

ADOPTED MINUTES

**FOR THE REGULAR MEETING OF THE
IMPERIAL COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Wednesday, December 15, 2003

On Wednesday, December 15, 2003, Board President Rebecca Ramirez called the regular meeting of the Imperial Community College District Board of Trustees to order at 6:00 P.M., in the Administration Building Board Room.

BOARD MEMBERS PRESENT: Carlos R. Acuña, Rudy Cardenas Jr.,
Kelly Keithly, Marian Long, Romualdo
Medina, Rebecca Ramirez, Louis Wong

REPRESENTATIVES PRESENT: Jim Pendley, Academic Senate
Miriam Trejo, Students

CONSULTANTS PRESENT:

Dr. Paul Pai, Superintendent/President
Jesse Salas, Interim Vice President for Business Services
John Hunt, Vice President for Academic Services
Dr. Victor Jaime, Vice President for Student Services
Frank Oswalt, Legal Counsel

VISITORS PRESENT:

Eileen Buckel; Ted Ceasar; Edgar Coronel; Renee Fenn; Carlos Fletes;
Bill Gay; Rosalie Lopez; Sergio Lopez; Gail Parish; Dr. James
Patterson; Barbara Stuart, Kathie Westerfield.

WRITTEN COMMUNICATIONS

1. Revised Board Meeting Schedule
2. Frank Oswalt (RE: Student Information)
3. CCCT Board Election 2004

PUBLIC COMMENTS

1. Gail Parish thanked the Board for their service to the District during the past year.
2. John Hunt honored the three retirees, Jim Pendley, Richard Hann, and Dr. Robert Wilhelm.

3. Barbara Stuart asked the Board to approve Resolution No. 12857 relating to the academic calendar for 2004-2006, Resolution No. 12859 relating to the Seniority List Memorandum of Understanding, and encouraged support of a Golden Handshake for faculty.

EMPLOYEE OF THE MONTH

Dr. Victor Jaime congratulated and presented Rosalie Lopez, Upward Bound Director, with the Employee of the Month Award for December. Her nominator stated the following:

In the course of her employment responsibilities Rosalie Lopez has gone beyond the call of duty by developing a unique program fostering parental involvement with high school program participants. The Upward Bound Program has been recognized nationally as an exemplary project.

She is an integral part of the development of the Imperial County Partnership Consortium, which includes ICOE, IVC, SDSU, Cal Soap Program and other organizations.

Rosalie Lopez belongs to the Soroptimist Club of Calexico. Through her efforts hundreds of students have benefited from the Scholarship Program she helped develop.

Rosalie Lopez has provided countless hours of dedicated service to Imperial Valley College, often working well beyond her contractual hours as is evident by her presence on campus during most weekends and holidays.

CCLC ANNUAL CONFERENCE AND SDICCCA ALLIANCE MEETING

Marian Long attended the CCLC Annual Conference in Oakland on November 20-22, 2003, and the SDICCCA Board Alliance meeting on December 1, 2003 at the San Diego County Office of Education. Mrs. Long presented the following information:

- The Under-Funded Districts Caucus met at the CCLC Conference to further their cause funding equity issues among community colleges. They discussed strategies for legislative action and faculty involvement.
- The Inland Valleys' Community Colleges Trustee Association also met at the CCLC Conference, and plans were made to attend the Legislative Conference on January 24-26 in Sacramento. The group will visit legislators.

- The SDICCCA Board Alliance shared information on their legislative advocacy.
- In simple terms Equalization is a plan to make sure that a community college student anywhere in the State of California would receive the same quality education no matter what community college he or she attended. The equalization goal is to increase funding to schools with low dollars per FTES to be equitable to schools with high dollars per FTES. This would be done without taking anything away from the schools with the higher dollar amount per FTES.

ASSOCIATED STUDENT GOVERNMENT UPDATE

ASG President, Miriam Trejo, reported the following:

- IVC's Great American Smoke-Out will be held on November 20.
- There will be a Visioning Focus Group on campus for the students to participate in on November 26.
- December 5 is the date for the Talent Show.
- The ASG, along with the campus community, will be considering changing the mascot.

ACADEMIC SENATE UPDATE

Academic Senate President Jim Pendley, reported the following:

- Discussions are taking place with the ASG to allow retired faculty to take part in the commencement ceremony.
- Steps are being taken to provide retired faculty e-mail service.
- The Senate supports the position control system.
- The evaluation of administrators process will be completed by December 19, 2003.

PRESIDENT'S UPDATE

Dr. Pai reported the following:

- The San Diego/Imperial Counties Community Colleges Association has chosen the Imperial Community College District to host the Annual SDICCCA Trustees Dinner. It will be held at the Barbara Worth Golf Resort on February 25, 2004 from 5:30 P.M. to 9:00 P.M., preceded by an optional campus tour of IVC. The majority of SDICCCA trustees and CEOs have never visited the Imperial Valley. In the past, approximately fifty people have attended this event. Shirley is working on the logistics and Dr. Pai is looking for a speaker for the group.
- Jesse Salas and Carlos Fletes reported on the closing last year's books. The discovery shows three things: (1) the beginning fund balance in Fiscal Year 2002-2003 was a source of confusion that was cleared by using the adjusted figures in last year's audit report; (2) The fiscally conservative projections for both state apportionment revenue (\$207,394 more) and the state projection of Educational Revenue of Augmentation Fund(\$73,788 more) are exceeded by the actual figures; and (3) the definition of "District Board Reserve" that will be announced by the Chancellor's Advisory will show only the unrestricted fund for the calculation. The Restricted Fund is not considered as District reserve. Last year's books were finally closed, and Report 311 was filed. Six percent of the current year budget is intact at \$1,317,168 (compared to previously released \$1,658,576 based on the old definition). The Contingency Fund is at \$176,638 (compared to previously released \$156,271).
- A report was presented on the new funding formula being proposed by Scott Lay, Director of State Budget Issues for Community College League of California, which has gained much popularity.

FLEX WEEK ACTIVITES

Sergio Lopez distributed the program for the January 12-16, 2004, Staff Development/Flex Week. A budget was provided by the District to fund the program.

M/S/C Cardenas/Medina

Resolution No. 12849: **NOTICE OF BOARD MEMBER APPOINTMENTS IN LIEU OF ELECTION**

WHEREAS, Education Code 5326 provides that when only one person is nominated for a certain district governing board position to be filled at the election, that an election shall not be held; and

WHEREAS, Education Code Section 5326 provides that the Imperial Community College District Board of Trustees appoints such candidates; and

WHEREAS, the aforesaid statutes provide that if no election is to be held, the Governing Board shall appoint to the positions of Governing Board members the persons so nominated;

BE IT THEREFORE RESOLVED that the following be appointed as members of the Board of Trustees of the Imperial Community College District to hold office for the completion of the term expiring November 2007.

Division Area 1
Division Area 6

Rudy Cardenas Jr.
Romualdo J. Medina

M/S/C Cardenas/Medina

Resolution No. 12850: **GOVERNING BOARD MEMBER ELECTION**

WHEREAS, the regular biennial election of Governing Board members was held on November 4, 2003, pursuant to Education Code Sections 5304, and Board Resolution No. 12706 dated June 11, 2003;

BE IT THEREFOR RESOLVED that the following are elected members of the Board of Trustees of the Imperial Community College District to hold office for the completion of the term expiring November 2007.

Division Area 1
Division Area 3

Louis Wong
Marian A. Long

M/S/C Cardenas/Medina to approve the Minutes dated November 12, 2003

M/S/C Cardenas/Medina

Resolution No. 12851: **PURCHASE ORDERS**

BE IT RESOLVED that the issuance of current year Purchase Order Nos. 0401211 through 0401509, 4504011 through 4504013, 4004024 through 4004027, inclusive are approved.

BE IT FURTHER RESOLVED that the issuance of Dummy Purchase Order Nos. 400739 through 400926, inclusive are approved.

M/S/C Cardenas/Medina

Resolution No. 12852: **PAYROLL WARRANT ORDERS**

BE IT RESOLVED that Payroll Warrant Order No. 9 in the amount of \$142,194.37, and Warrant Order No. 10 in the amount of \$1,552,319.81 be ratified.

M/S/C Cardenas/Medina

Resolution No. 12853: **COMMERCIAL WARRANT ORDERS**

BE IT RESOLVED that Commercial Warrant Orders on the General Fund be ratified as follows:

- 18 in the amount of \$77,650.62
- 19 in the amount of \$616,200.69
- 20 in the amount of \$350,149.81

M/S/C Cardenas/Medina

Resolution No. 12854: **AGREEMENT WITH SCHOOL SERVICES OF CALIFORNIA**

BE IT RESOLVED that the Board of Trustees approves the continuation of the contract with School Services of California, Inc., to provide assistance regarding issues of community college finance, legislation, budgeting, capital outlay and general fiscal issues for a fee of \$3,420.00 annually, plus expenses for the period of one year, beginning January 1, 2004 and terminating December 31, 2004.

M/S/C Keithly/Wong

Resolution No. 12855: **POSITION CONTROL SYSTEM**

BE IT RESOLVED that the Board authorizes the following policy statement, which is recommended by the Superintendent/President and College Council on November 24, 2003:

The Superintendent/President, or his/her designees, upon mutual agreement with the Academic Senate, will develop a Position Control System for hiring academic positions.

M/S/C Cardenas/Keithly

Resolution No. 12856: **COURSE DELETIONS**

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (10/30/03) and the Academic Senate (11/19//03) to delete the following courses:

BUS 13	Applied Business Law
BUS 19	Personal Development for Employment
BUS 44	Business Communication Skills
BUS 66	Effective Customer Service
BUS 89	Law Office Procedures and Practices
CIS 31A	Word Processing: Word Perfect for Windows
CIS 31B	Word Processing: Word Perfect for Windows

M/S/C Keithly/Wong

Resolution No. 12857: **2004-2006 ACADEMIC CALENDAR**

BE IT RESOLVED that the Board approve the 2004-2006 Academic Calendar as ratified by the IVC Chapter CCA/CTA on November 17, 2003 as follows:

2004

August	14	Saturday	Fall Semester Begins
	16	Monday	Orientation (Non-Instructional/Service Day)
	17	Tuesday	First Day of Non-Saturday Classes
September	6	Monday	Holiday (Labor Day)
November	12	Friday	Holiday (Veterans Day)
	25-26	Thursday/Friday	Recess (Thanksgiving)
December	11	Saturday	Final Exams Begin
	17	Friday	Last Day of Final Exams
	20	Monday	Recess (Winter Break)

2005

January	7	Friday	Last Day of Recess (Winter Break)
	10-14	Monday-Friday	Instructional Flex Days
	15	Saturday	Spring Semester Begins (First Day of Classes)
	17	Monday	Holiday (Martin Luther King's Birthday)
February	18	Friday	Holiday (Lincoln's Birthday)
	21	Monday	Holiday (Washington's Birthday)
March	24	Thursday	Non-Instructional/Non-Service Day
	25	Friday	Holiday (Good Friday)
March	26-	Saturday-Friday	Spring Recess
April	1		
May	21	Saturday	Final Exams (Saturday Finals Only)
	23-27	Monday-Friday	Final Exams
	28	Saturday	Graduation (Non-Instructional Service Day)

2005

August	13	Saturday	Fall Semester Begins
	15	Monday	Orientation (Non-Instructional Service Day)
	16	Tuesday	First Day of Non-Saturday Classes
September	5	Monday	Holiday (Labor Day)
November	11	Friday	Holiday (Veterans Day)
	24-25	Thursday/Friday	Recess (Thanksgiving)
December	10	Saturday	Final Exams Begin
	16	Friday	Last Day of Final Exams
	19	Monday	Recess (Winter Break)

2006

January	6	Friday	Last Day of Recess (Winter Break)
	9-13	Monday-Friday	Instructional Flex Days
	14	Saturday	Spring Semester Begins (First Day of Classes)
	16	Monday	Holiday (Martin Luther King's Birthday)
February	17	Friday	Holiday (Lincoln's Birthday)
	20	Monday	Holiday (Washington's Birthday)

April	13	Thursday	Non-Instructional/Non-Service Day
	14	Friday	Holiday (Good Friday)
	15-21	Saturday-Friday	Spring Recess
May	20	Saturday	Final Exams (Saturday Finals Only)
	22-26	Monday-Friday	Final Exams
	27	Saturday	Graduation (Non-Instructional Service Day)

M/S/C Keithly/Cardenas to go into **CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation-- Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: Two Cases
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Subdivision (a) of section §54956.9)
Name of cases: C. Marylynn Carlson, Case No. LM-1781-E
Craig R. Luoma, Case No. 1780-E
3. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators
RE: Direction for Negotiations
4. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

M/S/C Keithly/Cardenas to go back to **OPEN SESSION**

Board President Ramirez announced that for Items 1 and 2 the Board conferred with legal counsel and advise was given; Item 3 information was presented by the District Negotiators; Item 4 information was presented and no action was taken.

M/S/C Cardenas/Keithly
Resolution No. 12858: **TENURE FOR FACULTY**

WHEREAS the faculty listed below have fulfilled the obligations set forth in the IVC Tenure Policy:

Jeffrey, Beckley
Ronald Gage-Mosher
Thomas Gilbertson
Diane Harris

BE IT NOW RESOLVED that the Board approves granting tenure to the academic personnel listed, and that they be credentialed as tenured faculty effective January 12, 2004.

M/S/C Cardenas/Keithly
Resolution No. 12859: **SENIORITY LIST MEMORANDUM OF UNDERSTANDING**

WHEREAS, all full-time faculty members at Imperial Valley College are members of the bargaining unit; and

WHEREAS, all full-time faculty are designated as either regular contract employees or categorically-funded employees; and

WHEREAS, all full-time faculty have the same duties and responsibilities within their respective areas; and

WHEREAS, only regular contract faculty are entitled to tenure and seniority rights in which reduction in force will be determined; and

WHEREAS, the District and the Association agree that all rights and privileges of the faculty should be equally applied wherever possible;

IT IS THEREFORE AGREED AS FOLLOWS:

1. A separate seniority list shall be established for categorically funded faculty members.
2. Regular contract faculty shall not be able to exercise their seniority rights within categorically funded service areas; conversely, categorically funded faculty shall not be able to exercise their seniority rights within regular contract service areas.
3. It is understood by the parties that continued employment for categorically funded faculty remains entirely dependent upon the District receiving funding from their respective governmental agencies.

BE IT NOW RESOLVED that the Board approves entering into this Memorandum of Understanding (MOU) between the Imperial Community College District (District) and the Imperial Valley College Chapter of CCA/CTA/NEA (Association).

NO ACTION TAKEN

Resolution No. 12860: **INJURY AND ILLNESS PREVENTION PROGRAM**

WHEREAS, California Code of Regulations, Title 8 (8 CCR), Section 3203, requires that employers:

- shall provide and maintain a safe and healthful workplace for employees; and
- shall establish, implement and maintain an effective written Injury and Illness Prevention Program;

WHEREAS, the Environmental Health and Safety Committee recommends implementation of the INJURY AND ILLNESS PREVENTION PROGRAM, which has been developed in compliance with state and federal statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the INJURY AND ILLNESS PREVENTION PROGRAM, and that it shall become effective December 15, 2003.

M/S/C Cardenas/Keithly

Resolution No. 12861: **INJURY AND ILLNESS PREVENTION PROGRAM FOR WORKPLACE SECURITY**

WHEREAS, California Code of Regulations, Title 8 (8 CCR), Section 3203, requires that employers:

- shall provide and maintain a safe and healthful workplace for employees; and
- shall establish, implement and maintain an effective written Injury and Illness Prevention Program;

WHEREAS, the Environmental Health and Safety Committee recommends implementation of the INJURY AND ILLNESS PREVENTION PROGRAM FOR WORKPLACE SECURITY, which has been developed in compliance with state and federal statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the INJURY AND ILLNESS PREVENTION PROGRAM FOR WORKPLACE SECURITY, and that it shall become effective December 15, 2003.

M/S/C Keithly/Wong

Resolution No. 12862: **EMPLOYMENT OF CHIEF BUSINESS OFFICER**

BE IT RESOLVED that the Board approves the recommendation of the Hiring/Screening Committee with the approval of the Superintendent/President, that Thomas R. Hudson be employed as the Dean for Business Services, a full-time administrative position effective January 13, 2004.

M/S/C Cardenas/Keithly

Resolution No. 12863: **FULL-TIME TEMPORARY ACADEMIC PERSONNEL**

BE IT RESOLVED that the following academic personnel be employed for the Spring 2004 Semester on a temporary contract basis:

<u>NAME</u>	<u>CLASSIFICATION/STEP</u>	<u>ASSIGNMENT</u>
Bacalis, Patricia	Appropriate Classification and Step Contingent Upon Verification of Records	History
Houck, Linda	"	English-Reading
Guinn, Melani	"	English-Writing

M/S/C Cardenas/Keithly

Resolution No. 12864: **ATHLETIC COACHING STAFF**

BE IT RESOLVED that the Board approves the appointment of Jared Redden, Assistant Coach, Women's Softball for the Spring 2004 Semester.

M/S/C Cardenas/Keithly

Resolution No. 12865: **EMPLOYMENT OF PER-SESSION INSTRUCTORS**

BE IT RESOLVED that pursuant to Title V 53430, California Education Code 87359, and the District's Hiring Procedures (Resolution No. 11647, dated June 9, 1999) the following individuals have been determined to possess qualifications that are at least equivalent to the minimum qualifications for the disciplines indicated, and are hereby approved to teach subjects under said discipline for the Spring Semester of 2004:

<u>NAME</u>	<u>POSSIBLE ASSIGNMENT</u>
Boutwell, Marsha	Physical Education
Bonfills-Roncal, Mickaelle	French
Hakes-Burnett, Glori-Ann	English
Marty, Kevin	Geography

M/S/C Cardenas/Keithly

Resolution No. 12866: **EMPLOYMENT OF PER-SESSION INSTRUCTORS**

BE IT RESOLVED that the following personnel be employed during the Spring 2004 semester, as credentialed, at the hourly rate provided for in Resolution No. 12564. Employment is contingent upon verification of records, credentials, finger printing clearance, and sufficient enrollment, or whether the class is essential to a full-time instructor's load:

<u>NAME</u>	<u>POSSIBLE ASSIGNMENT</u>
Aguilera, Patricia	Spanish
Andrade, Maria	Human Relations
Barkalow, Holly	Disabled Student Program
Brownlee, Theresa	Health Education
Cano, Edward	Human Relations
Fristrup, Carey	Human Relations
Hinojosa, Velia	English
Jeffries, Ryan	Mathematics
Lay, Nancy	English
Leptich, Chad	Business
Madueño, Eddie	Administration of Justice
Mendoza, Silvia	Business
Monge, Antonio	Correctional Science
Navarro, Ricardo	Emergency Medical Services
Pegues, Ronald	Administration of Justice
Vega, Olga	Human Relations

M/S/C Cardenas/Keithly

Resolution No. 12867: **ADMINISTRATIVE ASSISTANTS FOR EXECUTIVE COUNCIL MEMBERS**

WHEREAS, the Executive Council is composed of the Superintendent/President, Vice President for Business Services, Vice President for Academic Services, Vice President for Student Services, and the Director of Human Resources;

WHEREAS, the position title of the Vice President for Business Services will be changed to a Dean or Director of Business Services effective with the start date of the individual hired to fill the position;

WHEREAS, the administrative office support for the Superintendent/President, Vice Presidents and Director of Human Resources is provided by an Executive Assistant, Administrative Assistants and Administrative Secretary, respectively, which are part of the Confidential Employees service;

WHEREAS, the administrative office support for a Vice President is an Administrative Assistant, and the hiring of a Dean or Director of Business Services would result in a layoff of the incumbent;

WHEREAS, the Dean or Director of Business Services and the Director of Human Resources are Executive Council members;

NOW, THEREFORE, BE IT RESOLVED that effective January 12, 2004, the administrative office support for all Executive Council administrators, except the Superintendent/President, shall be provided by Administrative Assistants, or persons in an approved career ladder program leading to said position;

BE IT FURTHER RESOLVED that the classification specification for Administrative Assistant shall be revised to reflect that the position reports to an Executive Council administrator.

Fiscal Impact Statement: \$1,020.00 for Fiscal Year 2003-2004.
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M/S/C Cardenas/Keithly

Resolution No. 12868: **CLASSIFIED RESIGNATION**

BE IT RESOLVED that the Board accepts the resignation of the following classified employee as indicated:

<u>NAME</u>	<u>POSITION</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Lopez, David	Microcomputer Lab Technician (Business)	State	28-A	1/16/04

M/S/C Cardenas/Keithly

Resolution No. 12869: **CLASSIFIED SERVICE EMPLOYMENT**

BE IT RESOLVED that the following individual be employed in the classified service as indicated:

<u>NAME</u>	<u>POSITION</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Maciel, Ma Eugenia	Small Business Development Center Secretary	State	31-A	11/17/03
Krimm, Dixie	Administrative Secretary (Extended Campus)	District	31-E	2/01/04

M/S/C Keithly/Wont to **ADJOURN** the meeting at 8:10 P.M.- The next regular meeting of the Board of Trustees is scheduled for Monday, January 26, 2004, at 6:00 P.M.

Adopted this _____ day of _____, 2004.

ICCD Board President

ICCD Board Secretary