda item on the SBVC President position, posted On November 7, specified that the finalist would qualify for a “Doctorate Stipend” well before the hiring process formally produced a finalist. As a result of this description, it appears that Ms. Rodriguez was excluded from full, fair and equal consideration within that formal process.

I. Violation of Common Law (Personal Interest), AP 3050, BP 2430,BP/AP 7250

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<sup>13</sup> *Peterson v. SBCCD, et al., Respondents’ Opposition to the Petition for Writ of Mandate, San Bernardino Superior Court, CIVSS906799, pp 22-23 (italics added).*

<sup>14</sup> *Peterson v. SBCCD, Court of Appeals for the Fourth District of CA, 2010, ED048390.*



### 1.3. Mr. Baron is responsible for nine violations of law and policy during the hiring of the SBVC President.

Like the new and contradictory process for transcripts, you and Dr. Miyamoto approved a new and contradictory process for the use of the Public Forum results. Under Board Policy 7250, "All job specifications which the District wishes to utilize shall be reviewed by the appropriate administrator and the Office of Human Resources before the position is announced to ensure conformity with the requirements of Title 5 and both State and Federal non-discriminatory [sic] laws." Under Board Policy 7250, the job announcement for college president is the responsibility of the Chancellor and the Vice President of Human Resources, and that announcement "must include" only six (6) specifications. Any other specifications, including "special instructions", are not provided with any "policy direction." You and Dr. Miyamoto used your discretion to require that candidates participate in a Public Forum.

Under Board Policy 2430, "The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action." Under this delegated authority, "The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no policy direction, "the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written board policy if one is required."

Pursuant to these policies, the requirement that candidates participate in a Public Forum appeared in both the 2013 and 2014 job announcements for SBVC President. However, in 2014 you and Dr. Miyamoto approved a substantive change in the use of the Public Form that contradicted your own past practice. Specifically, you chose to replace the use of Public Forum results as a statistical survey with their use as a mere "comment." In light of Trustee Harrison's comments, it appears that you failed to inform the Board of this substantive change, despite the fact that the use of Public Forum results is given no direction under Board Policy. Regrettably, in response to previous concerns about to changes in the process for hiring presidents, you admitted to deviations from Board Policy, and to proceeding by whatever process you decide is "close" to the Board's approved policies. As a result, your idea of what counts as "close" to policy has been inconsistently applied to different candidates.

In 2013, you described the Public Forum as a statistical survey. Specifically, before making your recommendation for SBVC President, you announced that "Dr. Bush received the highest ratings" at the public forum.<sup>15</sup> At that time, the results were used as an objective, statistical measure. However, in the November 13 meeting, the Public Forum results were described by Trustee Harrison as follows: "as far as [she] understand[s] from the Chancellor, they were not really part of his consideration." You further characterized your consideration of those results as follows: "not as a statistical survey but as a comment." Now, with Ms. Fisher earning the *lowest* ratings, you decide to reduce the results to a subjective, alphabetic measure.

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<sup>15</sup> [http://www.sbccd.org/~media/Files/SBCCD/District/District\\_Committees/District\\_Assembly/District%20Assembly%20Minutes/09-04-2012.pdf](http://www.sbccd.org/~media/Files/SBCCD/District/District_Committees/District_Assembly/District%20Assembly%20Minutes/09-04-2012.pdf)



1.3. Mr. Baron is responsible for nine violations of law and policy  
during the hiring of the SBVC President.

In a previous email to you, I expressed concern that the hiring process was unfair and unequal. If it is true that Ms. Fisher never earned an undergraduate degree, and that her law school was not accredited by either WASC or the ABA, then this concern is reanimated. However, the actions detailed in this letter pose serious risks to the College, risks that go beyond any liability for unfair and unequal treatment of the candidates. As you know, in our Self-Assessment Report to ACCJC you certified that “All administrators have appropriate preparation and experience to provide the administrative services required to support SBVC’s mission” (p. iii). Under Standard II, Section B, Subsection 2 (a), you must provide “precise, accurate, and current information concerning the ... the Degrees of Administrators...” Under Standard 1, failure to do so “is sufficient reason, in and of itself, for the Commission to impose a sanction, or to deny or revoke candidacy or accreditation.”<sup>16</sup>

Our students and community, our staff and faculty, all deserve better. Please bring this complaint to the Board, pursuant to the policies described above. Then, please place this complaint on the Agenda as a Discussion Item for the next Board Meeting.

Sincerely,

/s/

Leonard Paul López

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<sup>16</sup> [http://www.accjc.org/wp-content/uploads/2014/07/Accreditation\\_Reference\\_Handbook\\_July\\_2014.pdf](http://www.accjc.org/wp-content/uploads/2014/07/Accreditation_Reference_Handbook_July_2014.pdf)



1.4. Mr. Baron did not take disciplinary action permitted under AP 3430 when presented with evidence of sexual harassment of a student

On Mar 13, 2015, at 11:16 AM, "Beebe, Yvonne M" <[ybeebe@sbccd.cc.ca.us](mailto:ybeebe@sbccd.cc.ca.us)> wrote:

**In the spring of 2012 a student of our college confided in me that her Fulltime Professor had pushed her to engage in sexual activities and was continuing to push her for more. She was currently in his class at the time. He would email her asking for it to go further, and she had allowed many things to happen (including being videotaped in his office on campus). It was when she decided to defend herself and ask for the video tape that she started to see how bad it had become. He went into her place of employment (on campus in a computer lab) and pressured her while she was working. This allowed her to finally stand up for herself, and to see more clearly that he was a predator.**

**I helped the student report this to Gloria Fisher, and it went forward to the Chancellor Bruce Baron. The student made a formal complaint (although at the time the student was still very concerned about the welfare of the Professor and "held back" in her statement). A private investigator was hired by the District. The student met with the chancellor.**

**The private investigator found that "it is more likely than not that the (the student's) allegations are true" based on her thorough interviews and reading all of the emails between the student and Professor.**

**The District decided to do nothing. I personally met with our chancellor because I was outraged, and found it difficult to continue to work at a college that claims to be a "student centered campus", while allowing this behavior on our campus. The chancellor told me that our current policies had "no teeth" unless the Professor threatened the student's grade. I said to the chancellor "you mean, at any moment I, (as a Professor at valley college) can ask a student to come into my office on campus, ask them to do sexual acts against their desire, have a video camera and sex toys in my office on campus...and there is nothing wrong with that, based on our college policy?!?" ....and he said "unfortunately, Yes".**

**I told him that I was emotionally affected by this and could not carry on the fight. That this was his responsibility to make sure that our policies on campus "had the teeth" to protect our students from such obvious abuse. He assured me that he would make this a priority, and expressed his sympathy for how difficult**



1.4. Mr. Baron did not take disciplinary action permitted under AP 3430 when presented with evidence of sexual harassment of a student

**it must be for me to work with this Professor knowing what he had done to hurt this student.**

**To this day neither our Chancellor or Gloria Fisher have done anything to create policy to protect our students from this predatory and abusive behavior. I wrote to them both a few times over the years, asking "since we know that our students have been hurt in the past by a lack of policy, what has been done to create policy?"....and the chancellor doesn't write back to me. Gloria has written back directing me to where I may go ask questions of someone new in some position.**

**Since our District did absolutely nothing about this...it is like giving this man a "free pass to be a sexual predator on our campus".**

**Bruce Baron's failure, to follow through with his promise to address the need for a policy to protect our student's from sexual misconduct, is unacceptable. He is putting our student's safety and well-being at risk.**

**Yvonne Beebe  
Assoc. Professor of Mathematics  
San Bernardino Valley College  
[ybeebe@valleycollege.edu](mailto:ybeebe@valleycollege.edu)  
Aloha Nui Loa**



Baron, Bruce

Wed 2/4/2015 4:47 PM

This message was sent with high importance.

Good afternoon:

As we await the outcome of the San Bernardino Valley College (SBVC) accreditation, I have received information from Barbara Beno, President of the Accrediting Commission for Community and Junior Colleges (ACCJC), which I would like to share with you. The Commission will provide written notice to SBVC this week, of the outcome of the accreditation review.

Included in the letter, but unrelated to the ACCJC opinion on our accreditation, will be a comment in response to a Third Party letter submitted to the ACCJC during the accreditation review process regarding the College's compliance with a particular accreditation standard.

The Third Party Comment claimed, in part, that President Gloria Fisher lacks a degree from an institution that was accredited by a recognized accrediting body at the time the degree was awarded. As a result, the Third Party Comment claims the College is not in compliance with Accreditation Standard III.A.1 which states (in part): "Degrees held by faculty and administrators are from institutions accredited by recognized U.S. accrediting agencies."

President Fisher earned her law degree from San Joaquin College of Law in 1986. When her degree was awarded, the institution was accredited by the California Committee of Bar Examiners which was a recognized accrediting agency under the applicable Education Code and Title 5 provisions in effect at the time. The law degree satisfies Title 5's "minimum qualifications" requirement for President Fisher to serve as President. (San Joaquin College of Law gained initial candidacy for accreditation



by the Western Association of School and Colleges in 1987, and was accredited by WASC in 1993).

The sufficiency of President Fisher's law degree for purposes of serving as an academic administrator was specifically reviewed by the State Chancellor's Office in 2006, and again by the California Court of Appeals in 2010. Both determined the law degree was awarded by an institution properly accredited under applicable Education Code and Title 5 provisions in effect at the time, such that President Fisher meets the "minimum qualifications" requirement that she hold at least a master's degree to serve as an academic administrator.

While the issue of President Fisher's qualifications to serve as an academic administrator under state law was settled by the State Chancellor's Office and the California Court of Appeal, there is a conflict between the ACCJC's current accreditation standard ("required degrees held by faculty, administrators and other employees are from institutions accredited by recognized U.S. accrediting agencies") and Title 5 and Education Code provisions in effect at the time that President Fisher earned her law degree.

The ACCJC has informed the District that it does not look to whether an individual's degree meets the "minimum qualifications" under state law, but instead looks to whether a degree meets the Commission's *accrediting standards*. In other words, the ACCJC does not review individual minimum qualification issues, only whether *an institution meets ACCJC's accrediting standards*.

For this reason, it is the District's understanding that the ACCJC will recommend that President Fisher obtain a master's degree (or higher) from an institution accredited by a recognized U.S. accrediting agency, and be able to show progress toward that goal. **This issue will not impact the reaffirmation of the accreditation of Valley College. President Fisher has assured the District that she will take immediate steps to comply with the ACCJC/Commission's anticipated**



1.11. Mr. Baron has not taken action to guarantee that Commission Recommendation 1

**recommendation. For this reason, I continue to strongly support her presidency of SBVC and I ask the College community to do so as well.**

Sincerely,

Bruce Baron



1.11. Mr. Baron has not taken action to guarantee that Commission Recommendation 1

**From:** Tom Lane <accjc@accjc.org>  
**Sent:** Friday, March 6, 2015 4:43 PM  
**To:** Gilbert, Jeremiah A  
**Subject:** RE: Senate Questions

March 6, 2015

Dear Dr. Gilbert:

You've asked a few questions about the recent Commission action (January 2015) on San Bernardino Valley College. It isn't the ACCJC's custom to respond to questions about the Commission action letters that come from disparate parties at an institution, but the ACCJC does answer questions that the College President or the ALO may have. None the less, the action letter, which you have access to, details the Commission's expectations as to the deadline for resolution of the issues identified by the Commission at its January 2015 meeting.

With regard to your second question, the Commission does not tell an institution how to resolve a deficiency, but leaves the decision of how to do so up to an institution. It will be up to the Commission to decide, at its June 2016 meeting, whether the institution's resolution of issues identified in the Commission's action letter is acceptable.

Sincerely,

Barbara Beno

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Accrediting Commission for  
Community and Junior Colleges  
10 Commercial Blvd Ste 204  
Novato, CA 94949  
Tel: 415-506-0234  
Fax: 415-506-0238  
E-Mail: [accjc@accjc.org](mailto:accjc@accjc.org)

**From:** Gilbert, Jeremiah A  
**Sent:** Thursday, February 26, 2015 10:45 AM  
**To:** [accjc@accjc.org](mailto:accjc@accjc.org)  
**Subject:** Senate Questions

Thomas,



1.11. Mr. Baron has not taken action to guarantee that Commission Recommendation 1

We just spoke and you asked me to email you the questions I have. I was motioned by my Academic Senate last week to contact the ACCJC, specifically Barbara Beno, for some clarifications regarding our External Evaluation Report. We were issued a Warning and need to complete a Follow-up Report by March 15, 2016. With this in mind, here were the questions I was motioned to seek clarification on:

1) We had one campus deficiency and three district deficiencies. I was want to clarify that these must be resolved (not show progress) by the March 15 report.

2) A commission recommendation was addressed toward our college president for not possessing a degree from a college recognized by a U.S. accrediting agency. We have been told by our chancellor that, in speaking with Barbara Beno, our president could make progress toward such a degree and that this would be satisfactory. There is a lot of doubt among the campus about this, so I would like to confirm that this is indeed a satisfactory approach to resolving this recommendation.

3) If, as outlined above, our president can make progress toward an accredited degree, is there an expected timeline for completion (1 year, 2 years, etc)?

I appreciate you assisting me in getting answers to these questions.

Jeremiah A. Gilbert, Ph.D.  
President, Academic Senate  
Associate Professor, Mathematics  
San Bernardino Valley College  
[jgilbert@valleycollege.edu](mailto:jgilbert@valleycollege.edu)



### 1.11. Mr. Baron has not taken action to guarantee that Commission Recommendation 1

President forced back to school. <https://www.insidehighered.com/news/2015/02/12/president-under-scrutiny-accreditor-has-return-school>

“Barbara Beno, the president of the accrediting agency, said other colleges have failed to assure that their people have degrees from appropriately accredited institutions and each college has handled it in its own way.

She said her agency will not act again at San Bernardino Valley until next March, when the commission will look at what the college has done.

“The college may choose its own means of addressing the deficiency, so long as that solution assures that the office of the president is held by an individual with an appropriate degree,” Beno said in an e-mail.”



## 1.14. Human Resources - Underpayment of salary;

### 1. Underpayment of Salary:

There are ongoing issues with HR and Payroll. Payroll is either incompetent or purposely underpays some people. If an employee catches the mistake and demands correction, then payroll administrator fixes the error.

In fall 2013 I resigned as the dean of Applied Technology Division effective December 31<sup>st</sup> 2013. I was paid approximately \$500 less for December 2013 compared to other deans at the same salary and step. I wrote to the payroll administrator and was told that my December pay was calculated at a per diem rate rather than monthly rate. This meant that I was paid less by using per diem rate as December 25<sup>th</sup> to 31<sup>st</sup> were holidays. I contacted Interim Vice Chancellor HR, then I was paid the same full salary, the same as what other deans were paid in December for working the same number of hours. The process took 5 months.

One of the faculty in Applied Technology (name available on request) was not paid for overload for almost two years. He repeatedly asked payroll to fix the error to no avail. The dean intervened and finally he was paid the amount that was owed. Payroll had miscalculated and forgotten to pay for part of his overload.

When Cindy Parish retired she found that her last month's salary was underpaid. It took her several months and intervention by STRS to get the salary corrected.

Proper formula is not used for calculating overload. Thus the overload calculation for a faculty changes from semester to semester and is done differently for different faculty. CTA contract is not followed to the letter and spirit of the contract. Unless a faculty is vigilant the faculty pay is shorted. This is especially true for faculty who teach laboratory or clinical courses where full time equivalent hours do not add up to a neat whole numbers 1.0 faculty load. I can provide data if asked.

In fall 2014, the interim division dean demanded that I teach two additional courses, half a unit each, for no additional compensation; these courses were above and beyond my full contract load. I asked interim dean for correction and he said that he had a "right of assignment". I talked to the Interim President who asked me to see the VP of Instruction. I requested VP of Instruction for an appointment but she refused to see me and told me to work with my interim dean. The interim dean was adamant and insisted that he had a right of assignment. I asked HR for help. Instead of intervening and fixing the problem, Jack Miyamoto asked me to resolve it with VP of Instruction, who had already refused to give me an appointment. After I filed a grievance through CTA my overload was finally calculated correctly.

I checked my overload for the last ten years and found that in couple of other instances I had been underpaid and my overload was miscalculated. I was assigned contract load over and beyond the CTA load of 15 hours of lecture per semester. I need to get it fixed but I have been too weary to fight another battle with payroll, HR, and the Chancellor's hand-picked managers at Valley College.

When I first started teaching work experience courses, WST 098, I was told there was no money to offer work experience courses. In my naivety I offered to volunteer to teach the course as I wanted to ensure student success. I was not paid for teaching the WST 098 course for several semesters. What bothers me



#### 1.14. Human Resources - Underpayment of salary;

the most is that the top managers of the district are some of the highest paid in the state while hard-working faculty are not even paid for the hours they work to help the students.

In the Applied Technology Division in fall 2014 I found that at least one other faculty's load was not calculated correctly; that is faculty was not paid for the hours of overload worked. I do not have access to all overload calculation for all faculty, but I believe that each faculty should check the overload calculations to determine if it was done correctly. The district should be asked to audit and correct the overload as I have found that the district has a pattern for underpaying.

2. Step placement for managers are not based on any set guidelines but varies depending on if the person was selected by a committee or handpicked by the Chancellor. Thus interims are always placed on higher scale.
  - a. In December 2011, when I was offered the job as a dean of Applied Technology Division, the HR told me that no dean was placed above step B if it was an internal candidate promoted from within faculty ranks. My offer for the monthly salary as a dean was lower than my then monthly salary as a faculty. I talked to two other deans who said that they had accepted lower salary to be promoted to be a dean. I was very hesitant. Whenever I was promoted in my previous jobs in other organizations I was offered more salary to assume more responsibilities. The district had a strange way of compensating for a promotion. I tried to negotiate with HR, but it was futile. Against my better judgement, I accepted the dean position at step B.
  - b. In Feb. 2012 an interim dean for Math/Business was placed on Step D, and then another interim dean of Social Sciences was put at Step E.
  - c. I realized I was lied to by the HR. In two months the policy had suddenly changed and all interim managers were hired at anywhere from 3 to 30% more salary than their previous jobs. Interim managers were all hand-picked and filled by the Chancellor without any collegial consultation or transparent selection process. They were all awarded higher salaries.
  - d. I talked to Larry Buckley, the Interim President at Valley College and he said that I would be given a step raise in December 2012 and would not have to wait till July 2013. In December 2012 HR said that I would not get a step raise till July 2013. In December 2012, Larry flew to greener pasture. The new Interim President, Glen Kuck, laughed me off and dismissed me when I told him about how underpaid I was. He said that I did not know how to negotiate salary.
  - e. Since the publication of Press Enterprise article we know that Glen was masterful at negotiating salary – He is the highest paid second level administrator in the entire state. I wonder if he could have negotiated even better pay if he was in a district where all employees were give better pay structure. Somehow I doubt it. I believe that few employees in this district are paid so well because other employees are underpaid; the district awards very high salaries to a select few at the expense of the rest of the worker bees.
  - f. I made a spreadsheet of the salaries of all the interim managers before and after promotion and took it to the new Interim HR, Tanya Rogers and the Chancellor. The



### 1.14. Human Resources - Underpayment of salary;

spreadsheet screamed discrimination. Finally I was awarded back pay and step raise a year and a half after I was hired as a dean.

3. The job duties and job titles are not well aligned. For example three Coordinator positions were revised and approved by the board in the March 2015 meeting. All have different minimum qualification and different salary range

No.	Position	Degree Required	Salary	Comment
A	Coordinator of Outreach and Relations with Schools	An Associate Degree	Classified Salary Range 46	This position requires associate degree in any field (say basket weaving) from any unaccredited college (diploma mill) placed at range 46
B	Financial Aid Coordinator	An Associate Degree in Business, Management, Social Sciences, Human Services or Related Field from accredited college or university	Classified Salary Range 45	Requires an Associate degree in a narrowly defined subject areas from an accredited school, for less pay than position A
C	Coordinator, Student Success Services and Programs	Bachelor's degree in Business, Management, Social Sciences, or Human Services from an accredited college or university	Classified Salary Range 46	Requires a Bachelor's degree in a narrowly defined subject areas from an accredited school, for the same pay as position A

The representative duties and the qualification for position A seem much lower than for position C, but the pay range is same as position C. Was the position A created especially to meet the qualification possessed by an individual who was already pre-selected for the position?

Otherwise why a position which requires an Associate degree in an un-named field, from an unaccredited college, has the same pay scale as a position which requires a Bachelor's degree in Business, Management or Human Services from an accredited college.

In early 2012, Gloria Fisher was appointed Interim VP of Student services from her position as a dean. As dean she was responsible for four areas – Perkins, Middle School, Instructional dean for Criminal Justice Department, and Police Academy. Her work responsibilities were divided up.

1. Criminal Justice Department was moved to another division,
2. Perkins was given to Dean of Applied Technology,
3. Positions were created/stipend given to assume duties of Police Academy and Middle School. Perkins was half a million dollar grant, it needed a half-time clerical support but no clerical support was provided to the dean of Applied Technology.

The Chancellor has not filled the HR position with a permanent leader. The Chancellor appoints and promotes people who do not meet the minimum qualifications. The job description are changed so that



#### 1.14. Human Resources - Underpayment of salary;

the person the Chancellor wants to appoint to the position can get the job. Jobs duties are unevenly divided between managers where some are expected to assume more duties with less resources.

Achala Chatterjee



1.15. Campus Climate Surveys show disconnect between District and Campuses.

### **Leadership and Vision (including hiring practices and HR issues)**

#### **2012 and 2013 Campus Climate – Manager Survey:**

**63% of respondents disagree that there is a clear delineation of authority and operational responsibility between and among the district office and the colleges.**

**63% of respondents disagree that there is a clear delineation of authority and operational responsibility between and among the district office, colleges, and human resources.**

#### **2013 Campus Climate – Classified Survey:**

**53% of respondents disagree that hiring procedures are carefully followed and that hiring practices are fair to all applicants.**

**57% of respondents disagree that the district office clearly communicates what its responsibilities are to the college.**

#### **2012 Campus Climate – Classified Survey:**

**58% of respondents disagree that hiring practices are fair to all applicants.**

**71% of respondents disagree that the college's administrative structure is organized and staffed to reflect the institution's purpose, size, and complexity.**

### **Training and informing the board**

#### **2012 and 2013 Campus Climate – Manager Survey:**

**57% of respondents disagree that the governing board's decision-making reflects the public interest.**

### **Respect for and knowledge of collegial process**

#### **2012 and 2013 Campus Climate – Faculty Survey:**

**72% of respondents disagree that senior administrators seriously consider the opinions expressed by the Academic Senate.**



1.15. Campus Climate Surveys show disconnect between District and Campuses.

**57% of respondents disagree that senior administrators respect the recommendations made via the program review process.**

**Fiscal management**

**2012 and 2013 Campus Climate – Manager Survey:**

**63% of respondents disagree that the district resource allocation process is appropriate to support college programs and services**



COLLEGIAL CONSULTATION RESOLUTION SP13.02

Whereas, as established by Board Policy 2225 the Board of Trustees of the San Bernardino Community College District has agreed to embrace the concept of collegial consultation and establish procedures to ensure faculty the right to participate effectively in collegial consultation in particular areas where they have their responsibility and expertise as specified in Title 5 regulations; and

Whereas, as defined in Board Policy 2225 the SBCCD board recognizes the definition of “academic and professional matters” as stated in the Title 5 regulations: i.e.,

1. Curriculum including establishing prerequisites and placing courses within disciplines;
2. degree and certificate requirements;
3. grading policies;
4. education program development;
5. standards or policies regarding student preparation and success;
6. district and college consultation structures, as related to faculty roles;
7. faculty roles and involvement in accreditation processes, including self-study and annual reports;
8. policies for faculty professional development activities;
9. processes for program review;
10. process for institutional planning and budget development; and
11. other academic and professional matters as mutually agreed upon between the Governing Board and the Academic Senate; and

Whereas, the Board also recognizes its obligation, under Title 5 Regulations, to “consult collegially” with the Faculty Senate on these “academic and professional matters”; and

Whereas, as established by Board Policy 2225 for purposes of academic and professional matters, “the Board shall rely primarily on the advice and judgment of the senate when adopting policies and procedures on ‘academic and professional matters’ and if the Board has a compelling reason for not accepting the advice of the Academic Senate, it shall provide that reason in writing upon request of the Academic Senate.”

Resolved, the Crafton Hills College Academic Senate reaffirm their right to participate effectively in collegial consultation in particular areas where they have responsibility and expertise as specified in Title 5 regulations and as established by Board policy 2225; and

Resolved, the Crafton Hills College Academic Senate recommends the Board of Trustees embrace collegial consultation and adhere to consistent, systemic structures and processes that foster collegial consultation and Board Policy as written.



**Resolution FA12.01 Collegial Consultation**

*SBVC Academic Senate Executive Committee*

Whereas, the San Bernardino Community College District Board Policy 2225 on Collegial Consultation, derived from California Education Code and Title 5, set forth the adoption of the “concept of collegial consultation and to establish procedures to ensure faculty, management, classified staff, and students the right to participate effectively in collegial consultation,” and further stated “to rely primarily on the advice of the Academic Senate on academic and professional matters and its obligation to consult collegially with the Academic Senate”;

Whereas the following changes occurred without collegial consultation:

- a. present reorganization of SBVC by order of the Chancellor,
- b. reduction and change of office hours negatively impacting support services that facilitate student success for afternoon and evening students,
- c. merging of two Instructional divisions,
- d. assignment of adjunct Student Services faculty to other Student Services departments
- e. filling of managerial positions;

Whereas, these changes, without consultation of the Senate, indicate a disregard or lack of understanding of the Academic Senate’s purview to uphold its mandates on academic and professional matters concerning

- a. educational program development,
- b. district and college governance structures as related to faculty roles, and
- c. processes for institutional planning and budget development as

enumerated in Title 5 and Board Policy 2225;

Resolved, that the Board of Trustees urges District leadership and SBVC administration including middle management to observe collegial consultation and include the Academic Senate, and faculty in general, as an integral part of decision making processes; and

Resolved, that the Board of Trustees directs the leadership entities of SBVC to establish consistent, systemic structures for communication that foster collegial consultation and adhere to the Board Policy as written.

References: Education Code Sections 70901 070902

California Code of Regulation Title 5 Sections 53200 – 53204

California Code of Regulation Title 5 Sections 51023.5 and 51023.7



3.4. Resolution SP 13.01 was read to the board (5/9/13).

Resolution SP13.01

Whereas, since 2008 Crafton Hills College has reduced the number of class sections from 1,321 to 982, a 26% reduction resulting in a 20% loss of FTES in order to decrease expenditures to the budgeted allocation amount; and

Whereas, 52% of Crafton Hills College disciplines are now under-served with 15 disciplines (31%) having one full-time faculty and 10 disciplines (21%) having no full-time faculty (orphaned); and

Whereas, the CHC faculty are over-extended with 70 fulltime faculty representing a decrease of 11% since 2006 diminishing the ability of faculty to participate in the shared decision making processes; and

Whereas, Crafton Hills College has, in spite of diminishing funds, continued to focus on student success and has expanded both academic and support services including programs such as learning communities, Honors, transfer degrees, SOAR3, Left Lane, supplemental instruction and the Transfer Center; and

Whereas, the projected grade 12 enrollments for the Crafton Hills College high school feeder districts indicate an 11% increase from 2012-2017 and our service area population of 276,459 is underserved by 46 students per 1000 or 10,360 students as reported by the statewide post-secondary statistics; and

Whereas, the identified local taxpayer funded bond projects will add 84,000 net assignable square feet of new building, lab, and classroom space which when completed will accommodate at least 10,000 FTES;

Resolved, the Crafton Hills College Academic Senate requests the San Bernardino Community College District Board work with the chancellor to re-evaluate the allocation model and develop a plan to support an anticipated Crafton Hills College student population increasing to more than 10,000 students, and

Resolved, the Crafton Hills College Academic Senate requests the San Bernardino Community College District Board work with the chancellor to re-evaluate the allocation model and develop a plan to support student success at Crafton Hills College, including the addition of new and expanded courses, programs, services, and full-time faculty positions

Resolved, the Crafton Hills College Academic Senate recommends the San Bernardino Community College District embrace the adopted board directive for establishing two “comprehensive colleges” within the San Bernardino community college district.



4.1. Mr. Baron does not follow college process/policies for field trips

On Mar 9, 2015, at 8:40 AM, "Lopez, Leonard P." <[llopez@sbccd.cc.ca.us](mailto:llopez@sbccd.cc.ca.us)> wrote:

Mr. Baron supported the cancellation of the Philosophy Club's attendance at an annual conference, even though his own lawyers agreed that it was permissible (see email below).

He promised to request a legal opinion from the State Chancellor's Office, but he never did. He also promised to "keep [me] posted" but I never heard from him on the issue ever again.

Leonard López

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From: Lopez, Leonard P.  
Sent: Thursday, March 21, 2013 8:16 AM  
To: Baron, Bruce  
Subject: RE: Response to Field Trip Inquiry

Hello.

Well, the students in the Philosophy Club are worth fighting for, but ... some background might help me seem (maybe?) less monomaniacal.

I was in charge of Student Activities for about 5 years, I am an attorney, and, when I was a student, the clubs at SBVC changed my life.

Thanks, again, for your help.

Leonard

-----Original Message-----

From: Baron, Bruce  
Sent: Thu  
3/21/2013 8:05 AM  
To: Lopez, Leonard P.  
Subject: RE: Response to Field Trip Inquiry

Hello, Professor:

Thanks for your thoughtful response. I have never (in 35 years!) run across a faculty member who has taken the painstaking time to digest so much legal background to find a solution to a problem. I am very impressed.

I am willing to consult with Steve Bruckman. I understand the question about district sponsored and it will be helpful to get a better definition of these distinctions. I will also send him our email stream so he can get a better sense of your original questions, citations and my response. I will keep you posted.

Sincerely,



4.1. Mr. Baron does not follow college process/policies for field trips

Bruce

Mr. Bruce Baron  
Chancellor  
San Bernardino Community College District  
114 S. Del Rosa Drive  
San Bernardino, CA 92408  
[909-382-4090](tel:909-382-4090)  
[bbaron@sbccd.cc.ca.us](mailto:bbaron@sbccd.cc.ca.us)

-----Original Message-----

From: Lopez, Leonard  
P.  
Sent: Thu 3/21/2013 7:44 AM  
To: Baron, Bruce  
Subject: RE: Response to Field Trip Inquiry

Hi Bruce:

I appreciate your response. My emails were ignored, substantively and sometimes completely, by Steve, Gloria and Carolyn. So, it seemed that the administration did not appreciate being questioned. In fact, Carolyn wrote "You did not want to accept me just telling you that yes advisors had to travel with the student[s]."

Of course I did not accept this, since the College requires advisors to sign an agreement that reads, in part, "Advisors have the primary responsibility for understanding, interpreting, and applying campus rules and regulations as they apply to organizational programs and scheduled activities. When sponsoring an off campus activity, advisors are to be familiar with campus policies/procedures regarding student travel." (Student Organization Policy and Form Handbook, 30). I took this seriously.

Now, your thoughtful response makes me confident that you would agree to submit the issue to Steve Bruckman at The Chancellor's Office. When I contacted him, he informed me that the proper protocol is to work through the administration. Here is the question I would suggest: Are off-campus club activities "district-sponsored" activities?

This remains an issue, as I understand it, because the language you quoted from the insurer assumes that club activities are "district-sponsored." I have maintained that this is at odds with law, and with our own policies. For example, the Student Organization Policy and Information Handbook provides: "Off-campus events are not necessarily approved or endorsed by the College ." (Handbook, 20). I assume that the College published this because it is consistent with the law I cited that distinguish "sponsored activities" from "field trips and excursions."



#### 4.1. Mr. Baron does not follow college process/policies for field trips

There is no deadline, since the Club changed its plans after being ignored by Student Services. I hope the District will consider the studies that consistently show that student activities are positively linked to academic success. Now that the media is reporting that SBVC has the 11th lowest success rate in the state, and now that experts are saying that our students must have "a clear idea" of their academic path in order to beat the terrible odds, I hope that the District will affirm all the clubs whose members do have a clear idea of their academic interest -- and who pursue it on their free time, for no credit, with volunteer advisors who rely on informed, rational, professional, and truthful communication.

Thank you for your time. I do appreciate it.

Leonard

<http://blog.sfgate.com/pender/2013/03/02/california-community-college-success-rates-vary-widely/>

-----Original Message-----

From: Baron, Bruce

Sent: Wed 3/20/2013 2:20 PM

To: Lopez,

Leonard P.

Subject: Response to Field Trip Inquiry

Hello, Professor Lopez:

I have taken some time to review the various issues, laws, codes, etc. This is a complex area with contradictory legal citations and some confusion, even in our own policies and procedures. For this reason, and given the short timeline we are working with, I must take a conservative position on this matter. My role is to protect the district and its resources from risk and potential liability. And, since we have mixed messages and no clearly defined procedures, I consulted with our legal counsel.

Our attorney's legal analysis was very similar to your understanding of the codes and the issue of immunity. However, the attorney advised that we adhere to the requirements for insurance coverage, which states "If the College Official/Teacher is not accompanying the students to and from the activity on the same transportation, or during any of the activities, unfortunately

there will be no coverage. SBCCD's Property and Liability Insurance carrier responded with: Since the clubs and excursions are district sponsored, it is imperative that they be properly supervised at all times to avoid and/or mitigate the district's liability given that the students are participating in a district sponsored event and are in your care, custody and control.



4.1. Mr. Baron does not follow college process/policies for field trips

Fields trips and excursions occur routinely without any mishaps, however it's the unknown or unexpected that we must consider. In this case, it's the 3rd party property damage and/or 3rd party bodily injury of which the District is still exposed. Our property/liability insurance carrier strongly advises adequate supervision during all District-sponsored events and activities to mitigate this risk. In regard to Student Accident Insurance, only with the presence of supervision can the students invoke this policy.

Based on the information received from legal and insurance, it confirms the position that, in this case, the activity must be supervised, including the travel portion. If the district was not providing the transportation for the students to travel to the conference I think we could look at this differently.

I have asked the District Business Office and campuses to review and update internal documents and procedures to better assist advisors and others with their planning and decision-making for events and activities.

I realize this is not the response you were hoping for, but it's the response that I must provide.

Thank you for understanding.

Best Regards,

Bruce

Bruce Baron

Chancellor

San Bernardino Community College District

114 S. Del Rosa Drive

San Bernardino, CA 92408



4.1. Mr. Baron does not follow college process/policies for field trips

[\(909\) 382-4090](tel:(909)382-4090) Office

[\(909\) 382-0153](tel:(909)382-0153) Fax

[\(909\) 510-9234](tel:(909)510-9234) Cell

Chancellor's Website

[<http://www.sbccd.cc.ca.us/About\\_the\\_District/Chancellor.aspx>](http://www.sbccd.cc.ca.us/About_the_District/Chancellor.aspx)

Chancellor's Facebook [<http://www.facebook.com/ChancellorBruceBaron>](http://www.facebook.com/ChancellorBruceBaron)



## 4.2. Interference with WST Program - Requests for Public Reports

### A. Interference with College Process and Purview and Lack of Respect for Collegial Process

The Water Supply Technology (WST) program in Valley College used to be one of the top CTE program in the region. Student enrollments were high, they passed certification exams with high scores and found jobs and internship. The WST program received several grants, including a prestigious grant from the National Science Foundation. That was three years ago when WST was in the Science Division. Since then the program has gone into a downward spiral, and this downturn is a testimony to interference by the chancellor, Mr. Bruce Baron, in the college processes and lack of respect for collegial processes.

The Chancellor Bruce Barron meddled and interfered with departmental/division/academic decision to please/favor a common citizen (unaffiliated with SBCCD), Mr. Clarence Mansell. Mr. Mansell, a retired wastewater operator, has a long track record of opening new “businesses” in various counties of Southern California and even Nevada only to be suspended by the Secretary of State/State Franchise Tax Board.

Mr. Mansell appeared to enjoy an unrestricted access to the Chancellor; and the chancellor’s handpicked Interim President and Vice President of Instruction at SBVC. In mid-year 2012, soon after the decision to hire Ms. Melita Caldwell-Betties as the fulltime WST faculty was made, Mr. Mansell approached the WST department/Science Division to enroll students in WST program. He recruited older military veterans (between age 35 and 59) for placement in the WST program. He criticized the enrollment rules and curriculum, which were in place per Title 5 guidelines, and called them “roadblocks”. When the Dean of Science Division, Dr. Susan Bangasser or the WST chair, Dr. Todd Heibel did not acquiescence to Mr. Mansell’s command, he contacted the Chancellor either by phone or email. He seemed to have 24 hour access and immediate response from the chancellor. The VPI usually called a meeting to put pressure on the dean and the faculty. At times Mansell even brought the students (veterans) to these meetings. This went on for a period of almost two year. Here is a list of some his most egregious demands:

1. He demanded that students be allowed to register for a course even if they had not successfully completed the pre-requisite course. Thus pre-requests were waived to accommodate him.
2. He demanded that students, who had not completed a single WST course or passed a single state certification, be allowed to register for 4-units of work experience course WST 098. The 4-units requires a student to work 20 hours a week during the semester. This kind of assignment is difficult for a new student to meet during the first semester of classes; such a student cannot be successful in the program. Students were allowed to register in 4 unit work experience course in their first semester at SBVC WST program.
3. He demanded that a student be allowed to enroll in the work experience course even if he had not yet found a company where he could work as an intern when the class began. Unless a student has a job he cannot begin the work (course). Yet he demanded that faculty let student enroll in WST 098. Mr. Mansell claimed that he had many contacts in the industry and that he would find and place the student at a job site. Students were allowed to register for class though the faculty/student had no idea where the student was going to work.
4. Mr. Mansell copied several pages of objectives from the beginning of each chapter of the wastewater textbook. He submitted this generic set as the objectives for every single student that he placed in the



## 4.2. Interference with WST Program - Requests for Public Reports

work experience program. The college has a specific "Objectives Form", created to list three specific objectives a particular student at a particular job site must meet, to successfully complete the work experience course. The workplace supervisor, the WST faculty, and the student work together to develop three objectives for each individual student. These objectives are specific for a student at a particular job site. At the end of the semester the supervisor evaluates the student on the three objectives and submits the report to the faculty assigned to the work experience course. The student grade in work experience primarily depends on attendance and the evaluation of the objectives' fulfillment. Students had generic objectives. Job site supervisor submitted generic evaluation - at some job sites every student got identical evaluation.

5. The faculty required students to submit their monthly time card by the 10<sup>th</sup> day of the following month in order to keep track of students' progress and the hours they worked. Mansell insisted on turning in the time cards on behalf of the students, and usually he did not turn them in till almost the end of the semester. This left the faculty with no way to determine students' progress during the semester and no way to drop the students mid semester if they were not attending the class. Faculty continued to accept time-cards well after the semester ended sometimes even in the following semester. Mr. Mansell decided when he could or would deliver the timecards.
6. Mr. Mansell met with the HR, managers/supervisors and even Boards of utility companies (Box Springs Mutual Water Company, West Valley Water District, Orange County Sanitation Department, East Valley, ??), and he wrote MOUs/agreement for unpaid/paid internship for SBVC students on behalf of the district.. There was no input or consultation with the WST chair or the division dean or any other manager, and he did not ask for approval from the SBCCD Board of Trustees.
7. Faculty generally did not award grade "I" or incomplete in a work experience program. The common understanding was that a student should not participate in a work experience course after the semester ends, because it puts the work experience provider and the student at risk if the student is injured because the SBVC liability insurance would not be in effect once the semester ends. Mansell insisted that any student who did not complete the class be awarded a grade "I". This practice allowed "his" students to earn "I" and continue enrolling in work experience class in multiple semesters, collect Veteran's benefits, and continue to not attend the work experience class.

At times Mr. Mansell threatened that he would take students (military veterans) to the Board of Trustees if he felt that the WST department did not meet his demands immediately. He actually took the students to the February 13<sup>th</sup> 2013 Board of Trustee meeting to complain. He politicized any legitimate oppositions to his demands by saying, "You do not like veterans," or "You are discriminating against the veterans." By summer 2013, Mansell began demanding that the WST program be moved from the Science Division to the Applied Technology Division immediately. In an August 13<sup>th</sup> 2013 email, he demanded a meeting with the Chancellor and the Interim President of SBVC and specified that no one else be included. Soon thereafter, the Interim President and the VPI called a meeting with the deans of Science and Applied Technology divisions, WST chair, and faculty and announced the decision to move the WST program from Science to Applied Technology just as Mansell had demanded.

1. Achala Chatterjee, the Dean of Applied Technology, met with both the VP of Instruction and the Interim President and pleaded that the move be postponed till the summer of 2014. The Applied Technology Division was severely understaffed and she wanted some of the vacant positions filled before adding one more program in the division.
2. Susan Bangasser, the Dean of Science Division also requested the move be postponed till June 2014 to avoid disruptions and to ensure a smooth transition instead of moving it mid-year.
3. Todd Heibel, the Chair of WST/GIS program had been elected to a three year term that was to expire in June 2016. He was demoted to the Chair of GIS with half stipend. Heibel could have filed a grievance per CTA agreement but chose not to.



## 4.2. Interference with WST Program - Requests for Public Reports

4. Caldwell-Betties, a second year faculty, was appointed (instead of being elected by faculty per CTA agreement) chair of the WST program with half stipend. She was in favor of the move and certainly received financial benefits from this move.
5. In protest of this move, Chatterjee tendered her resignation as a dean in October 2014 and decided to retreat back to her faculty position. She did not think she could manage the division with integrity without getting adequate staff support.
6. The interim president announced to the Academic Senate that the WST program was being moved to the Applied Technology Division to be under a dean who was subject matter expert in WST. Instructional deans manage many programs that are located in one division. No dean is a subject matter expert for every the program they manage. In fact at least one of the interim deans did not have subject matter expertise in a single program she managed. So the reason stated for the move was a disingenuous reason. It was specially so, because the Interim President was aware of Chatterjee's resignation, and knew that the WST program would be under a newly appointed interim dean who most likely will not be a subject matter expert in water.

So strong was the desire to please Mr. Mansell that no objection, no plea seemed to make any impression on the Chancellor and his handpicked college administrators. In December 2013, WST department was moved from Science to Applied Technology in mid-year, sweeping aside all objections, concerns, and collegial process of shared governance.

Why did Mansell demand this move? He wanted the full control of the WST program. He held no official position in the district, yet he had powers to move department, demand meetings and bend rules that he did not like. He wanted to bypass the opposition from the dean and the chair in the Science Division who annoyed him as they kept wanting to follow college rules and regulations. Secondly, he wanted to make Melita, his friend, the chair of the WST program. We later learned from Currier & Hudson investigation report that Mansell had provided Melita professional reference when she was hired at SBVC. Thirdly Mansell knew how overworked Chatterjee was as there were several unstaffed positions in Applied Technology Division: clerical support for three grants (Perkins, CTE Transition and NSF), Tool room supervisor, Division Secretary II and several faculty positions.

Why did the Chancellor choose to please Mr. Mansell and appeared to meet his most egregious demands at the expense of the WST program? Why did he not have any honest collegial consultation with the deans and faculty involved? Why did he not consider Chatterjee's request to postpone the WST move for just one more semester to allow her some time to get the division staffed and running smoothly? What was the reason behind this indecent hurry? What is the Chancellor's gain or profit? This much is sure: the Chancellor had a very strong motivation to please Mr. Mansell at the expense of almost destroying the WST program. Was it some form of material gain? Was it the support from a particular community to bolster up his position? Who knows what it was, but strong was the motivation that compelled him to totally disregard collegial processes, academic integrity, the student and community interest.

The Chancellor cannot pretend that his support for Mansell was an act innocence and naiveté. On March 7<sup>th</sup>, 2014, Chatterjee—now back to her faculty position—met with the Chancellor and presented to him a mountain of data about the activities of Mr. Mansell and improper conduct of the Work Experience courses. The Chancellor's immediate and spontaneous reaction was very dramatic - He bent down covering his face with both his hands and started slowly shaking his head. After a considerable pause—it could have been even a minute, slowly, he said

1. I was completely bamboozled by Clarence
2. The district may have to return money to the state ( I understood it to mean the apportionment money collected by the district for WST 098 courses for which no training was provided)
3. Melita may have to be put on administrative leave
4. I must warn John (John Futch ex-Board of Trustee member who knew Clarence Mansell)



## 4.2. Interference with WST Program - Requests for Public Reports

He promised Chatterjee that he would ask Lawrence Strong to start an investigation on Clarence Mansell and the WST Work Experience Program. Eventually this investigation was handed over to the law firm of Currier & Hudson. Board documents from July 10<sup>th</sup> 2014 show that the company was retained for \$200,000 from general funds to cover 7/1/2014 to 6/30/2015 period.

### **B. Lack of Leadership and Vision:**

Chatterjee provided the Chancellor with details about the irregularity in the conduct of the WST Work Experience program. The following are a brief summary of the data provided:

1. Some students were given passing grades for the WST 098 course which they never attended/ completed. These grades should be changed.
2. The apportionment money was collected improperly for some of the students enrolled in the WST 098 in 2013. That money should be adjusted and returned to the state.
3. Veteran Retraining Assistance Program (VRAP) benefits were most likely obtained by some students fraudulently as the students received credit for WST 098 course that they did not attend. In order to receive VRAP benefit of \$1650/month a student had to be enrolled in 12 units of classes per semester with perfect attendance. Therefore the US Department of Veterans Affairs need to be notified as there is proof that some these students (veterans) did not attend at least one of the courses.
4. Many students enrolled in the course were awarded grade of "I" but never worked for a single day. At the end of one year the grade automatically converts to "F". Meanwhile students received VRAP benefits, financial aid, and college received apportionment money.
5. District collected apportionment for students at BSMWC. At least one of the student enrolled in the class, never worked for a single day but were never dropped by the faculty because Mansell did not provide time cards. Apportion was collected for these students.

The Chancellor promised that he was going investigate the matter and let the chips fall where they would. Chancellor should have taken a leadership role in taking corrective measures to ensure that there would be no repeat of the rampant irregularities associated with Mansell and the WST Work Experience course. Instead he chose to ignore the irregularities.

Normally when an allegation of misconduct is made, the prudent practice is to (1) secure the sensitive information and protect it and (2) remove the person from the situation in which that person's activities came to be investigated, until the investigation is completed. Instead, he chose to pursue a scheme of systematic cover-up and retaliation.

1. The new Interim Dean of Applied Technology Division (hand-picked by the chancellor and transferred from the district) assigned the WST Work Experience in which student were likely enroll in summer and fall semesters 2014 to Caldwell-Betties. Thus Caldwell-Betties was solely placed in charge of the Work Study program while the "investigation" was going on. She had free reign over program, the 2013 data and the worksites.
2. In fall 2014 the dean again did not assign all the Work Experience courses to Chatterjee in spring 2015 semester. She as a senior faculty in the department had overload seniority rights per the CTA contract. She filed grievance. After three months the grievance reached level 4 and Chatterjee was finally assigned the work experience courses in spring 2015.
3. The office of Instruction miscalculated her load in fall 2014, so as to not pay her for overload for lecture class in excess of 15 hours/week. It was corrected only after another grievance was filed.
4. After department election in April 2014, Chatterjee became the faculty chair for WST (replaced Caldwell-Betties), the instruction office "forgot" to update the Organizational Chart. It took email, phone call and a couple of months to update the name of the WST department chair.



## 4.2. Interference with WST Program - Requests for Public Reports

5. In spring 2014 semester Chatterjee protested many times when her role in the department was systematically being marginalized.
  - a. Industry Advisory Board meeting was called during the time when she was teaching in a classroom;
  - b. Fall 2014 teaching schedules were prepared without her input;
  - c. Department faculty meeting was called on a flex day when she was going to coach students
  - d. Program review was submitted without her input; and so on

The interim dean did not resolved the department faculty issues in the division, but elevated it to the Interim Vice Chancellor of the HR at the district to resolve.

In general the atmosphere in the department/division was extremely negative and demoralizing in spring 2014. The student recruited by Mansell openly disregarded faculty rules in the classroom, demanded exceptions, got upset and when their demands were not met. Many evening, Mansell stood outside my classroom and texted students. I complained, the interim dean said that he it was an open access campus so Mansell was free to come and go as he pleased. Clarence Mansell finally disappeared from the campus by end of March /April 2014 when the Veterans Administration ended the VRAP program. Almost all the students brought in by Mansell are gone. But program has lost its vigor. It is now limping along. Enrollments are lower, classes get cancelled due to low enrollment, faculty morale is low and students get upset as they are not getting the division support they used to get in the science division.

Instead of showing leadership and solving a problem, the Chancellor chose to dig in deep and tried to hide the problems he had created by meeting every one of Mansell's unreasonable demands.

On January 28<sup>th</sup>, 2015, I inquired about the status of the investigation. In response Mr. Strong sent this email "*As you are aware, the District had an investigation conducted of the Water Supply Technology program. The final report indicates the investigation was thorough, including significant research and many interviews. As it did not contain findings requiring additional action, no further efforts are being place into this investigation. Please feel free to contact me if you have any questions.*" The money (perhaps \$200,000) spent on investigative report ended up as these two line conclusion that said that no corrective action was required.

### **C. Fiscal mismanagement, HR issues, and lack of leadership**

The Currier & Hudson report written by two lawyers over a period of six months, many interviews and thousands of dollars of general funds found the following:

1. The district/college has no Cooperative Work Experience Education Local Program Plan which was required by August 31<sup>st</sup>, 2010 per a memo from Jack Scott, the Chancellor of California Community Colleges. The district received funding for the work experience courses on condition it is compliant with the plan; but the investigation could not evaluate a non-existent plan.
2. In spring 2013 semester there were at least sixteen students "working" at ESI twenty hours a week. In summer 2013 there were eight students and in fall 2013 there were three students at ESI. ESI was owned by Clarence Mansell since 2009 and was shut down by the FTB in November 2013. ESI has only two employees Mansell and Dan Villanueva. Villanueva was not available for interview with Currier & Hudson and he was employed full time at the City of Corona from Feb to November 2013. There is no work-schedule for the supervisor, Villanueva, but he signed all the time card for the students who worked at



## 4.2. Interference with WST Program - Requests for Public Reports

ESI. However the district received full funding based on students being under “adequate supervision” of this Mr. Villanueva.

3. The student had no place where they could report for work. ESI was a mail drop facility. During investigation, Mansell, Caldwell-Betties and the students claimed that the students worked at a computer center at March Air Reserve Base, in a facility owned by U. S. Veteran’s Initiative, a private non-profit organization. This organization also provided housing for the many of the same homeless veterans who were recruited by Mansell to the WST program at SBVC. Thus some of the students “worked” in their “own” home offices and received credits for supervised work experience. The student filled out “Cooperative Work Experience Application” form. They stated Worksite Information as follows  
**Name:** *Environmental Services Inc.*; **Address:** *3200 E. Guasti Rd., Suite 100, Ontario, CA 91716*. This was not the address of a real office or a plant but a virtual office where Mr. Mansell’s mail was delivered. The form also had another box to fill out.

**If you do not work at the above address, please list your job site below:**

*All the students left this box blank.*

ESI (March ARB Computer Center) did not serve as a valid worksite. However the district received full funding based on the “adequate facilities, equipment, and materials at the learning station to achieve on the job learning objectives”.

4. The students, Caldwell-Betties and Mansell could not produce any example of work the students did. None of the student work objectives, which were copied from the Wastewater textbook, matched the work the students-Caldwell Betties-Mansell described

- a. “optimization project” for Terminal Island Treatment Facility
- b. Hypothetical work meant to mirror the Terminal Island Facility contracted to ESI
- c. “research issues”, “pulling permits”, “look up “AQMD” reports”, “identify specific language in permits”, “find written responses to complaints within reports provided”.

Yet the district received funding based on reports that said noted that ESI students met the Learning Objectives.

5. The coordinator at the US Veteran’s Initiative at March ARB facility, who was hired **AFTER** Caldwell-Betties visited the center, told the investigator that “she remembered being told that a professor from Valley College had twice visited the students doing work at the career center.” The investigation did not report if US Veteran’s Initiative at March ARB facility has a visitor’s log-book.

Over my forty years career I have changed jobs several times. I have never been briefed about casual visits by anyone at any workplace **before** I started my job. I do not know what type of memorable event took place when Ms. Caldwell-Betties visited March ARB on August 6<sup>th</sup> 2013 and December 13<sup>th</sup> 2013. But it had to have been really significant for an employee to know about it even if the employee was hired after the visit.

I am not an investigator, but I find this level of validation too contrived to be true? Was this newly hired coordinator coached? If so, why?

6. US Veteran’s Initiative, a not for profit private company, received millions of dollars of funding from VA. This was supposed to be used for some purpose. What was their relation to Clarence Mansell? Did VA just provide them funding and grants with no expectation to help the veterans?
7. Besides placing the students at his virtual company ESI, Mansell also placed them in eight other locations. In one location the student worked for Clarence’s brother La’Monde Mansell.
8. A student, James Ramer contacted Susan Bangasser in summer 2014. His email stated “Clarence C. Mansell Jr. was a coordinator through SBVCC when I completed my WST098 course in the summer of 2013. My student ID is 0528983 in order to help facilitate your search better. I am currently being employed at Suburban water company and they need verification of the program. I am unable to get a hold of Clarence (I knew he was having health issues earlier this year). I was hoping that you could help in verifying my participation in this program and to forward any paperwork in connection with this program and my participation. I have the email exchanges between you and Clarence that I can forward to you to remind you of the exchange. I appreciate if you could verify my participation in this program in Clarences



## 4.2. Interference with WST Program - Requests for Public Reports

stead because of his possible health problems.” “It would be helpful to get paperwork that included the name of the location of the internship and the duties and hours performed. Something more official to give to an employer who wants to verify my intern experience. I have Clarence as a reference for this internship, but if no one can contact him I cannot use this as work experience on my resume.” This student is supposed to have worked somewhere, received a grade “A” and got 3 credit for the WST 098 course, but he does not know the address of the place where he worked or name of the supervisor or duties. He could have easily contacted a supervisor if he did not find Mansell. The student believes the coordinator is Clarence, not his instructor. In fall 2013 the same student registered for the work-experience course, withdrew from it without ever submitting a single time card. The district received apportionment for the course in summer and in fall.

9. The Box Spring Mutual Water Company (BSMWC) sent a vitriol filled email after Chatterjee visited the facility in spring 2014. BSNWC refused to share the agreement they are made with Mansell in which the district assumed insurance liability for the students and faculty were required to monitor the students and submit grades. Two of the students did not work but Clarence submitted application for them in spring 2014. District collected apportionment for the students who did not work at BSMWC.
10. West Valley Water District HR manager, Mitch Curtis and Clarence Mansell are friends. Curtis sent an email to the interim dean Maniaol in spring 2014 saying that he did not wish to be in contact with the instructor but had appointed a student to coordinate between the West Valley and Valley College instructor. How is an instructor supposed to monitor student progress at a workplace if the instructor is not allowed to enter the workplace and talk to the supervisor?

In short, more questions remain unanswered by this report than are answered by it. The conclusions of the report appears to help the chancellor to cover-up the WST work experience irregularity. After more than six months of “investigation” and an untold amount of dollars in lawyer fees, the chips did not fall where their trajectories pointed! The investigation concluded everything was fine. Of course every internal investigation needs a “fall” guy. The report decided to make, Dr. Todd Heibel the “fall” guy. Heibel told the truth. He said that the pressure from Mansell made it impossible to fulfill his duty as an instructor and monitor the work experience program properly so he was not able to visit the work sites in spring 2013. Mansell, the students, and Caldwell-Betties came well prepared and well-rehearsed. They spoke in unison as if they were coached. Caldwell-Betties came accompanied by her lawyer. There were glaring holes in their stories; they recalled some details too well; they did not have a single email to show any work went on at ESI. The investigators chose to believe them – they were given a pass. In retrospect, I wonder how Mansell, (a wastewater operator and an owner of series of dubious businesses) was able to undermine a public institution the size of the Valley College? The veteran recruitment scheme for WST program has been an enormous waste of time and resources. The biggest losers are tax payers who fund the college, the state government and the federal government. The resources were squandered, and the collegial processes were ignored. It exposes the bankruptcy of the leaders at the top echelon of the college. Why would a chancellor be involved in the day to day decision of teaching and learning? That is the job of the faculty and their immediate supervisors, the instructional deans. Does the Chancellor realize how he has very nearly destroyed the WST program, exposed the district to the possible liability, damaged the student/faculty trust, and ultimately hurt the veterans who did not acquire any real skills which would give them a chance to get a good job?

The chancellor does not value managers based on their competency, qualifications and ability to serve the institution but he focuses in hiring managers with eagerness to comply and willingness to say “yes sir”.

Achala Chatterjee



5.2. Mr. Baron commissioned multiple studies from the College Brain Trust  
then totaling in excess of \$ 135,000.00

College Brain Trust Expenditures

10-10-13	Board Agenda (pg 47)	CBT Budget allocation model analysis and recommendations and support for Fiscal Services projects. Term: 10/11/2013 - 6/30/2014	\$50,000
11-14-13	Board Agenda (pg 74)	CBT – Develop and present a staffing plan report. Term: 11.15.13-6.30.14	\$19,688
6-12-2014	Board Agenda (pg 134)	Develop a recruitment plan, career paths and succession plans for SBCCD employees Term: 7/1/2014 - 8/31/2014	\$18,720
6-12-2014	Board Agenda (pg 134)	Develop District wide process for enrollment management planning Term: 6/1/2014 - 6/30/2015	\$42,315
9-11-14	Board Agenda (pg 59)	Collaborative Brain Trust – Board workshop – topics: the Board’s role in the day to day operations, the Boards role in providing leadership, review of the 13/14 Board goals and establishing 14/15 goals. Term 8.12.14-8.12.14	\$4600



5.8. Mr. Baron purchased software and failed to fully implement the software on both campuses.

**From:** Hunter, Diane S.  
**Sent:** Wednesday, March 4, 2015 8:09 AM  
**To:** Gilbert, Jeremiah A  
**Subject:** evidence of disconnect

Hi Jeremiah,

I know you are probably going crazy now with all of the balls up in the air around here, but at our English Department meeting Monday, we decided to say something about one more reason to act on a Vote of No Confidence for Baron.

Here is the gist:

**Early Alert:** We have purchased a very sophisticated Early Alert system called, “SARS Early Alert.” However, it has not been installed nor has any utility training taken place. Unfortunately, the SARS Company is requesting that instructional faculty complete a significant number of hours of training. However, it has been decided at the Matriculation Committee that it makes more sense for the counselors to receive the training and they then could provide instructional faculty with the necessary amount of relevant training. The **Matriculation Committee is working to expedite the installation and training processes since we have had this system for nearly 2 years.**

In the interim, nothing is happening with Early Alert. Only one faculty is using it and the archaic system we have no longer produces the letters. However, it must also be noted that when the letters were sent out, no students came in for intervention. Therefore, we purchased the Early Alert System. This system will interface between student, instructor and counselor and referrals and follow up interventions may be tracked via the new system. The tutoring centers also will be tracked via a student’s utilization of a particular center. (Matriculation Meeting 2/26/15)

**Probation/Dismissal:** Unfortunately we have a massive number of students on probation (Approximately 3,000) in sum.

SBVC spent a lot of money purchasing this state-of-the-art early alert system, and my understanding is that it is still in the TECH. queue waiting to be implemented and installed. It has gotten bumped to the bottom of the list repeatedly over the last two years, being deemed “unimportant”. **CHC has been using this same system for 5 years.**

In the meantime, we have over 3,000 students on academic probation who will lose financial aid and priority registration beginning 2016 if they don’t get their acts together.

It would seem to me that since Tech. is a District function, this would fall directly under Baron’s reign. But I understand there may be factors here that we are not aware of, so do with this what you will (or not). If nothing else, the Academic Senate needs to know about this.

Talk to you later,  
Diane



#### 5.14. Mismanagement of funding (Perkins)

The District mismanages funding and does not prioritize spending where it would make the most impact. Perkins funding is dependent on the number of CTE students on each campus who fall into certain “disadvantaged” category. Yet the district has not made any attempt to “count” every student who is enrolled in CTE courses on each campus.

On both campuses, CTE students must be requested by every instructor in every CTE course to answer a short, 16 question, survey by:

- A. Logging into WebAdvisor and answering the survey or
- B. Filling out a paper form answering the same survey

If option B is chosen then these paper survey has to be entered in a timely manner in a data base. Sometimes, on SBVC campus the paper survey are collected but not entered in the data base because the Research office does not have sufficient staff. These surveys contain confidential personal data and should be accessible to as few people as possible as the data could compromise student privacy. Thus paper surveys are inherently not a good method.

Some faculty remind the students repeatedly till the students fill out the survey, others don't. The survey takes time away from actual teaching in the classroom once the semester starts.

If the student fill out the survey it can be counted in “MIS” for Perkins funds. If the student doesn't than we have no data to count the student in. This is a hit and miss process. Many students who meet eligibility are thus not counted.

Chaffey College and at Riverside Community College and many other colleges have “automated” this process. At these colleges, a student who enrolls in a CTE course has to fill out the survey form **before** course registration is complete. 100% of the CTE students in those colleges complete the form. This helps the colleges receive **all** the Perkins funding that is due to them.

Achala Chatterjee submitted a request form to TESS to automate the process in early 2012. TESS rejected the request. TESS did not believe that we needed the same capabilities as other colleges in our region, though that capability would bring more money to our resources starved campuses! On December 17<sup>th</sup> 2012, the deans of Crafton Hills and Valley College (June Yamamoto and Achala Chatterjee) filled out a joint Project Request Form. They were supported by the Research Offices at both campuses (Keith Wurtz and James Smith) and VPIs of both the campuses also signed the form approving the request.

We were eventually informed by TESS that we were No. 1 on the TESS project priority list. More than two years later, the process is still not automated. The colleges still go on collecting the data the old fashioned way, one student at a time, one paper form at a time. We get some, we miss some. The colleges do not receive the full Perkins money that we are eligible for. TESS has other priorities which keep bumping this project with so called #1 priority to the bottom of the list. Would it have been cheaper to subcontract this work to automate the process so that our CTE programs could start benefitting? Could we have paid a little less to the highest paid second level administrator in the state so



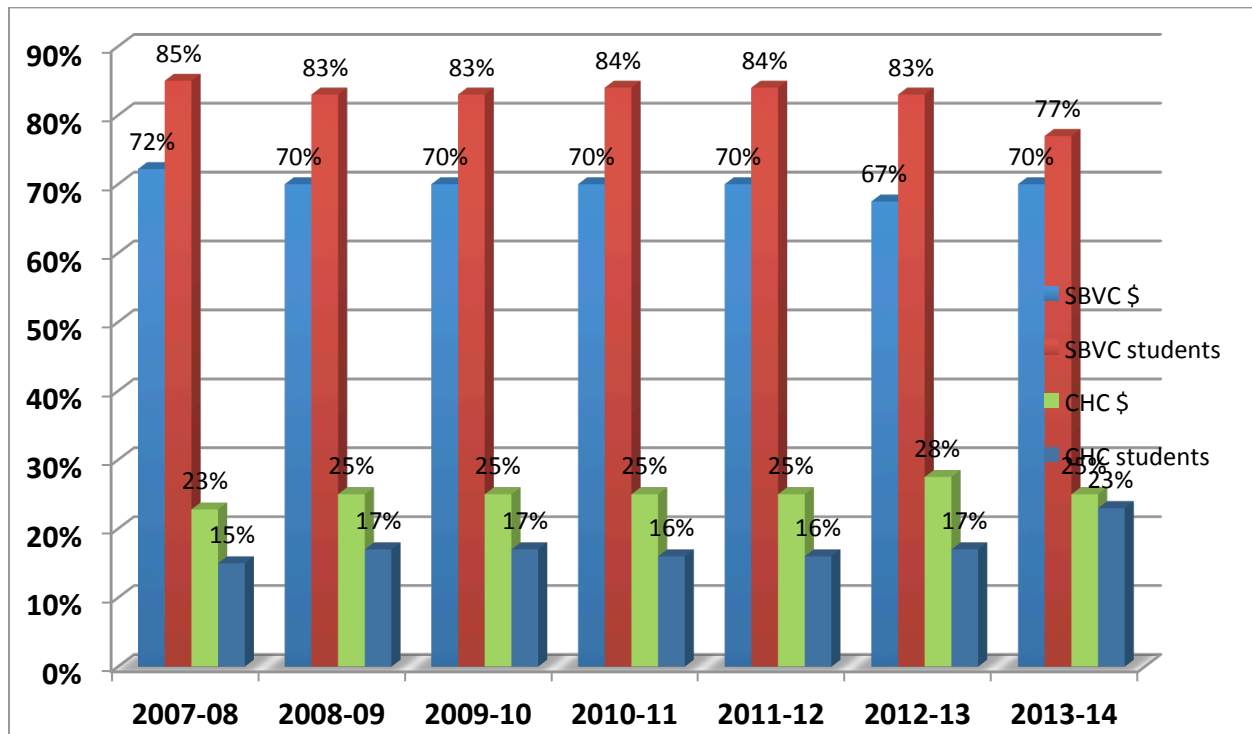
#### 5.14. Mismanagement of funding (Perkins)

that we could have another programmer on the staff to do the actual coding work that benefits the colleges?

Instead of helping the colleges by providing the software modification in timely manner and maximizing the Perkins Grant money, the district plays with the allocation of the funds. Matthew Issac is in charge of allocating the funds between the two colleges. This is how it works

- SBVC Funding % is always less than actual student enrollment %
  - Funding: used to be 70% budget now it is less (67% in 12-13; 72% in 07-08)
  - Students: SBVC enrolls 77 – 85% of Perkins students (84% median)
  - On average SBVC contributed 84% students and received 70% of Perkin’s funding
- CHC Funding % is always more than actual student enrollment %
  - Funding: Used to be 25% now it is more (28% in 12-13; 23% in 07-08)
  - Students: Crafton enrolls 15 – 23% of students (16% median)
  - On average Crafton contributed 16% of students and receive 25% of Perkin’s funding
  - The district always gets 5% of the Perkins allocation that comes from the state. The 5% pays for Virginia Diggle’s salary. She says she is the “Perkins Grant monitor for SBCCD”.

The two colleges are pitted against each other for funding as district varies the allocation between the two colleges arbitrarily rather than base it on the number of eligible CTE students.





#### 5.14. Mismanagement of funding (Perkins)

This is direct result of ineffective leadership of the Chancellor who supports and hires managers who do not look out for college interest and student needs.

Achala Chatterjee



5.15. HLS Ventilation

On Mar 29, 2015, at 11:06 AM, "Vasquez, Tatiana" <[tvasquez@sbccd.cc.ca.us](mailto:tvasquez@sbccd.cc.ca.us)> wrote:  
Hi,

Attached is an accumulated evidence that HLS ventilation project was in first priority at least since 2007 and then it disappeared from the list of M measures under the impression that it was completed. It has NOT been done.

Currently, the chancellor has rushed into fixing this issue in the very past week. I have notes for that when necessary.

If there are any additional notes needed please let me know and I will gather more evidence as there is ample evidence from the board minutes that expenditures in several studies of ventilation financially summed up to no action.

Board member, Longville, was under the impression that ventilation was corrected for the safety of employees and students until the board meeting of March 12 when Sarah Miller/CSEA announced that it had not been done.



HLS Ventilation History Timeline  
SBVC COLLEGE & DISTRICT RECORDS

Findings that the San Jacinto fault runs through the San Bernardino Valley College campus became evident thus prompting construction of 5 new SBVC campus buildings (Library, Health/Life Science (HLS), ADSS, CC, Art Center).

**HLS was generated by Thomas Blurock Architects as project architect, Steven Erlich Architects were chosen to design while Fundament and Associates, Inc (engineering consultants) prepared the mechanics of the HVAC system. However, a subcontractor performed the HVAC work for HLS. When construction funds became limited; one of the ways to curtail costs was to alter ventilation requirements (although frequent discussions occurred with the biology faculty regarding the usage of the lab rooms in the second floor (see HLS Project Records (brief)).**

*Note that records listed below are only of those found accessible through the District and SBVC College websites. This is not meant to be an exhaustive list of records. However, records demonstrate the level of priority that HLS ventilation has for the safety of students and college staff.*

DATE OF DOCUMENT	DOCUMENT TYPE	CONTENT	Excerpt from Document
NA	2007-2008 CBOC (Citizen's Board Oversight Committee) Report on Measure P & M	Board approved (6/26/08) list of Measure M project funds in priority order.	SBVC List: #1 Ventilation HLS & HVAC Cafeteria.
January 12 2010	SBVC Alternative Energy Plan Report by P2S Engineering Inc	Appendix A- Existing Conditions	HLS has 37, 685 sq ft of conditioned floor area. HLS building is eight years old.  <b>List of Major Mechanical Equipment: carrier rooftop packaged units (34); exhaust fans (17) (about 13 years life remaining); split system condensing units (2) (about 7 years life remaining); split system fan coils units (2) (about 7 years life remaining)</b>  <b>Other Observations: The labs have odor issue when in session. The air distribution and exhaust system components need relovation. There is potential for MBCx on this building due to higher variation in utilization of labs and classrooms.</b>
January 12 2010	SBVC Alternative Energy Plan Report by P2S Engineering Inc	Appendix B- Energy Efficiency Measures Calculations	Findings: The existing controls shall be removed and new DDC controls and metering be installed with demand control sequences. After the controls and metering for all the utilities are installed the system shall be commissioned. Although it is a



			<p>capital project it should be investigated if Partnership money is available.</p> <p>Savings:</p> <p>The building is currently served by package units, single zone or multiple zone control by demand or complaint. By connecting the building to the central plant the package units and distribution will have to be replaced by few AHU units. The controls will have to be changed. The new control system will remove the cycling operation of the package units cooling and heating, utilize temperature reset / demand based boiler system control for heat /optimized economizer operation, have VFD fans/static pressure reset. From our experience we can expect savings annually of 65,000 kWh.</p> <p>Cost:</p> <p>When the units are converted to chilled water the conversion cost for the entire building with commissioning will be \$100,000 considering that there are 34 units to retrofit. If units are consolidated the installation cost will be reduced.</p>
DATE OF DOCUMENT	DOCUMENT TYPE	CONTENT	Excerpt from Document
Mar 7 2010	SBVC Facilities & Safety Committee Agenda & Minutes	SBVC Scheduled Maintenance Project	<p><b>Project Title #2 Correct Ventilation in HLS cat morgue; problem existed 2-5 years; project type Mech; Estimated cost \$1.4 M; Status- bond funded repair project for Spring 2011.</b></p> <p>Project Title #3 Install Air conditioning in Cafeteria Kitchen Estimated cost See #2; Status- bond funded repair project for Spring 2011.</p>
July 8 2010	Board Document- Prepared by Bruce Baron, Interim Chancellor	Consideration of Approval of the Measure M Program Implementation Plan	<p>As Measure M moves into full implementation, we have been working on a new process that will help to ensure the success of this bond measure. <b>Over the past several months, we have developed a Program Implementation Plan (PIP), which is a critical component for success in the development and implementation of a major construction program. (See Item Below)</b></p>
July 8 2010	Program Implementation Plan (Board Approved July 8 2010)	Program Implementation Plant (PIP) from Kitchell/BRJ;	<p>Pg. 80</p> <p>Measure M Bond Funded Projects. #1 HVAC for Cafeteria/Ventilation HLS with a Budget of \$1,400,000. (Note #2 Sitework/Signage/ADA Phase 1)</p>



		Document TITLE: Draft Board Item – Bond Project List	
DATE OF DOCUMENT	DOCUMENT TYPE	CONTENT	Excerpt from Document
July 8 2010	Board Document- Prepared by Alan Rosen, Bond Program Manager, Kitchell/BRJ	Consideration of Approval of Amendment 001 to the P2S Engineering, Inc Contract at SBVC	This amendment is for <b>additional services</b> tasked of P2S Engineering, Inc as follows:  <b>*Conduct an HVAC systems study at the Life Science building, Administration building lobby and Campus Center kitchen for \$13,500.00.</b> *Establish standards for the District's Informational Technology (IT) and Audio Visual (AV) standards for infrastructure, inter-building, and audio visual items for \$25,000.00
October 10 2010	HVAC Systems Study: Life Sciences –Cat Room & 2 <sup>nd</sup> Floor Labs; Administration – Lobby; Campus Center – Teaching Kitchens Report		pg (1-2) "Trane" Rooftop Packaged Direct Expansion (DX) Cooling & Gas Heating Unit – AC -20, 7.5 tons. AC -20 currently serves the A+P Prep Room, the Cat Morgue, the Mini Prep Office, the A+P Tech Office, and the Cadaver Room.  pg (1-3) The American Society of Heating, Refrigerating & Air - Conditioning Engineers, (ASHRAE), recommends that "non -refrigerated body holding rooms" be under a constant negative pressure, have 100% of their supply air exhausted directly to the outside of the building (without any recirculated air), a minimum of 10 air changes per hour (ACH) be supplied and exhausted from the room, and the room temperature maintained between 70 - 75 °F, (see 2007 ASHRAE HVAC Applications Handbook, p. 7.6).
November 16, 2010	Slide Presentation of Citizen's Board Oversight Committee Report on Measure M	List of Active Measure M Projects for both SBVC and CHC	<b>Listed on 3<sup>rd</sup> slide: HLS &amp; Campus Center HVAC; on 7<sup>th</sup> slide construction budget of \$1,111,997; current completion 0%; completion date July 2011. Construction scheduled bulleted for July 2011.</b> (Note other projects listed are: <i>Central Plant, Campus Infrastructure, Signage/ADA Phase, Business Building Renovation; New Gymnasium, etc)</i>
July 21 2011	Board Document- Prepared by Charlie Ng, Interim Vice Chancellor Fiscal Services	Consideration of Approval of Revised Measure M Project List for SBVC	On July 8, 2010, the Board approved a Measure M Program Implementation Plan which contained project lists for both SBVC and CHC. However, due to the inability to sell additional bonds in the current financial climate, it has become necessary to reprioritize the project list. Facing a reduction from \$211,800,000 to \$110,136,000, SBVC is proposing to revise the Measure M project list per the attached. In an effort to confer collegially on the issue, SBVC held three campus meetings which included students. The first two



			<p>were designed to discuss the current priority list and to listen to feedback. The predominant message from the campus was that teaching space was a higher priority than parking space. At the third meeting, a proposed priority list was presented that removed the parking structure from the proposed priority list. Subsequent feedback was supportive, however, parking was still a priority. In order to recognize this concern, a parking plan has been developed that includes free parking in the Swap Meet parking lot.</p> <p><b>Item attached to this document- Bond Project List (Revised) July 2011: Measure M funded projects: #1 HVAC for Cafeteria/Ventilation HLS with Budget of \$800,000</b></p>
DATE OF DOCUMENT	DOCUMENT TYPE	CONTENT	Excerpt from Document
<p><b>September 15 2011</b></p>	<p>District Final Budget – Fiscal year 2012 Report</p>		<p>Pg. 7 Capital Expenditures</p> <p>\$233.4 million is budgeted to continue implementing SBVC and CHC facilities master plans and the District's Five Year Construction Plan. Consistent with the Five Year Construction Plan submitted for approval to the Board of Trustees in July 2011, projects scheduled to be designed or constructed next year are as follows:</p> <p>SBVC</p> <p>Chemistry/Physical Science; HVAC for Cafeteria/Ventilation for HLS Building Site Work/Signage/ADA Phase I; Central Plant and Campus-wide Infrastructure</p> <p>Pg. 53 Construction Projects</p> <p><b>HVAC for Cafeteria/Ventilation for HLS Building – New HVAC systems will upgrade the existing HVAC systems in the Life Science Building, Administration Lobby, and the Campus Center Kitchen to mitigate and improve deficiencies in airflow.</b> The total cost of the project is approximately \$800,000 and is funded by Measure M. The project has completed all phases of design, is scheduled to start construction in summer 2011, and finish in fall 2011.</p>



			<p>Pg. 58 Measure M</p> <p>Measure M was passed by the voters in February, 2008 for \$500 million. Currently, the District has sold bonds and has funding for \$258,312,389 of the total \$500 million. The total \$500 million Measure M amount was calculated using a variety of variables and assumptions including assessed valuation of property, projected tax rates, and the term length of the bond measure. Changes in these variables and assumptions have impacted the total amount the District has been able to realize in funding in terms of selling future bonds. The projected annual rate of growth in assessed valuation of property and the amount of the tax rate have not met original assumptions. The assessed valuation has fallen -11.98% over the last two years and the tax rate is approaching the legal limit of \$25 for every \$100,000 of assessed value. As a result, the District is not in a position to sell the remaining \$241,687,611 bonds authorized in the near future because of the decline in assessed valuation of property and the increase in tax rate. With interest earnings, the District's \$500 million Measure M bond funding is currently \$265 million. The funds are allocated as follows: SBVC – \$110,136,000, CHC – \$132,756,000, and District – \$22,360,000.</p> <p>Projects funded by Measure M include: HVAC for Cafeteria/Ventilation for HLS</p>
DATE OF DOCUMENT	DOCUMENT TYPE	CONTENT	<p><b>Excerpt from Document</b></p> <p><b>No excerpt with HLS Ventilation as an item.</b></p> <p>Only SBVC Cafeteria listed under Measure M projects with a total cost of \$323,995.</p> <p>AT SBVC REPORT:</p> <p>"Over the next few years, SBVC will continue its campus modernization and construction program via the Measure M bond passed by San Bernardino County Voters in 2008. Next on the priority list will be:</p> <p>*Campus-Wide Infrastructure (2012) *Campus Signage and ADA Access</p> <p>*Central Plant Infrastructure</p> <p>*Business Building Renovation</p> <p>*New Physical Education and Athletics Complex</p>
October 31 2011	2010-2011 CBOC (Citizen's Board Oversight Committee) Report on Measure P & M	Schedule of bond project expenditures & leveraged funds.  Measure M Bond Projects list of budget for Active Projects.	



			<p>*Stadium/Field Improvements</p> <p>*Auditorium Renovation</p>
<p><b>September 6 2012</b></p>	<p>District Final Budget – Fiscal year 2013 Report</p>		<p>Pg. 50 Five-Year Construction Program</p> <p>This year, <b>SBVC completed the Heating Ventilation and Air Conditioning for the Cafeteria and HLS Building project (\$716 thousand)</b>, and the campus sewer infrastructure replacement project (\$650 thousand). CHC completed the Parking Lot/ADA/Lighting project (\$10 million); demolition of the old library (\$600 thousand), Data Relocation project (\$575 thousand), and the Solar Farm project (\$7.2 million).</p>
<b>DATE OF DOCUMENT</b>	<b>DOCUMENT TYPE</b>	<b>CONTENT</b>	<b>Excerpt from Document</b>
<p><b>June 13 2013</b></p>	<p>Board Document- Prepared by Charlie Ng, Interim Vice Chancellor Fiscal Services</p>	<p>Consideration of Approval of Revised Measure M Bond Project List for San Bernardino Valley College</p>	<p>On July 8, 2010, the Board approved a Measure M Program Implementation Plan which contained project lists for both SBVC and CHC. These lists are to be reviewed and updated as needed. The most recent update to SBVC's list was approved by the board on July 21, 2011.</p> <p><b>Item attached to this document-</b></p> <p><b>A summary of the changes occurring since July 2011.</b></p> <p><b>Budget and/or bid savings were realized on the HVAC for Cafeteria/Ventilation HLS, Sitework/Signage/ADA Phase 1, and Business Building Renovation projects. With a change to budget of \$ -3,333,323.</b></p> <p>Item attached to this document-</p> <p>Bond Project List (Revised) July 2011 (Current)</p> <p>Measure M funded projects: #1 HVAC for Cafeteria/Ventilation HLS with Budget of \$800,000</p> <p><b>Item attached to this document-</b></p> <p><b>Bond Project List (Revised) June 13 2013 (Proposed):</b></p> <p><b>Measure M funded projects: #1 HVAC for Cafeteria/Ventilation HLS with Budget of \$723,106</b></p>
<p><b>October 7 2013</b></p>	<p>SBVC Facilities &amp; Safety Committee</p>	<p>Program Review Matrix- reviewed and</p>	<p>From list of SBVC Program Review matrix prioritization:</p> <p><b>#20 (HLS air handling units), 21 (HLS window treatment &amp; ventilation).</b></p>



		commented	<b>Typed comments on these were: "Maintenance doing some repairs, wait and see what happens with repairs" and "Really three different projects—ventilation to be done by M&amp;O this fiscal year"</b>
<b>January 15 2015</b>	Board Document: Prepared by George Johnson, Bond Program Director, Kitchell/BRJ	Construction Change Summary, Measure M Projects	<p>From the Summary Table:</p> <p>Projects = HVAC Cafeteria &amp; Health Sciences  Original contract = \$325,000  New contract = \$325,000  Change order % = 0.00%</p>
<b>March 12 2015</b>	Board Document: Prepared by George Johnson, Bond Program Director, Kitchell/BRJ	Construction Change Summary, Measure M Projects	<p>From the Summary Table:</p> <p>Projects = HVAC Cafeteria &amp; Health Sciences  Original contract = \$325,000  New contract = \$325,000  Change order % = 0.00%</p>
<b>NA</b>	2014-2015 Scheduled Maintenance Project	District scheduled Five year plan (2014-through 2018)	Priority #35 – Exhaust system Corrections at HLS; Age of Utility = 2-5yrs;