

**WEST
HILLS**
COMMUNITY
COLLEGE
DISTRICT

Office of the Chancellor
Frank Gornick
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West Hills College Coalinga West Hills College Lemoore North District Center, Firebaugh Naval Air Station, Lemoore

BOARD OF TRUSTEES

April 20, 2009

President
Mark McKean

Mr. Bradford E. Gleason
5250 N. Palm Ave., Suite 227
Fresno, CA 93704

Vice President
Bill Henry

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Re: Foundation Position of Executive Director

Steve Cantu

Dear Mr. Gleason,

Edna L. Ivans

Please accept this letter in response to your letter dated March 9, 2009 regarding the Executive Director of the West Hills Community College Foundation, Barbara Caganich. While my response to you is not intended to be comprehensive in nature, I do wish to provide information which I think will help you gain greater insight in this matter.

Jeff Levinson

Jack Minnite

Student Trustee
Jaqueline DePue

As President of the Board of Trustees of the West Hills Community College District, it goes without saying I am thankful for the support provided by the Foundation for the educational programs of our District. The District and Foundation enjoy a mutually beneficial relationship which the District clearly intends to continue.

ADMINISTRATION

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Vice Chancellor
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In furtherance of the efforts made by the Foundation in support of the District, the West Hills Community College District Board of Trustees provides the financial support and funding for the position of Executive Director. In that regard, the District is the "employer", notwithstanding services being provided directly to the Foundation. As employer, the District seeks to provide a service that is consistent with the operational style and efficiency of the entire District organization. Clearly the current Executive Director of the Foundation has many positive attributes, not the least of which is the ability to provide a supportive role in raising funds for the objectives and goals of the Foundation; however, the District's organizational makeup is in an ever-changing progression that evolves in relation to the needs and direction of the District. This means that from time to time, new and different administrative styles are implemented as the District restructures its administrative approach to operating an institution of higher learning.

The State Legislature has provided to college districts the operational options which allow such governmental agencies the right to elect and recruit new and different personnel on a statewide basis which, on occasion, require the non-reemployment of incumbent individuals

previously holding such positions. This ever-changing and evolving systematic approach to administration oftentimes provides new energies, approaches, and efficiencies as well as effective ways of dealing with the ever-changing objectives and goals of the organization. By virtue of the right of the employer college district to determine to non-reemploy a particular individual, the Board of Trustees is not required to make such decision in the form of charges for substandard performance; rather, it is enough to say that the governmental agency desires change and such change can be effectuated without the necessity of determining a particular employee has violated some rule or has effectuated some other cause for discharging the employee. In the instant case, the Board of Trustees has chosen to seek a different administrative approach in the manner within which it will provide this service to the Foundation. It is our hope that the Foundation will find this to be beneficial as it is intended.

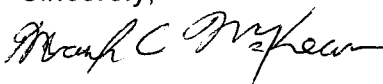
With regard to the membership dues and assessments for the country club membership, in the past a 1099 has not been issued to Dr. Frank Gornick for this benefit, meaning that the membership would have no personal use in the eyes of the IRS and related regulations. Additionally, it is the Foundation Board's decision to pay or not pay the membership based on its conclusion of necessity for the membership. The auditor for the Foundation has confirmed that the decision of "necessity" is indeed that of the Foundation Board.

While other issues are raised in your letter, including pay raises for staff employees, expenditures to cover printing costs of the District's anniversary book, and the annual Foundation golf fundraiser, these issues have previously been addressed and I trust need not be redundantly revisited as a means to justify objections to the Board of Trustees' non-reemployment decision. You have raised other concerns about the Foundation and its activities. The Interim Executive Director of the Foundation is presently reviewing some of those concerns.

As noted earlier, the role of the Foundation in the educational advancement of the West Hills Community College District is extraordinarily supportive and beneficial to the District. The Board of Trustees extends its sincerest thanks to the role played by the Foundation in support of the District and hopes that the Foundation understands and appreciates the decision-making processes to which the Board of Trustees must engage in its guidance for the District.

As President of the District Board of Trustees, I trust that this letter will help to allay any concerns involving this matter and that we are in a position to continue forward progress in a manner which optimizes the achievement of common goals and the educational interests of our constituent communities.

Sincerely,



Mark McKean
President of the Board of Trustees

c: Frank Gornick, Chancellor
Board of Trustees of the West Hills Community College District
Board of Directors of the West Hills Community College Foundation