

# **MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF FRIENDS OF THE ELEPHANT SEAL October 17, 2012**

**Present:** Bill Goodger, Jim Brownell, Tim Postiff, Kathy Hurrel, Donovan Marley, George Larsen, Bette Bardeen, Brandt Kehoe

**Also Present:** Bob Wilkins, Charmain Coimbra, Ramona Vogue, Dave Bauer, Marcella Boteilho

Minutes of the September 19<sup>th</sup> meeting were unanimously approved.

**OFFICE REPORT:** 1) Marcella reported that State Forms are moving along slowly, only about half way through. She sent the new forms to trainees and encouraged board members to get theirs in and to remind others. She will put it into the docent letter again. 2) She also said that we need a new "vault". The current one is not large enough as she has to come in during the weekend to empty it for a deposit. Any suggestions greatly appreciated. 3) She also asked about re-using the bluff newsletters in light of the fact that the new winter one includes both winter and spring rookery information rather than just winter. What to do with the older leftovers? Brandt suggested rather than waste them, use them up first. Also decided to use summer and fall but not spring. 4) She and Brandt are also planning to set up the other computer in the office in order to "stream" the web cam. 5) Otter pelts are in if anyone is interested. 6) Lots of new people are taking out the table. Goal is to get the table out every day. 6) Since Camp Ocean Pines donated the use of their facility for the Soupabration perhaps FES should send them a donation? Motion made and carried to donate \$500 to Camp Ocean Pines. 7) Charmaine's numbers differ slightly from Marcella's regarding Soupabration. Marcella discussed the breakdown with the accountant and they did not feel it was not a good idea to alter the way the numbers are presented via Quickbooks to make them match Charmaine's. 8) Vet's Hall has been secured for all of the dates on Donovan's calendar in addition to December 1<sup>st</sup> when Burney Le Beouf will be the speaker. Docent Appreciation dinner will be February 2<sup>nd</sup>. Donovan will make changes/additions on the master Event Calendar.

**PRESIDENT'S REPORT:** Brandt reported that Burney Le Beouf will be addressing FES on December 1<sup>st</sup>. The topic will be Lifetime Survival rates in Northern Elephant Seals. He went through a brief summary of the upcoming lecture regarding new information: The study took 3 years (1985,86 & 87). Of the 300 weaners they branded and followed, the oldest female was 21 and they know she had a pup at age 20 but don't know about her 21<sup>st</sup> year, oldest male is 13, 57% of the females survived to age 1, 66% of the males survived to age 1. The average survival rate of males is 66% per year throughout their life (a one chance in 3 of not surviving during any given year). Females, shortly after age 1, move to an average of 86% between age 5 and 16 (a one chance in 7 of not surviving). When females reach age 16, their survival rate drops dramatically; the conclusion being that old age sets in for females. Two of the authors of this unpublished study are Burney Le Beouf and Richard Condit (Smithsonian Tropical Research Institute in Panama). Richard Condit is not available until the Spring of 2013 but has done a

study of rookery populations and would be happy to address FES in 2013. Brandt will try for a date in March or April.

Brandt also reported that the camera was “down” for a while. Tom thought it was due to loss of battery power from the rain and/or overcast skies but it was a connection problem between BLM and the castle. Sometimes there is sound and sometimes not....a result of the way the system was installed. Brandt also said that the coyote has now become a “regular feature” in the mornings at the south beach. Brandt also looked into the language app that was discussed at the last board meeting. He contacted an associate professor at Cal Poly and he is going to see if there is any interest in it as a student project. If that doesn't pan out then perhaps there might be a single student who would like to take it as a project for a fee.

**TREASURER'S REPORT:** Bill Goodger reported that the finance committee has done a really good job with the budget. Soupabration has netted approximately \$13,964. Charmaine had predicted approximately \$18,000. Merchandise sold is \$39,756 from the table and \$10,000 from the office. Bill will transfer money from checking to savings leaving a balance of approximately \$20,000 in checking. Net worth is about \$125,000. Financial trend is good.

Regarding a future endowment, Jim Brownell mentioned that PJ Webb had suggested we get in touch with the San Luis Obispo County Community Foundation. They are involved in creating foundations and endowments for local nonprofits and have a very good reputation. This idea will be presented to the Finance Committee for further investigation.

**TRAINING COMMITTEE:** Bette Bardeen reported that the second training session is finished. Seems to be going very well. There are 16 new docents (10 new and 6 from the Spring Training). New docents have asked lots of questions and are very interested. Several are young! All of the presenters have been good. Phil did an outstanding job with his presentation (“upped his game from last year”) and he handled questions beautifully. A few of the new docents speak different languages including Danish and German. Good group of people. Final session is on the 27<sup>th</sup>.

**FES ACTIVITY CALENDAR:** Donovan asked the Board if they thought we should have all of our docent dinners catered. Marcella said that it has cost FES between \$25-30 per person and that we are charged for our guaranteed number of attendees, whether or not they attend. Last year it cost FES an additional \$300 for non-attendees, in spite of the RSVPs. It was pretty well agreed that with the exception of the docent appreciation dinner, docents would probably be happy to do pot lucks. Donovan suggested opening up the dinners to the membership and charging them. Bette didn't like the idea of charging members and not charging docents. It was generally agreed that it be better to not charge anyone, but definitely invite the members. Donovan guessed that member participation might be as many as 30, but no more. It was decided to do a pot luck for the December 1<sup>st</sup> and a catered dinner for the docent appreciation dinner.

**MEMBERSHIP:** There are 125 new members (acquisitions), 363 renewals; total YTD membership is 488. Last year the total was 528 and he thinks it will be likely to have the same number or slightly higher

by the end of this year. Income from acquisitions has picked up a bit probably due to having Pay Pal available on our website and literature on the bluff. YTD income for acquisitions is \$9,325. YTD renewals are \$28,667. Total YTD membership income is \$37,992. Expenses are \$11,953 which is 31% of the income...higher than Donovan wanted. His goal is 25% but does not expect that to happen this year unless we can crack the acquisition problem where all of the "overages" occur. We are 40 members short (renewals, acquisitions or combination of both) of 2011 totals. Donovan is hoping for a (end of the year tax) surge at end of year. Marcella noted that we have been getting a really good response via PayPal. Brandt also mentioned that he thinks people might be able to sign up for a monthly deduction from their credit card via PayPal as opposed to a larger one lump sum. Brandt will investigate further.

**DOCENT COORDINATOR POSITION:** Kathy reported that she received two suggestions for the job description. 1) the coordinator should be responsible for scheduling all of the school groups and 2) coordinator should attend the Board meetings. As far as attending the Board meetings, it was agreed that the coordinator is "welcome" to attend meetings, but it should not be mandatory. Scheduling of school groups will be added to the job description. Morale among docents also needs to be considered. Consistent policies need to be laid out regarding disciplinary steps (consequences) for docents not fulfilling their commitment. Job description also needs to include the amount of hours and salary. Tim said that it takes him a minimum of 8 hours to do the scheduling. Some of the work can be done at home. Computer skills and the ability to work well with others are both required. Some of the tasks will be infrequent and others will be regular and should be separated in the final definition. Marcella will try to come up with an approximation of hours required. Brandt suggested that 1) we announce that we have "defined" the position of docent coordinator in the next docent letter and that 2) a position announcement will be coming out in a separate letter shortly.

**INTERNSHIP WITH CAL POLY:** Bill Goodger said that the announcement has gone out to the Biological Sciences and the Pre-Med students. Tonight Jennifer Peterson (a student with the vet science club) will be giving a presentation about the program and the following night, Bill Goodger will give a presentation to the club that encompasses the entire biological sciences department. He will give another one to the wildlife club. He said that the time line is a bit short now as they are supposed to have their applications in by November 7<sup>th</sup>. He is anxious to get a "little fire" going. He also said he has had a good response from the vet science club, especially because of the "hands on" experience. Bill has also met with our accountant and talked with his own regarding potential tax liability. He met with the financial aid person at Cal Poly and she said "do not run it through Cal Poly because you (FES) will lose complete control of your funds." She suggested we supply the student(s) with 1099 forms for the stipend funds (\$750 per quarter/intern). Bill was concerned about how the Department of Labor actually looks at something like this; the question is whether the intern is actually a trainee on a stipend or an employee. Bill has determined that this program does meet all of the criteria as set out by the Department of Labor. 1099s will be supplied to the interns. Bill also informed the Board that the Marine Mammal Center has stipulated that interns must be at least 21 years of age.

**OLD/NEW BUSINESS:** Tim Postiff said that he has looked at the substitute list and opened a discussion of whether the list should include the email address as well as the phone numbers. It was agreed that

phone numbers are probably the best choice as several people don't even read their emails on a regular basis.

**SOUPABRATION:** **Charmaine Coimbra** reported that Rep. Lois Capps presented the committee with a Congressional Recognition of the event and it was an unexpected honor. Based on ticket sales, this year's Soupabration brought in over 200 persons which included event participants. Approx. 50% of the attendees were NOT FES members or docents, which means that they successfully accomplished their community outreach goals. The event earned a profit but final numbers not available until after the auction dinners. It was also a 100% zero waste event by using supplies that were bio-compostable and/or recyclable. Nothing went to land fill. Morro Bay Gorilla Gardening Club donated their time to this event. The committee believes that because Soupabration rhymes with Education that using education as its main focus may well increase profitability through ticket sales along with traditional income sources like raffles and auctions. Publicity: a value of 2 ½ hours of radio time ( ½ hour interviews on KCBX, 2 interviews on Estero Bay Radio, 1 on KPRL and 1 on KYNS) combined with layers of column inches, print and electronic media coverage far exceeded the dollars spent in paid advertising. Outside media reached included a small feature in 805 Living Magazine and notations West Ways Magazine. Post event coverage included interviews with the Cambrian, the Tribune, KPRL, SLO New Times. In-kind donations and other donations came from more than 100 businesses and/or individuals donated (in-kind donations, hard products and cash) which included hotel rooms, venue, raffle items, food, wine, waste sorting. The committee has developed a method of acquiring hard donations without the need for door to door solicitations therefore reducing their volunteer time. The committee also addressed this issue of volunteers for the event being required to purchasing tickets to that event. It was thought by the committee that it was an FES standard to require event volunteers to purchase tickets. Fortunately, Soupabration does not have a large food cost which would certainly allow the committee to change the FES standard and is something the committee is willing to review and adjust. Charmaine congratulated the committee and their intelligence, critical thinking and enthusiasm. She said it was the most amazing team she had ever worked with and that FES was very lucky to have them as volunteer docents.

**Ramona Vogue** said that one of the things they tried this year was to invite "dignitaries". She was in contact with Sheriff Ian Parkinson who indicated he was very interested in the event and wanted to get tickets. Unfortunately he was unable to make it due to illness. Lois Capps was also invited but was unable to attend due to a voting commitment in Washington. Rather than attend, Lois Capps sent a Congressional Recognition Award for FES Docents from the House of Representatives in recognition of the work FES does on the bluffs.

**Dave Bauer** reiterated the success of the fundraiser both financially and with community outreach. His main concern is volunteer burn out. He expressed how valuable the docents are and is worried that their continued enthusiasm may be in jeopardy due to the lack of "having enough man hours or specific skills available to plan, manage and do the tasks that must be done." This can lead to volunteers not only backing away from volunteering for large events but also from the organization itself. "The base of support has to increase as the committee cannot continue at the current level of effort." He further went on to say that he suspects many of the docents feel that fundraising is in conflict with our mission,

especially if the net goes into the general fund with no specific assignment. He suggested that the committee feel funds raised through fundraising efforts, "should be dedicated to a purpose in order to maximize contributions. The most desired purpose would be to educate/outreach to facilitate visits to the bluffs."

Possible solutions may include: Greater support and involvement from the Board , " potential inclusion of voluntary efforts from public service groups, compensated help for key tasks and alliance with other outreach groups with a complementary mission".

**CLOSED SESSION** conclusions:

A motion was made and carried that volunteer docents who work a "significant" amount of time at the fundraisers will not be charged admission to attend the event.

Other conclusions reached were:

- 1) The Board unanimously encourages the fundraising committee to do another fundraiser next year and to pursue the idea of reducing the work load on the committee and
- 2) The Board will work on a suitable goal for the next fundraiser and are open to the committee's suggestions.

**Next meeting will be at 1:00 p.m. on November 28<sup>th</sup>, 2012.**

Respectfully submitted by Megg McNamee

Documents Attached:

Treasurer's Report

Updated notes from Bill Goodger's meeting regarding the Cal Poly Internship Program

Soupabration Report

<b>SAVINGS ACCT: \$25496</b>					
<b>CHECKING ACCT: \$39977. + (\$220.+ in CC not posted yet)</b>					
<b>CD's: \$50,000.</b>					
	<b>Account Type</b>	<b>Proposed 2012</b>	<b>Actual to Date</b>	<b>10/12/2012</b>	
	<b>Income</b>				
tubes/table/misc	Contributions	\$40,000.00	\$29,278.00		
			Soup Gross	Soup Exp	Soup Net
	Soupabration	\$23,575.00	\$22,168.00	\$8,204.00	\$13,964.00
	Hearst Theater		\$1,550.00		
	Royalties		\$730.00		
Ins.	NIAC Dividend		\$251.00		
	State Comp Dividend		\$48.00		
	State Comp Refund		\$243.00		
	Webcam donations		\$140.00		
end of yr donations	EOY contributions		\$1,500.00		
	Adopt-a-Poll	\$1,200.00	\$508.00		
	Memberships	\$34,000.00	\$36,560.00		
\$10,097-Office/\$39,756 - Bluff	All Merchandise Sold	\$40,000.00	\$49,285.00		
	Savings Acct. Int.	\$100.00			
	Shipping & Handling	\$100.00	\$53.00		
	PowerPoint Present.	\$100.00	\$50.00		
	Bus Tours	\$200.00	\$450.00		
		<b>\$139,275.00</b>	<b>\$142,814.00</b>		
	<b>Cost of Goods</b>	\$20,000.00	\$20,428.00		
		<b>\$119,275.00</b>	<b>\$122,386.00</b>		
	<b>Expense</b>				
	PayPal Service Chgs	\$50.00	\$31.00		
	Credit Card Chgs	\$500.00	\$530.00		
	<b>Docent Training</b>				
	Docent Equipment	\$2,500.00	\$3,833.00		
*inc. speakers	Docent Event Exp	\$3,500.00	\$2,409.00		
*inc. speakers	Spring/Fall Training	\$3,000.00	\$3,451.00		
	Continuing Education	\$2,000.00			
	<b>Fundraising Expense</b>				
	Soupabration	\$7,134.00	\$8,204.00		
	Hearst Theater		\$540.00		
	Memberships	\$8,500.00	\$9,801.00		
	Licenses/Permits		\$50.00		
	Contract Labor	\$1,000.00	\$1,050.00		
	Chamber Mbr Dues	\$500.00	\$433.00		

	<b>Expense</b>	<b>Proposed 2012</b>	<b>Actual to Date</b>		
	Office Equipment	\$800.00	\$137.00		
	State Filing Fees	\$75.00	\$45.00		
	Insurance	\$3,300.00	\$3,645.00		
	Office Supplies	\$2,500.00	\$2,766.00		
Giftworks upgrade/Tech Support	Program Expense		\$240.00		
Interpretive displays/Seminars	Outreach Expense		\$682.00		
	Webcam	\$6,000.00	\$6,998.00		
	Internet	\$870.00	\$725.00		
	Payroll	\$28,000.00	\$20,785.00		
	Postage	\$1,000.00	\$643.00		
	Printing	\$5,000.00	\$2,959.00		
	Accounting	\$1,400.00	\$1,450.00		
	Advertising		\$2,525.00		
	Rent	\$4,800.00	\$3,600.00		
	Equipment Repairs	\$250.00	\$135.00		
	Sales Tax	\$5,000.00	\$2,797.00		
	Travel		\$412.00		
	Telephone	\$1,000.00	\$843.00		
	Utilities	\$1,400.00	\$1,008.00		
		<b>\$90,079.00</b>	<b>\$82,727.00</b>		
<b>Net Income</b>		<b>\$29,196.00</b>	<b>\$39,659.00</b>		

**Friends of the Elephant Seal**  
**Balance Sheet Prev Year Comparison**  
 As of October 12, 2012

**BALANCE SHEET PREVIOUS YEAR COMPARISON**

	<u>Oct 12, 2012</u>	<u>10/12/2011</u>	<u>\$ Change</u>	<u>% Change</u>
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
CD	50,000.00	0.00	50,000.00	100.0%
Bank Cards	220.00	124.00	96.00	77.42%
Cash On Hand	110.00	270.00	-160.00	-59.26%
Heritage Oaks Bank Savings	25,495.81	55,286.15	-29,790.34	-53.88%
Heritage Oaks Checking	41,262.34	26,513.76	14,748.58	55.63%
<b>Total Checking/Savings</b>	<u>117,088.15</u>	<u>82,193.91</u>	<u>34,894.24</u>	<u>42.45%</u>
<b>Total Current Assets</b>	117,088.15	82,193.91	34,894.24	42.45%
<b>Fixed Assets</b>				
Fixed Asset	12,991.50	0.00	12,991.50	100.0%
Office Equipment	2,801.54	2,063.63	737.91	35.76%
Accumulated Depreciation	-2,143.00	-1,609.00	-534.00	33.19%
<b>Total Fixed Assets</b>	<u>13,650.04</u>	<u>454.63</u>	<u>13,195.41</u>	<u>2,902.45%</u>
<b>TOTAL ASSETS</b>	<u><u>130,738.19</u></u>	<u><u>82,648.54</u></u>	<u><u>48,089.65</u></u>	<u><u>58.19%</u></u>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Other Current Liabilities</b>				
Sales Tax Payable	687.00	851.10	-164.10	-19.28%
Docent Jacket Deposits	3,175.50	2,825.50	350.00	12.39%
Payroll Liabilities	1,687.54	1,568.36	119.18	7.6%
<b>Total Other Current Liabilities</b>	<u>5,550.04</u>	<u>5,244.96</u>	<u>305.08</u>	<u>5.82%</u>
<b>Total Current Liabilities</b>	<u>5,550.04</u>	<u>5,244.96</u>	<u>305.08</u>	<u>5.82%</u>
<b>Total Liabilities</b>	5,550.04	5,244.96	305.08	5.82%
<b>Equity</b>				
Unrestricted Net Assets	85,529.77	48,723.02	36,806.75	75.54%
Net Income	39,658.38	28,680.56	10,977.82	38.28%
<b>Total Equity</b>	<u>125,188.15</u>	<u>77,403.58</u>	<u>47,784.57</u>	<u>61.73%</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>130,738.19</u></u>	<u><u>82,648.54</u></u>	<u><u>48,089.65</u></u>	<u><u>58.19%</u></u>

## **A Grand Ole Soupabration**

### **Wrap Up Report**

**October 17, 2012**

#### **Recognition and Attendance**

Representative Lois Capps presented the Soupabration committee with a Congressional Recognition of the event. This was an unexpected honor to FES's community outreach and fundraising efforts.

Based on ticket sales and crowd assessment, this year's event brought in over 200 persons, which includes event participants. Approximately 50% of the attendees were not FES members or docents. This means that we successfully met our community outreach goal.

#### **Review**

The committee critically reviewed the event. Everyone was on the same page regarding the components that received an A+ grade, as well as, those rating a C- or less grade. Grades were applied to venue, event operation, layout, internal workings, participants, income producers, and overall production.

We did learn that, at this time, there is a cap to this event's attendance—220 persons.

The event earned a profit. The final numbers can't be complete until the auctioned dinners and their costs are entered.

As we neared the event date, we were contacted by other wineries and restaurants noting their interest in participating in future events.

Our zero waste goal succeeded 100%, according to our volunteer Morro Bay Guerilla Gardening Club. This event jumped in to the forefront of public event waste issues in 2011. Now we see Savor the Central Coast follow Soupabration and the Harbor Festival zero waste efforts.

The committee believes that Soupabration rhymes with Education. In fact, using education as the event's focus may well increase profitability through ticket sales and traditional income sources like raffles and auctions.

#### **Publicity**

As the event's publicist I was hard put to find a bleeding heart characterization knowing how well other FES fundraising efforts fill the till. But this challenge can be met with a different approach.

When a community is filled with what seems like a nonprofit fundraiser every one-half hour, it's a tough media market to crack. But I'm versed in media speak and media need, and consequently cracked that hard media shell.

The value of 2 ½ hours of live radio time is priceless. (Half-hour interviews on KCBX, Estero Bay Radio (2X), KPRL and KYNS.) This combined with layers of columnar inches in print and electronic media coverage far exceeded the dollars spent in paid advertising.

Outside media reached included a small feature in the glossy magazine 805 Living, and notations in Westways magazine.

Each media event (interviews, print stories) produced credibility to FES, Soupabration, and FES's community presence.

Post event coverage included interviews with KPRL, the Cambrian, SLO New Times and the Tribune.

### **In-Kind Donations & Donations**

Over 100 businesses or individuals donated to Soupabration via hard product, cash donations or in-kind donations. This includes venue, hotel rooms, raffle/silent auction offerings, waste sorting/recycling, and food and wine.

This committee has developed a means of acquiring hard donations without the need to walk door-to-door, thereby reducing volunteer time.

### **Volunteer Ticketing**

The committee addressed this newer issue of volunteers purchasing event tickets. I use "newer" because, to my understanding, this has been a FES standard—a requirement to purchase an event ticket even when volunteering for the event. In fact, it is not a nonprofit anomaly to require ticket purchase for event volunteers.

Fortunately, Soupabration does not have a large food cost. This could allow a change in the FES standard. It is something this committee is willing to review and adjust.

### **The Committee**

For the record, the team that I worked with this year embodied intelligence, enthusiasm and critical thinking skills. Every member helped to create and resolve each facet of Soupabration's wins and challenges.

FES is lucky to have docents like the volunteers who worked on Soupabration 2.

Respectfully submitted,

Charmaine Coimbra

Board report on internship-10/17/2012

1. Internship announcement out to Biological science students and pre-veterinary students.
2. I am talking to the Tribeta club this Thursday at 11am about the internship which covers students in biological sciences.
3. I am working on getting the word out to students with Dr. Jaymie Noland who is the internship coordinator for Animal science and Geoff McGee who is the Vet Sci club president and Jennifer Peterson a student in the Vet Sci club who is a volunteer at TMMC.

The co-advisor of the Vet Sci club Bill Plummer, animal science faculty member said this in an e-mail--Dr. Goodger,  
"Congrats on putting this together. This would be about the only time Bio students get to touch a living entity. Dr. Jaymie Noland is our internship coordinator and Geoff McGee is our Vet Sci club president. Our ASci students get lots of hands on experience, but little of it comes from our non-domestic mammals. Thanks Again bp"

4. I wanted to set the internship up in a way to reduce our tax liability. Our accountant has been somewhat helpful but is apparently relying on me to do the research and come up with a solution. So I have received info from my U-W accountant and I have gone to Cal poly and met with Gerrie Hatten at the Financial Aid and Scholarship Office. Cal poly said do not run it through us because you lose control of the funds and provide the student with a 1099-misc for stipend funds which fits the internship educational benefits.

The question is whether the intern is a trainee on a stipend rather than an employee. If you pay a stipend to an employee we could owe back wages constituting a minimum wage and back FICA.

To be considered a trainee the internship must satisfy 6 criteria for the Dept of Labor:

1. the internship, even though it includes actual operation of facilities of the employer, must be similar to training which would be given in an educational environment; ♦TMMC internship includes training at Sausalito(2 weeks); includes making a presentation to the FES on the work of the internship; includes attending the docent training in april; includes attending the open house for the center for marine sciences in avila; and includes writing a paper summarizing the clinical activities of the internship and submitting it to a journal. ♦And if there is time the intern will embark to setup a research project using the existing TMMC database.

2. The internship experience must be for the benefit of the intern; This clearly is the case because the experience gained in the internship will be used to apply to graduate school, vet tech school, or veterinary school and the clinical experience with elephant seals will position the intern to consider a research career because you first have to know the normal before you ask research questions about the abnormal.

3. the intern must not displace regular employees, but instead must work under close supervision of existing staff; there are no regular employees and the intern will be supervised by Lisa Henderson the manager who is the only paid employee.

4. The employer that provides the training must not derive any immediate advantage from the activities of the intern, and on occasion its operation will actually be impeded; There is no advantage to the employer because if the intern doesn't show up or when he or she is being trained a volunteer will assume responsibility for the tasks the intern would be doing. ♦In fact as the question suggests the intern will probably be in a learning/training mode for most of the winter and spring quarters which could present a situation where the operation of the TMMC will be continually somewhat impeded.

5. The intern must not be necessarily entitled to a job at the conclusion of the internship; referring to above there is only one paid staff position and that is the trainer Lisa Henderson so there is no job available at the conclusion of the internship.

6. and The employer and the intern must both understand that the intern is not entitled to wages for the time spent in the internship; This is understood based on the fact that no employment relationship exists and the minimum wage and overtime provisions of the FLSA do not apply to the intern because this is a trainee position similar to training one would receive in an educational environment.

It would appear we meet the 6 criteria and thus each student as Cal Poly suggested would receive a 1099-Misc for the 2013 tax year as a trainee.