MINUTES

Annual Organizational and Regular Meeting of the Board of Trustees
CALL 208, Training Room
411 Central Avenue
Salinas, California

December 7, 2010

OPEN SESSION

Meeting called to order at 5:06 p.m.

Trustee Donohue recognized the beautiful music performed by Estudiantina Hartnell directed by William Faulkner.

ROLL CALL

Patricia Donohue, President
Candi DePauw
Bill Freeman
Elia Gonzalez-Castro
Ray Montemayor
Erica Padilla Chavez (arrived at 5:15 p.m.)
Shaundra Taylor, Student Trustee – (advisory vote per Board Policy 1030)

Phoebe K. Helm, Board Secretary

AGENDA

Prior to the adoption of the agenda, Trustee Freeman made a motion to amend the agenda. He requested Consent Item VII, E., Personnel Actions, Item I. A., Approve release of regular personnel be tabled until the next Board meeting.

On motion by Trustee Freeman, seconded by Trustee Montemayor, by vote of 4-1, and by advisory vote of Aye the Board moved to table Consent Item VII, E., Personnel Action, Item I. A., Approve release of regular personnel until the January Board meeting. (No: Donohue) Absent: Healy and Padilla-Chavez

On a motion by Trustee Gonzalez-Castro, seconded by Trustee Montemayor, by vote of 5-0, and by advisory vote of Aye (Taylor), the Board approved the agenda as amended. Absent: Healy, Padilla-Chavez

DISCLOSURE OF CLOSED SESSION ITEMS

Trustee Donohue disclosed items for Closed Session as authorized per Government Code Sections 3549.1, 54956.9, 54957, and/or 54957.6:

1. Reconsideration of Release of Probationary Faculty Member – 1 case
2. Update on Negotiations – Hartnell College Faculty Association
Lawrence Yee, Hartnell College Faculty Association (HCFA) chief negotiator and Dr. Ann Wright, President, HCFA, spoke in support of settling their contract with the district and urged the Board to consider the package presented to the district on November 19, 2010. In addition, they stated they are available to answer any questions the Board may have regarding their proposal.

Dr. Ann Wright, HCFA President, read aloud a letter submitted by Dr. Stan Crane and Kathy Sproles, retired faculty, who served as mentors for Ms. Barbara Ristrim during her first year of instruction.

Dr. Wright spoke in support of Ms. Ristrim, as did students, Gabby Enriquez and Jose Medrano. Ms. Ristrim spoke in her own behalf and stated that she loved teaching.

The Board of Trustees of Hartnell Community College District, and Dr. Phoebe Helm, Superintendent/President, moved to Closed Session at 5:41 p.m. to consider legal, personnel, labor, and/or contract matters authorized for Closed Session per Government Code Sections, 3549.1, 54956.9, 54957 and/or 54957.6. Mary Dowell, legal counsel, and Terri Pyer, Associate Vice President, Human Resources joined the Board during this portion of the closed session.

Trustee Donohue reconvened the public session at 6:15 p.m. and announced that Closed Session recessed until after the public session.

Trustee DePauw led the Pledge of Allegiance.

Trustee Donohue reported out the following action from closed session:

By a vote of 4 to 1 with 1 abstention, the Board voted to reaffirm the decision not to grant probationary faculty member #F106 a third contract. Trustees DePauw, Donohue, Gonzalez-Castro, and Padilla-Chavez voted yes on the decision, Trustee Freeman voted against it, and Trustee Montemayor abstained. Trustee Healy was absent.

Juan Gutierrez, student, stated that he was a representative of First Tee Monterey County and was concerned over a scholarship that he did not receive, stating that he did not believe he was treated fairly.

Students, Mary Lou Dominguez, Vividrana T. Dominguez, Jason D. Pineda, Betsabe Alcantar, and Jose Medrano spoke in support of counselors Theresa Carbajal and Millicent Madrigal.

Evangelina Quiroz, Vice President, Student Senate, spoke on the behalf of the hearing impaired students and art students and urged the Board to find counselors who can help these students transfer and further their education.

Theresa Carbajal, Counselor, spoke about her lack of confidence in the Vice President of Student Affairs. She pointed out a letter written by the counselors submitted to the administration and stated she believes the Board received a copy of this letter. Also, she acknowledged the meeting Dr. Helm held with the Counseling Department Members regarding the letter.
The Board President asked the Board Secretary, Dr. Helm, to conduct the Board’s Annual Organization meeting for calendar year 2011.

**Board President**

The nominations for Board President were:

1. Trustee Padilla-Chavez by Trustee Gonzalez-Castro.
2. Trustee Montemayor by Trustee Freeman.

On a motion by Trustee Donohue, seconded by Trustee Gonzalez-Castro, by vote of 6-0, the Board moved to close nominations. (Absent: Healy)

Trustee Padilla-Chavez was elected Board President for calendar year 2011. The votes were as follows: Trustee Padilla-Chavez received four votes (Gonzales-Castro, DePauw, Donohue, and Padilla-Chavez); Trustee Montemayor received two votes (Freeman and Montemayor).

**Board Vice President**

The nominations for Board Vice President were:

1. Trustee Freeman by Trustee Montemayor.
2. Trustee Healy by Trustee Donohue.
3. Trustee Gonzalez-Castro by Trustee Padilla-Chavez.

Dr. Helm clarified that Trustee Healy asked to be nominated as Vice President and that, due to an emergency at work, he was called out of the country.

On a motion by Trustee Donohue, seconded by Trustee Padilla-Chavez, by vote of 6-0, the Board moved to close nominations. (Absent: Healy)

The voting resulted in a tie with each nominee receiving two votes: Trustee Montemayor (Freeman/Montemayor), Trustee Healy (Donohue, DePauw), and Trustee Gonzalez-Castro (Padilla-Chavez, Gonzalez-Castro).

Mary Dowell, legal counsel, was present and stated that typically elections would continue until both the Board President and Board Vice President seats were filled. However, since the Board has elected a Board President, there is no legal reason why the election of the Board Vice President could not be postponed until the next meeting and recommended extending Healy’s term until then.

On a motion by Trustee DePauw, seconded by Trustee Padilla-Chavez, and by vote of 6-0, the Board moved to table the election of Board Vice President to the January 2011 meeting. (Absent: Healy)

On a motion by Trustee DePauw, seconded by Trustee Padilla-Chavez, by vote of 5-1 (No: Freeman), the Board moved to maintain the current Board Vice President until the meeting of January 2011. (Absent: Healy)
On a motion by Trustee Gonzalez-Castro, seconded by Trustee DePauw, and by vote of 6-0, the Board moved to appoint Dr. Helm, Superintendent/President, as Board Secretary. (Absent: Healy)

**Board Representative**

**Sunrise House**

The nominations for representative to the Sunrise House Executive Board were:
1. Trustee Healy by Trustee Padilla-Chavez.
2. Trustee Montemayor by Trustee Freeman.

On a motion by Trustee Padilla-Chavez, seconded by Trustee Gonzalez-Castro, and by vote of 6-0, the Board moved to close nominations. (Absent: Healy)

Trustee Montemayor was appointed to serve as the Board’s representative to the Sunrise House Executive Board for calendar year 2011. The votes were as follows: Trustee Montemayor received four votes (Freeman, DePauw, Gonzales-Castro, and Montemayor); Trustee Healy received two votes (Padilla-Chavez and Donohue).

**Board Representative**

**Monterey County School Boards Association**

The nomination for representative to the Monterey County School Boards Association was:
1. Trustee Padilla-Chavez by Trustee DePauw.

On a motion by Trustee Gonzalez-Castro, seconded by Trustee DePauw, and by vote of 6-0, the Board moved to close nominations. (Absent: Healy)

Without opposition and on a vote of 6-0, Trustee Padilla-Chavez was appointed to serve as the Board’s representative to the Monterey County School Boards Association for the 2011 calendar year.

**DESIGNATION OF 2011 BOARD MEETING DATES AND TIMES**

On a motion by Trustee Padilla-Chavez, seconded by Trustee Gonzalez-Castro, and by vote of 6-0, the Board moved to approve the board meeting dates and times for calendar year 2011. (Absent: Healy)

The Board received a revised calendar for the 2011 meeting dates and times because, in 2011, Election Day is November 8th, the second Tuesday rather than the first Tuesday of the month. In addition, the Annual Organizational meeting for calendar year 2012 will be held on November 29, 2011. (Appendix A)

**RESOLUTION 10:15**

**AUTHORIZING SIGNATURE OF BD SECRETARY**

On a motion by Trustee DePauw, seconded by Trustee Donohue, and by roll-call vote of 6-0, the Board adopted Resolution 10:15, Authorizing the Signature on Appropriate Documents the Superintendent/President as Secretary of the Board of Trustees. (Absent: Healy)

Gema Ptasinski, of Vicenti, Lloyd, and Stulzman LLP, presented the Independent Accountants' Audit Report for Hartnell College, including the Foundation, for the year ending June 30, 2010. In addition, she presented both the Performance Audit and the Financial Audit Reports for the Measure H General Obligation Bond for 2009-2010. Ms Ptasinski reviewed the major points of the audit and stated that the college received an Unqualified Opinion for each audit, which is the highest opinion any organization can achieve. She commended Hartnell staff and members of the audit committee for their cooperation and support.
**CONSENT ITEMS**

On a motion by Trustee Padilla-Chavez, seconded by Trustee DePauw by vote of 6-0, and by advisory vote of Aye (Taylor), the Board moved to approve Consent Items A through E. (Absent: Healy)

Pulled for further clarification was Item B., Disbursements.

**A. MINUTES**

Approved minutes of regular meeting of November 9, 2010.

**B. DISBURSEMENTS**

Approved disbursements from any or all of the following funds: general; debt service; bookstore; child development; capital outlay projects; scheduled maintenance; property acquisition; bond projects; cafeteria; self-insurance; retirees health benefits; associated student body; scholarship, loan, and trust; and intercollegiate athletics.

Trustee Freeman questioned two disbursements to Monterey Institute for Social Architecture totaling $60,000. Dr. Helm explained that the disbursements are across two areas. One is an ongoing contract to perform work with the Board and administration, including writing grants, and the other is the work Mike Thomas does managing construction related grants and projects.

**C. CURRICULUM COMMITTEE ACTIONS**

Ratified the recommendations from the Curriculum Committee.

Dr. Helm pointed out a correction on Page 2, Course Revisions, PEAC.

The statement regarding all PEAC courses listed should have read: Changed description only to clarify number of repetitions allowed.

**D. INDEPENDENT AUDIT FIRM – AMENDED CONTRACT**

Authorized to amend the contract by one year with the independent auditing firm, Vicenti, Lloyd, and Stutzman, LLP, for financial auditing services through the end of fiscal year 2011.

**E. PERSONNEL ACTIONS**

Approved and/or ratified personnel actions (Appendix B)

**ACTION ITEMS**

**INDEPENDENT AUDIT REPORTS FOR FISCAL YEAR ENDING JUNE 30, 2010**

On a motion by Trustee Padilla-Chavez, seconded by Trustee Montemayor, on vote of 6-0, and by advisory vote of Aye (Taylor), the Board moved to accept the Independent Accountants’ Audit Reports for the year ending June 30, 2010. The reports for 2009-2010 include all funds: 1) General (restricted and unrestricted), 2) Hartnell College Foundation, and 3) Measure H Capital Bond Funds (both the Financial Audit and the Performance Audit). (Absent: Healy)

Dr. Helm thanked Kent Stephens, Al Muñoz, their staff, and the college, for following the policies and procedures that led the college to receiving the highest possible recommendation from an auditor.

**BUDGET REVISIONS**

On a motion by Trustee DePauw, seconded by Trustee Padilla-Chavez, on vote of 6-0 and by advisory vote of Aye (Taylor), the Board moved to approve budget revisions numbered 9021 to 9053. (Absent: Healy)
RESOLUTION 10:16, APPROVING AMENDED AND RESTATED BYLAWS

On a motion by Trustee Padilla-Chavez, seconded by Trustee DePauw, by roll vote of 6-0 and by advisory vote of Aye (Taylor) the Board adopted Resolution 10:16, Approving Amended and Restated Bylaws for the Citizen’s Bond Oversight Committee. (Absent: Healy)

Dr. Helm pointed out that Section 6.1 of the bylaws was the only change made. The Bond Oversight Committee will meet no more than quarterly, rather than once a month, unless needed.

INFORMATION ITEMS

CONSTRUCTION PROJECTS – UPDATE


Trustee DePauw asked questions related to the status of the land swap, sidewalk project, keyless entry design, chiller-boiler replacement, PE field house, the opening of the Alisal Campus, and the Student Center.

Trustee Padilla-Chavez asked about the possibility of a tour of the Alisal Campus before the spring semester begins. One will be scheduled.

FINANCIAL STATEMENTS

The Board received the financial statements for periods ending October 31, 2010.

MONTEREY COUNTY TREASURER’S QUARTERLY REPORT

The Board received the Monterey County Treasurer’s Report of Investments for the Quarter Ending September 30, 2010. The Board asked questions related to the percentage of money the college actually receives to which Kent Stephens, Vice President of Support Operations, and Alfred Muñoz, Controller, responded.

PROCESS FOR REDRAWING TRUSTEE AREAS

Trustee Donohue stated that she, Trustees Padilla-Chavez and Gonzalez-Castro, and Dr. Helm attended the workshop sponsored by the Monterey County School Boards Association and learned about the requirements for redrawing trustee areas. In their mailing, the Board received a copy of the full presentation from the workshop and Dr. Helm provided, as an information item for the public and the Board, a summary of the steps involved in this process. Dr. Helm recommended that Board consider appointing a demographer in January. The Board directed Dr. Helm to bring forward to the January meeting a proposal for a demographer and an update with their options related to securing an attorney.

SENATE REPORTS

Student Senate

Nicki Baird stated that Stephanie Blancas could not attend this evening’s meeting due to personal issues. Ms. Baird reported that the Senate is working on their annual event, Festival of Trees. Each year, clubs decorate trees and donate the trees to campus families in need. Also, she reported that Booklenders is scheduled to open January 10th, two weeks prior to the start of the semester; and that the Senate is excited and preparing for their move to the Student Senate Office located in the Student Center.

Academic Senate

Nancy Schur, President, reported that several faculty expressed interest in serving on faculty hiring committees – that many attended an orientation meeting on the hiring process and they are looking forward to the new appointments this fall; that the Senate supports the faculty association by prioritizing the development of a post-tenured faculty
evaluation process – that it is one of their goals this spring; and at the Statewide level, a paper on student learning outcomes was recently passed and accepted and will be posted online soon (www.asccc.org).

Dr. Helm followed up on two items from the November meeting related to the Title V grant (in partnership with Gavilan College whose expenses are reimbursed through Hartnell, the lead college in the project) and the budget for a technology sub-award through the Monterey County Office of Education.

Dr. Helm reported the college received a grant from N.A.S.A. which will be located at the Alisal. The amount of the grant $125,000 per year plus equipment. The purpose of the grant is to provide education and training for middle and high school students and their families. It will be a full aeronautical learning education lab and the only lab on the west coast. Sixteen proposals were submitted and only two were selected – one in Texas and other at Hartnell College. The grant will be in partnership with Berkeley.

Dr. Helm reported that she was in King City to meet with a computer company who is considering locating in King City. She was joined by Faculty Joe Welch who brought with him, students and partners from CSUMB and the Naval Post Graduate School. In addition, several South County businesses and leaders were in attendance and they spoke about the quality of life in South County. If successful, 500 new jobs would be available in South County.

Dr. Helm briefly reported that, based on recent state budget projections, the college is anticipating a $1.8 million budget cut over the next 18 months – some of which will be in this year and the remaining in the next year.

Dr. Helm reported that the college will be closed December 23rd through January 2nd during the holiday season. Many classified employees and managers have opted to use additional vacation and limited services will be available December 20, 21, and 22.

Dr. Helm reported that staff is working on revising the purchasing and contracting policies and procedures, as well as developing a change order process. She stated that the Board can expect to review the first reading of the policies and review the procedures at the January meeting. She suggested that the Board select two members to review these policies and procedures with staff prior to the January meeting. The Board agreed to have Trustees Donohue and DePauw meet with staff prior to the January meeting.

Trustee Gonzalez-Castro reported that she enjoyed *A Mexican Christmas Carol* – she was able to secure special priced tickets for the children in the Alisal Union School District; they thoroughly enjoyed the performance and she is proud of the Western Stage and believes more performances that feature Latinos will bring in larger audiences.

She asked Dr. Helm to take into consideration the statements that were made by the students regarding counseling services – that her children and relatives have had the same experiences. She stated that a good counselor can make a difference for our students.

Trustee Gonzalez-Castro stated she was proud of Andy Newton for all of his work with the N.A.S.A. grant – that these are important partnerships.
In closing, she thanked the Board for her nomination as Vice President, but withdrew herself. She stated she is upset with the many change orders – that they did not have to happen and that she was glad that Trustee Donohue and DePauw are willing to work on the change order process.

Trustee DePauw stated that she appreciates Trustee Gonzalez-Castro’s openness and that the Board has a lot of work to do. She thanked Trustee Donohue for her time, effort, and energy as Board President and presented her with a gift. She believes, while it is an honor to be Board President, it is a heavy commitment and responsibility and she is proud of her colleagues. She thanked the faculty, staff, and all of those who attend these meetings.

Trustee Montemayor stated that he appreciates the comments made, but that during these times, we must do more with less and we need to try to find ways to get things done with what we have. He suggested that the college get back to the students and faculty regarding concerns expressed this evening.

Trustee Taylor stated she was thankful for the audit report received this evening; that the college center is really nice and thanked everyone who worked on the center.

Trustee Padilla-Chavez stated she is humbled by her election as Board President – she is excited and agrees that we will have to do more with less and each will need to contribute by rolling up their sleeves and getting to work. She suggested developing a checklist to help gauge accomplishments. She gave kudos to the soccer team. She watched them in the playoffs and they did an outstanding job. She commended Trustee Gonzalez-Castro for bringing N.A.L.E.O. to campus tomorrow. She thanked her for her partnership and for coordinating the event. She gave kudos to staff that helped prepare the presentation, made in East Salinas, to the California Endowment, Building Healthy Initiative. Hartnell will be a part of this initiative, ensuring that children have access to health careers. She stated that she understands the importance of counseling and knows that she and her colleagues are commitment to ensuring to do better in that arena. She thanked each member for a wonderful year and stated that today marks one year. This past year has been a learning experience. She stated that transportation fares will increase and that our students have stated transportation is a real issue for them and asked for permission to write a letter inviting MST to consider a discount fare for students. She asked for an update from the administration on where they are in working with the MST.

Trustee Freeman thanked Trustee DePauw for the vest she gave him. He expressed concern over the statements made regarding counseling and would like to see those concerns addressed before the start of spring. He reported that he attended the football banquet and learned that many of the players made the All Conference First Team. He stated that this unusual for teams who have won two out of five conference games. Also, he attended the girls’ basketball tournament last weekend and they won two out of three games. He stated that he is proud the soccer team did well and is pleased the student center is almost complete – that it looks great. He enjoyed the musical performance earlier this evening and he attended an event at CSUMB where they honored a Native American from our area. This honoree made a mural about the history of the Native Americans from this area and he would like to see the mural on campus in the future. In closing, he wished all a Merry Christmas and a safe and Happy New Year.
Trustee Donohue pointed out two documents to the Board 1) 2020 Vision for Student Success; A Report by the League’s Commission on the Future and 2) Leadership for Student Success: The Critical Role of Boards of Trustees, a publication she received while attending the CLASS Institute with Dr. Helm.

Also, she announced the Foundation has a matching grant campaign underway and reminded those who may need a last-minute contribution to consider this student scholarship campaign and she wished all a safe and holiday season.

The Board recessed the Public Session to reconvene Closed Session.

RECONVENED CLOSED SESSION The Board of Trustees of Hartnell Community College District, and Dr. Phoebe Helm, Superintendent/President, reconvened Closed Session at 8:15 p.m. to consider legal, personnel, labor, and/or contract matters authorized for Closed Session per Government Code Sections, 3549.1, 54956.9, 54957 and/or 54957.6. Kent Stephens, Vice President, Support Operations and Terri Pyer, Associate Vice President, Human Resources joined the Board during this portion of Closed Session.

RECONVENED PUBLIC SESSION AND REPORT OUT Trustee Donohue reconvened the public session at 8:59 p.m. and stated that no action was taken in Closed Session.

ADJOURNMENT On a motion by Trustee Padilla-Chavez, seconded by Trustee Montemayor, and unanimously carried, the Board moved to adjourn the meeting at 9:00 p.m.

__________________________  __________________________
Patricia Donohue             Phoebe K. Helm
Board of Trustees President  Board Secretary
The dates of the Board’s regular meetings are recommended the first Tuesday of each month and the development meetings on the third Tuesday of each month, except where noted.

The Board will open its regular business meeting at 5:00 p.m., closed session to follow immediately after, if needed.

The Board’s development meetings will open at 5:00 p.m.

The dates for both meetings are as presented below:

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THE FOLLOWING PERSONNEL ACTIONS WERE APPROVED AND/OR RATIFIED AT THE
REGULAR MEETING OF THE HARTNELL COLLEGE BOARD OF TRUSTEES OF
DECEMBER 7, 2010:

I. Retirements, resignations, releases, and leave requests
   A. Approve release of regular personnel:
      1. Ligia Polio, Financial Aid Technician (#CC-62), effective January 22, 2011,
         due to layoff, and placement on 39-month re-employment list in accordance
         with Education Code § 88117. This layoff is due to lack of work in King City.

II. Appointments
   A. Ratify appointments of regular classified positions:
      1. Brenda M. Thrasher, part-time, 20 hours per week, 12 months per year,
         Accounting Assistant – Classified, (#CC-12), Range 21, Step A, effective
         November 8, 2010.
      2. Silvina Zepeda, full-time, 40 hours per week, 12 months per year, DSPS
         Specialist – Classified, (#CC-90), Range 32, Step A, effective November 10,
         2010. This action represents a promotion from DSPS Clerical Assistant (#CC-
         91), full-time, 40 hr/week.
      3. Andrea Curtis, full-time, 40 hours per week, 12 months per year, Division
         Administrative Assistant – Classified, (#CC-165), Student Affairs, Range 22,
         Step A, effective November 18, 2010.
   B. Ratify appointment of full-time temporary academic personnel:
      1. Timothy Castellano, full-time temporary Astronomy Instructor – Math &
         Science, Step 8, Column E, effective January 20, 2011. This appointment is for
         the spring 2011 semester, as a leave replacement.
   C. Ratify appointment of part-time instructor for fall semester 2010:
   D. Ratify appointment of Professional Experts:
      Hartnell’s theater arts program/The Western Stage (TWS) provides students the
      opportunity to learn their craft within a professional context. TWS’ current season
      runs through December 30, 2010.
      1. Lorenzo Aragon, $3000 flat rate, phase 1 development & teaching for new
         Theater Arts program at the Alisal Center, September 21 – December 10, 2010.
Provide contract training demos for King City Union School District employees:

2. Janet Bessemer, $60/hr (4 hrs), trainer, October 19, 2010.

Through the CCRAA HIS sub-award, the objective of this grant is to increase the number of transfer students and the retention and graduation rates to CSU - Monterey Bay in the science technology, engineering, and math majors.

3. Chante Davis, $1363.63/mo. (not to exceed $15,000), liaison, October 1, 2010 – September 30, 2011.

To provide assistance in mentoring students, creating and implementing education plans, coordinating work of science and math intern grant programs.


The mission of GEAR Up is to increase the number of Alisal High School students who are prepared to enter and succeed in post-secondary education. It gives more low-income students the academic skill, psychosocial support services, information and financial assistance needed to enter, pursue, and succeed in college.

5. Jaime Diaz, $15/hr (30hrs/week), family liaison, October 11 – June 30, 2011.

E. Ratify appointment of Student Workers for fall semester 2010:

1. Sherri Boyd, Child Development Center, Student Worker I
2. Stephanie Castro, East Salinas GEARUp, Student Worker III
3. David Gonzalez, East Salinas GEARUp, Student Worker III
4. Juan Hernandez Villarruel, Tutorial Center, Student Worker II
5. Evelyn Meza, Human Resources/EEO, Student Worker I
6. Mario Nunez, East Salinas GEARUp, Student Worker III
7. Angel Ramos, East Salinas GEARUp, Student Worker III
8. Carolina Suarez, East Salinas GEARUp, Student Worker III
9. Ivan Vega, King City Education Center, Student Worker I