



MINUTES

IMPERIAL VALLEY COLLEGE COUNCIL

Monday, May 11, 2009 – 2:30 P.M.
Administration Building Board Room

College Council Chair Michael Heumann called the meeting to order at 2:30 p.m.

Council members in attendance were as follows:

Frank Rapp, Administrative Representative
Robin Ying, Administrative Representative
Sergio Lopez, Administrative Representative
Jan Magno, Alternate Administrative Representative
Taylor Ruhl, Alternate Administrative Representative
Ted Ceasar, Alternate Administrative Representative
Michael Heumann, Faculty Representative (Chair)
Bruce Seivertson, Faculty Representative
Norma Nuñez, Alternate Faculty Representative
John Abarca, Classified Representative
Frances Arce-Gomez, Classified Representative
Jessica Waddell, Classified Representative (Vice Chair)
Rick Webster, Alternate CMCA Representative
Chantilee Mendenhall, Student Representative
Jonathan Balint, Student Representative

Recording Secretary: Adriana Sano

Council members not in attendance were as follows:

Armando Mendez, Faculty Representative
Miriam Trejo, Alternate Classified Representative
Carlos Fletes, CMCA Representative
Reanna Guerrero, Student Representative
Crystelle Enriquez, Alternate Student Representative
Dr. Ed Gould, Ex Officio

Others Present:

Olga Artech, Travis Gregory, Kathy Berry, Marilyn Boyle, John Lau, Tina Aguirre, Victor Jaime, Dawn Chun, Vikki Carr

MEMBERSHIP CHANGES

There were no membership changes.

PUBLIC COMMENT

Member John Abarca thanked Vikki Carr and Adriana Sano for their help while he was Chair of College Council.

Chair Heumann thanked John Abarca for his service as chair.

APPROVAL OF MINUTES DATED MONDAY, APRIL 27, 2009

M/S/C Bruce Seivertson/Sergio Lopez to approve the Minutes of April 27, 2009.

Motion carried.

AREA REPORTS/UPDATES

Program Review

Vice President for Academic Services Kathy Berry reported the following:

- VP Berry reported that last week program reviews were completed and the committee is now in the process of completing the Education Master Plan.
- She stated the committee would meet on Friday, May 5th to approve a draft of the Education Master Plan. She indicated the Education Master Plan would then go to the President, the Strategic Planning Committee, College Council, Academic Senate, and then to the Board of Trustee, for approval.

Budget Update

Vice President for Business Services John Lau reported the following:

- VP Lau stated the Business Office is working on the 2009-10 Tentative Budget, and he anticipates a big difference between expenditures and ongoing revenues. He stated once it is completed it would go through the shared governance process. VP Lau stated that no more than \$800,000.00 from reserve should be used to balance the budget.
- Reported that the District would need to apply for a TRANS this next fiscal year.

MINUTES FROM STANDING AND AD HOC COMMITTEE

1. Academic Senate, 04/01/09
2. Strategic Planning Committee, 04/07/09
3. Student Affairs Committee, 04/06/09, 04/20/09

DISCUSSION AND INFORMATION ITEMS

1. Employee Conflict Resolution Form - Travis Gregory

- Stated the purpose of the Employee Conflict Resolution Form is for employees to be able to informally resolve conflicts that do not rise to the level of discrimination, sexual harassment, or contract grievances. He indicated the Employee Conflict Resolution goes to the immediate supervisor and Human Resources, and the employee would get a written response within 15 working days.
- Stated the Employee Conflict Resolution Form would be presented to the Board of Trustees for approval at the next Board Meeting.

Member Nuñez asked if the Union had any say.

Associate Dean Gregory stated there is no official union involvement; it would be the employee's option to include the union. This item was tabled for the next College Council meeting.

2. Debrief of Swine Flu Crisis - Kathy Berry

- Announced there would be an official debriefing to find out how the college responded, and how to respond in the future.
- Stated she was impressed with how the faculty communicated with students about alternative ways of instruction.
- Stated the Institution needs to determine how to respond if the campus were to be closed for one to two weeks. She talked about putting Etudes into play if this were to happen.
- Announced no one at the institution tested positive for the swine flu.
- Announced that permanent hand sanitizer stations would be placed around campus.

Chair Michael Heumann thanked VP Berry and Associate Dean Aguirre for all their help.

3. Organization Chart Academic Services - Kathy Berry

- VP Berry announced the VPs would be introducing their Reorganization Charts for information purposes, and President Gould would be presenting the Reorganization Charts at the next Town Hall meeting.
- Announced that Instruction would be looking at moving to a Dean structure instead of a Division Chair structure.
- Announced that she met with Division Chairs last week and had made a few changes to the reorganization chart. She indicated it should be completed next week.

4. Organization Chart Business Services - John Lau

- VP Lau stated that the Institution has continued to grow and the institution's structure has not met that growth. He stated the reorganization in the Business Office is mostly due to the retirement of three employees, and now would be an ideal time to reorganize.
- Stated that centralized purchasing and security would be looked into in the reorganization. He stated in the accounting department there would be a vacant position and those duties would be reassigned.

5. Organization Chart Student Services - Victor Jaime

- VP Jaime reported that the last structure reorganization in Student Support Services was done when enrollment was around 3,000, and in Student Services everything is based on headcount. He stated the organization model is very outdated. He indicated Student Support Services is looking to institute three Dean Structures: Dean of Counseling to bring all counseling components together; Dean of Student Development; and Dean of Enrollment Services which aligns the Admission Office and Financial Aid. He indicated it would be a much more efficient structure.
- Announced details would be shared at the Town Hall meeting.

6. Organization Chart President's Office - Travis Gregory

- Associate Dean Gregory stated the President's reorganization chart includes restructuring of the Information and Technology department, bringing Public Relations in-house with some assistance from reprographics, and reorganization of the Director of Research Planning and Grant Administrator position.
- Announced since Zula Hartfield from Human Resources and Mary Bell from the Business Office would be retiring benefits would be moved to Human Resources.

7. Town Hall Meeting - Michael Heumann

- Announced that the Town Hall meeting would take place on Tuesday, May 19, 2009 from 1:45 p.m. to 2:45 p.m. and 3:00 p.m. to 4:00 p.m.
- Announced that Toni Pfister would be presenting an SLO Workshop between the two Town Hall meetings.

ACTION ITEMS

M/S/C Jessica Waddell/Bruce Seivertson

1. Approval of Computer and Network Use Policy - Dr. Ying

"AP 3720 Computer and Network Use

Reference:

17 U.S.C. Section 101 et seq.; Penal Code Section 502, Cal. Const., Art. 1 Section 1; Government Code Section 3543.1(b) ; Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

The District Computer and Network systems are the sole property of Imperial Valley College (the district). They may not be used by any person without the proper authorization of the District. The Computer and Network systems are for District instructional and work related purposes only.

This procedure applies to all District students, faculty and staff and to others granted use of District information resources. This procedure refers to all District information resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the District. This includes personal computers, workstations, mainframes, minicomputers, and associated peripherals, software and information resources, regardless of whether used for administration, research, teaching or other purposes.

Conditions of Use. *Individual units within the District may define additional conditions of use for information resources under their control. These statements must be consistent with this overall procedure but may provide additional detail, guidelines and/or restrictions.*

Legal Process. *This procedure exists within the framework of the District Board Policy and state and federal laws. A user of District information resources who is found to have violated any of these policies will be subject to disciplinary action as provided in relevant employment agreements.*

Copyrights and Licenses. *Computer users must respect copyrights and licenses to software and other on-line information.*

Copying - Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any District facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

Number of Simultaneous Users - The number and distribution of copies must be handled in such a way that the number of simultaneous users in a department does not exceed the number of original copies purchased by that department, unless otherwise stipulated in the purchase contract.

Copyrights - In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

Integrity of Information Resources. *Computer users must respect the integrity of computer-based information resources.*

Modification or Removal of Equipment - Computer users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others without proper authorization.

Unauthorized Use - *Computer users must not interfere with others access and use of the District computers. This includes but is not limited to: the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, beyond those needed to perform the work of the District, running grossly inefficient programs when efficient alternatives have been provided by the District; unauthorized modification of system facilities, operating systems, or disk partitions; attempting to crash or tie up a District computer or network; and damaging or vandalizing District computing facilities, equipment, software or computer files.*

Unauthorized Programs - *Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users should take appropriate, reasonable measures to ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The intentional, malicious use of any unauthorized or destructive program will result in disciplinary action as provided in relevant employment agreements, and may further lead to civil or criminal legal proceedings.*

Unauthorized Access. *Computer users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access.*

Abuse of Computing Privileges - *Users of District information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so. For example, abuse of the networks to which the District belongs or the computers at other sites connected to those networks will be treated as an abuse of District computing privileges. Users who abuse these privileges and/or these procedures may lose their access and be subject to disciplinary action.*

Reporting Problems - *Any defects discovered in system accounting or system security must be reported promptly to the appropriate system administrator so that steps can be taken to investigate and solve the problem.*

Password Protection - A computer user who has been authorized to use a password-protected account may be subject to both civil and criminal liability if the user discloses the password or otherwise makes the account available to others whom the computer user knew or reasonably should have known intend to use this information for fraudulent, malicious or illegal purposes.

Usage. Computer users must respect the rights of other computer users. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information are a violation of District procedure and may violate applicable law.

Unlawful Messages - Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, state or other law or District policy, or which constitute the unauthorized release of confidential information.

Information Belonging to Others - Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.

Rights of Individuals - Users must not release any individual's (student, faculty, and staff) personal information except in the circumstances allowed under law or contract.

User identification - Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.

Political, Personal and Commercial Use - The District is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state and local laws regarding sources of income, political activities, use of property and similar matters.

Political Use - District information resources must not be used for partisan political activities where prohibited by federal, state or other applicable laws.

Personal Use - District information resources should not be used for personal activities that interfere in any way with the use of District information resources for official district business.

Commercial Use – Electronic communication facilities may not be used to transmit commercial advertisements, solicitations, or promotions; with the exception that commercial activities that are for the exclusive and sole benefit of the District, officially sanctioned student groups or clubs, or the Imperial Valley College Foundation are allowed. Further, District employees may use the District intranet to transmit to other District employees materials of a commercial nature as long as those employees have expressed a direct interest in said materials and as long as transmission of said materials does not interfere in any way with the use of District information resources for official District business. Users also are reminded that the “.cc” and “.edu” domains on the Internet have rules restricting or prohibiting commercial use, and users may not conduct activities not appropriate within those domains.

Nondiscrimination. All users have the right to be free from any conduct connected with the use of the Imperial Valley College network and computer resources which discriminates against any person on the basis of national origin, religion, age, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, gender preference, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. No user shall use the District network and computer resources to transmit any message, create any communication of any kind, or store information which violates any District procedure regarding discrimination or harassment, or which is legally defined as defamatory or obscene, or which constitutes the unauthorized release of confidential information.

Disclosure

No Expectation of Privacy - The District reserves the right to monitor all use of the District network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the District network and computer resources. The District will exercise this right only for legitimate District purposes, including but not limited to ensuring compliance with this procedure and the integrity and security of the system.

Possibility of Disclosure - Users must be aware of the possibility of unintended disclosure of communications.

Retrieval - It is possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

Public Records - The California Public Records Act (Government Code Sections 6250 et seq.) includes computer transmissions in the definition of "public record" and nonexempt communications made on the District network and computer must be disclosed if requested by a member of the public.

Litigation - Computer transmissions and electronically stored information may be discoverable in litigation.

Overtime

Prior approval required. The Fair Labor Standards Act (FLSA) requires that each employee be paid appropriately for eligible overtime hours worked. These provisions do not apply to employees who are exempt from overtime compensation.

- 1. No time spent in any activity on the District's Electronic Communications Resources for the benefit of the District may be done outside of the employee's scheduled work hours without advance approval from their supervisor. In an emergency, employees may perform the work but must notify the supervisor as soon as possible and by the end of that same day. If the supervisor denies a request to work overtime then the employee must obey that directive.*
- 2. All time spent outside of the employee's scheduled hours must be reported on the District's time reporting form so that they are paid appropriately. Employees may not choose to work and not request compensation. All legitimate overtime must be compensated.*

Dissemination and User Acknowledgment

All users shall be provided copies of these procedures and be directed to familiarize themselves with them. A signed copy of the acknowledgement and agreement will be placed in all employee personnel files."

Motion carried.

2. Election of Vice Chair - Michael Heumann

Chair Heumann announced that the floor was closed for nominations. Jessica Waddell was unanimously elected as Vice Chair.

Motion carried.

ADJOURNMENT

M/S/C Bruce Seivertson/Jessica Waddell to adjourn the meeting at 3:00 p.m.

**2008-2009 College Council Meeting Schedule
at 2:30 p.m. in the Board Room**

2009	
May 11	June 8 & 22*

~~Meeting Canceled~~

**Fall Semester Begins

* Summer Session Begins

Overload rate for 177 day members