



## ADOPTED MINUTES

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

Monday, March 8, 2010

Location  
Administration Board Room, Building 10  
380 East Aten Road  
Imperial, CA 92251

#### CALL TO ORDER/ROLL CALL

On Monday, March 8, 2010, at 6:00 p.m., Board President Hart called the regular meeting of the Imperial Community College District Board of Trustees to order in the Administration Board Room, Building 10.

#### BOARD MEMBERS PRESENT:

Carlos R. Acuña  
Rudy Cardenas, Jr.  
Norma Sierra Galindo  
Jerry D. Hart  
Romualdo Medina  
Rebecca L. Ramirez  
Louis Wong [6:03 p.m.]

BOARD MEMBERS ABSENT:       None.

#### REPRESENTATIVES PRESENT:

Steven Sciaky, Associated Student Representative  
Kevin White, Academic Senate Representative  
Dr. Michael Heumann, College Council Representative  
Gaylla Finnell, CTA Representative

#### CONSULTANTS PRESENT:

Dr. Ed Gould, Superintendent/President  
Dr. Victor Jaime, Vice President for Student Services  
Kathy Berry, Vice President for Academic Services  
Bill Gay, Public Relations Officer  
Frank Oswald, Legal Counsel

#### PLEDGE OF ALLEGIANCE

Trustee Cardenas led the Pledge of Allegiance to the Flag.

#### PUBLIC COMMENT

Jean Montenegro spoke regarding her devotion to the Calexico Extended Campus and asked that the Calexico campus remain open. She invited the Trustees to visit her class.

CTA President Gaylla Finnell spoke and stated she was pleased to see eight faculty members were receiving their tenure. She asked that Resolution Nos. 14614, 14617, and 14620 be pulled from the consent agenda. She introduced five of the employees references in Resolution No. 14620.

CalWORKs Coordinator Yolanda Romero spoke and stated she is one of five faculty members that has been served a layoff notice. She gave a historical timeline of her education and work history.

Assessment Counselor Mireya Felix spoke and stated she is one of the faculty members that received a notice. She gave a historical timeline of her education and work history.

Assessment Counselor Isabel Sigala spoke and stated she is one of the faculty members that received a notice. She gave a historical timeline of her work history.

### **WRITTEN COMMUNICATIONS**

Board President Hart announced that the Board received one written communication.

### **CHANGES TO THE AGENDA**

A request was made to move Resolution No. 14615 after Board Member Reports.

### **INFORMATION REPORTS**

#### **Board Member Reports**

There were no board member reports.

M/S/C Medina/Acuña to amend the agenda to move Resolution No. 14615.

#### **M/S/C Cardenas/Acuña**

#### **Resolution No. 14615: Tenure**

#### **Discussion**

Vice President Berry presented Tenure Certificates to those faculty members that were present at the meeting.

#### **Resolution**

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

Celeste Armenta  
Rick Castapel  
Hope Davis  
Andres Martinez  
Terry Norris  
Robin Y. Paine  
Christina Shaner  
Jose Velasquez

BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, approves granting tenure to the academic personnel listed, as credentialed, for the 2010-2011 academic year as tenured faculty.

## **ACTION ITEM – EDUCATIONAL SERVICES**

**M/S/C Ramirez/Acuña**

**Resolution No. 14613: Certification of the Accreditation Midterm Report**

### **Discussion**

Vice President for Academic Services Berry spoke about the midterm report. She stated that the report would be submitted on March 15, 2010. She provided the following information and highlights:

Thanked everyone who worked on the report and thanked Administrative Assistant Linda Amidon for working diligently on the evidence.

Trustee Galindo asked if the report she received would be the one that would be submitted. VP Berry stated it would.

President Gould thanked VP Berry and Associate Dean Tina Aguirre, Professors Dr. Michael Huemann, Dr. James Patterson, David Zeilinski, Val Rodgers, and Dr. Taylor Ruhl for putting the report into a coherent document.

Trustee Medina asked if the District used a specific format for the report. VP Berry said the District did follow a certain format.

Trustee Acuña asked if the report would go online or if there would be paper copies. VP Berry stated there would be both.

### **Resolution**

WHEREAS the Imperial Valley College Accreditation Midterm Report is being submitted to the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges for the purpose of assisting in determination of our institution's accreditation status; and

WHEREAS Imperial Valley College certifies that there was broad participation by the campus community, and we believe the Accreditation Midterm Report accurately reflects the nature and substance of this institution; and

BE IT RESOLVED that the Board commends everyone that contributed to the Accreditation Midterm Report;

BE IT FURTHER RESOLVED that the Board approves the submission of this Report, attached hereto as Exhibit A.

## **CLOSED SESSION**

**M/S/C Cardenas/Acuna to go into CLOSED SESSION at 6:44 p.m.**

1. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT  
Conference with District Negotiators: John Lau and Travis Gregory  
Employee Organization: CSEA Chapter 472  
RE: Negotiations

2. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT  
Conference with District Negotiators: John Lau and Travis Gregory  
Employee Organization: IVC Chapter of CCA/CTA/NEA  
RE: Negotiations
3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

### **OPEN SESSION**

#### **M/S/C Galindo/Cardenas to go into OPEN SESSION at 7:37 p.m.**

1. M/S/C Cardenas/Acuña directed Superintendent/President to file appropriate pleading with PERB regarding CSEA's failure to make a timely opening offer.
2. Information was received.
3. Information was received.

### **CONSENT AGENDA – HUMAN RESOURCES**

Trustee Galindo pulled the following Resolutions: 14614, 14617, 14618, and 14620.  
Trustee Ramirez pulled the following Resolution: 14619.

#### **M/S/C Cardenas/Wong**

##### **Resolution No. 14614: Administrator Rehire List**

#### **Discussion**

CTA President Finnell spoke in regards to the rehire list and asked for information on the types of evaluations that were conducted on the administrators. She stated that traditionally, faculty members are able to give an evaluation of administrators.

President Gould stated that there was a self-evaluation and a meeting with the administrator's supervisor to go over the evaluation.

Trustee Galindo asked if it was past practice for faculty to participate.

Trustee Acuña asked what the experience has been about faculty and non faculty evaluating administrators.

President Gould stated that he would like a 360 evaluation where all people are allowed to participate.

CTA President Finnell stated that if it is an option to go to a 360 evaluation then it would give that participation and asked that it be taken under consideration for future evaluations.

Trustee Medina asked if the accreditation had any bearing on it.

President Gould stated there was no bearing.

**Resolution**

BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, approves the following administrative personnel be reemployed (twelve month contract/220 service days, two year rolling contract per Board Resolution No. 13233) for the 2010–2011 and 2011-2012 school years:

Aguirre, Justina	Associate Dean/Nursing Education/Health Technologies/EMS
Berry, Kathy	Vice President/Academic Services
Cesar, Ted	Associate Dean/Disabled Students Programs and Services
Gregory, Travis	Associate Dean/Human Resources
Jaime, Victor	Vice President/Student Services
Lau, John	Vice President/Business Services
Lopez, Sergio	Associate Dean/Student Affairs
Magno, Janis	Dean/Financial Aid and State Programs
Ruhl, Taylor	Associate Dean/Learning Services
Silva, Efrain	Dean/Instruction for Economic and Workforce Development

**M/S/C Cardenas/Acuña  
Resolution No. 14615: Tenure**

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

Celeste Armenta  
Rick Castrapel  
Hope Davis  
Andres Martinez  
Terry Norris  
Robin Y. Paine  
Christina Shaner  
Jose Velasquez

BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, approves granting tenure to the academic personnel listed, as credentialed, for the 2010-2011 academic year as tenured faculty.

**M/S/C Cardenas/Acuña  
Resolution No. 14616: Faculty Tenure Rehire List**

BE IT RESOLVED that the following academic personnel be reemployed, as credentialed, for the 2010-2011 academic year:

Arguelles, Trinidad	Bemis, Roberta	*Castrapel, Rick
*Armenta, Celeste	Beope, Frances	**Chang, Eddie
Artechi, G. Olga	Biley, Patti	Chien, Andrew
Avila, Beatriz	Blek, Craig	Cormier, Judy
Aye, Tyson	Byrd, Krista	**Cozzani, Alejandro
**Baukholt, Robert	Campos, Gilbert	Craven, Julie
Beckley, Jeffrey	Canéz-Savala, Said	David, Samuel

Davis, Donna  
\*Davis, Hope  
Davis, Lincoln  
Decker, Van  
Deyo, Jeffrey  
Dorantes, Kathleen  
\*\*Dorsey, Tanya  
Drury, David  
\*\*Edwards, Aaron  
Esqueda, Jesus  
Finnell, Gaylla  
Fisher, James  
Fitzsimmons, Richard  
Gage-Mosher, Ronald  
Garcia, Raquel  
\*\*Garza, Alejandro  
Ghanim, Walid  
Gilbertson, Tom  
Gilison, Daniel  
\*\*Goldsberry, Rick  
Gretz, Suzanne  
Guzman, Cesar  
Hansink, Todd  
Harris, Diane  
Hegarty, Carol  
\*\*Hernandez, Oscar  
Heumann, Michael  
Higgins, S. Brenda  
\*\*Higginson, Jane  
\*\*Holt, Steve  
Horton, Sidne  
Jacobson, Eric  
\*\*Jepson, Rosalba  
Kalin, Janeen  
Kareva, Kseniya  
Kelly, Nannette  
\*\*Kitzmilller, Jill  
Knaak, Manfred

Lavery, Russell  
Lay, Nancy  
Lee, Carol  
Lehtonen, Eric  
Leon, Allyn  
Lofgren, Mary  
Lopez, Jose  
Lovitt, Paige  
Luoma, Craig  
Marcuson, Bruce  
Marquez, Ralph  
\*Martinez, Andres  
Martini, Donald  
Marty, Kevin  
Mason, Charles  
Mazeroll, Lorraine  
McNeece, P. Brian  
Mecate, Jim  
Meek, Al  
Mercado, M. Lourdes  
Miller, Fonda  
Miranda, Frank  
Morrell, Thomas  
Mosier, Laura  
\*\*Moss, Susan  
Nava, Norma  
\*\*Nelipovich, Jill  
Nilson, Barbara  
\*Norris, Terry  
Nunez, Norma  
Orfanos-Woo, Stella  
Page, Bruce  
Paine, Thomas  
\*Paine, R. Yvonne  
\*\*Pastrana, Leticia  
Patterson, James  
\*\*Pauley, Patrick  
Pfister, Toni

\*\*Pitones, Rosa  
Plascencia, Jose  
Pollock, Diedre  
Ponce, Josefina  
Pradis, Ricardo  
\*\*Rangel, Javier  
Rapp, Frank  
\*\*Rice, Sydney  
Riehle, Betsy  
Rodgers, Gary  
Rodgers, Valerie  
Rowley, Deirdre  
Ruiz, Angelica  
Ruiz, Jose  
Sanchez-Dominguez,  
Romano  
Santistevan, Judy  
Scheuerell, Edward  
Seivertson, Bruce  
\*Shaner, Christina  
Sheppard, David  
Shokoufi, Mardjan  
Simpson, Scott  
\*\*Solomon, Lisa  
Staton, M. Robin  
Stroud, V. Jean  
\*\*Swiaddon, Glenn  
Tucker, Jill  
Voldman, Aleksandr  
Wainwright, Mary-Jo  
\*\*Wells, Edward  
White, Kevin  
Williams, Jack  
\*\*Wright, Bradford  
Zazueta, Cathy  
Zhao, Lianna  
Zielinski, David

\* Have fulfilled tenure obligations and shall be reemployed as tenured for the 2010-2011 academic year

\*\* Probation

All others are tenured

**M/S/C Ramirez/Acuña**  
**Resolution No. 14617: Faculty Non-Tenure Rehire List**

**Discussion**

CTA President Finnell stated that one faculty member that is not on the list for rehire is part of the B-Green grant funded through June 2011. She asked the reasons for her not being on the rehire list since she is the coordinator of the grant.

President Gould stated that due to the CalWORKS connection she is funded through that and hoping to get renewal by May 15<sup>th</sup>. With any luck, will have some people come off the list.

**Resolution**

BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, approves the following certificated employees be reemployed, as temporary, full-time non-tenure contract personnel contingent upon continued funding of the Federal/State grant designated and verification of records:

<u>Name</u>	<u>Project Position</u>	<u>Funding Source</u>	<u>Time Frame</u>
Alvarado, Beatriz	Counselor	Federal	09/01/10 to 08/31/11
Diaz, Dolores	Project Director	Federal	09/01/10 to 08/31/11
Fletes, Myriam	Project Director	Federal	09/01/10 to 08/31/11
Fristrup, Carey	Outreach Coordinator	State	07/01/10 to 06/30/11
Howell, Kevin	ESL/Reading Instructor	Basic Skills	08/20/10 to 06/11/11
Lopez, Rosalie	Project Director	Federal	06/01/10 to 05/31/11
Sandoval, Lilia	Counselor	State	07/01/10 to 06/30/11

**M/S/C Ramirez/Acuña (ABSTAIN: GALINDO)**  
**Resolution No. 14618: Non-Renewal of Probationary/Contract Employee**

**Discussion**

Legal Counsel Oswalt advised that even though it is a non-tenured instructor, the employee would have hearing rights and indicated this was part of the process.

**Resolution**

WHEREAS the Board having considered the recommendation of the Superintendent/President and the employee's tenure review committee.

BE IT RESOLVED that the Board does not grant tenure to Employee No. G00601372;

BE IT FURTHER RESOLVED that the President of the Board shall send notice of this initial decision in the manner required by law.

**M/S/C Acuña/Wong**

**Resolution No. 14619: Non-Renewal of Probationary/Contract Employee**

**Discussion**

Legal Counsel Oswalt advised that even though it is a non-tenured instructor, the employee would have hearing rights and indicated this was part of the process.

**Resolution**

WHEREAS the Board having considered the recommendation of the Superintendent/President and the employee's tenure review committee.

BE IT RESOLVED that the Board does not grant tenure to Employee No. G00628932;

BE IT FURTHER RESOLVED that the President of the Board shall send notice of this initial decision in the manner required by law.

**M/S/C Acuña/Wong (OPPOSED: GALINDO)**

**Resolution No. 14620: Reduction or Discontinuance of Particular Kinds of Service**

**Discussion**

CTA President Finnell questioned the reduction of the B-Green grant at .50 since the grant is through June 30, 2011, and asked for clarification. She stated that as to the other positions, she would like assurances for the faculty that if the contract and funding is renewed it is the intention of the Board that they be rehired.

President Gould stated he would like to have all of the people in the affected positions back. He stated that the state is going through reductions and stated that the District could not make a commitment to fund the positions through the general fund.

Trustee Acuña asked what impact it would have on students if the positions were not rehired. President Gould stated that it would be less outreach and less one-to-one counseling.

VP Berry stated the B-Green is a state program and state funded and the District had not been assured it would continue. President Gould stated that he has every expectation that the B-Green grant would continue.

Trustee Galindo stated that she could not, in good conscious, take the livelihood of people.

**Resolution**

WHEREAS, pursuant to Education Code Section 87743, it is the opinion of this Board that it has become necessary to reduce or discontinue particular kinds of services; and

WHEREAS, it is the opinion of this Board that the following particular kinds of services be reduced or discontinued for the 2010-2011 academic year:

1. Reduce Matriculation Counselor Position – 1.0 FTE
2. Discontinue Building Construction Technologies Instructor Position – 1.0 FTE
2. Reduce Counselor (EOPS) Position – 1.0 FTE
3. Discontinue Assessment Counselor (CalWorks) Position – 2.5 FTE



4. Discontinue Counselor (Behavioral Health) – 2.0 FTE
5. Reduce B-Green Coordinator – .50 FTE

WHEREAS, it is the opinion of this Board that it is necessary by reason of the aforementioned reductions and discontinuances of service to decrease the number of academic employees by the equivalent of 8 FTE employees for the 2010-2011 academic year; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Imperial Community College District that, for the 2010-2011 academic year, the particular kinds of services to be provided by said District shall be and hereby are reduced to the extent hereinabove set forth; and

BE IT RESOLVED that due to the reduction or discontinuance of particular kinds of services, the legal number of employees of the District, pursuant to Education Code Section 87743, not be reemployed for the 2010-2011 academic year; and

BE IT FURTHER RESOLVED that the Superintendent is directed to give Notices of Recommendation Not to Reemploy, in accordance with the provisions of Section 87740 and 87743 of the Education Code, to the number of academic employees allowed pursuant to Education Code Section 87743.

**M/S/C Cardenas/Acuña**  
**Resolution No. 14621: Administrative Retirement**

BE IT RESOLVED that the Board accepts, with sincere regret, the retirement of Dr. Robin Ying, Dean of Technology effective September 1, 2010.

BE IT RESOLVED that sincere appreciation be expressed for his 5 years of devoted service to Imperial Valley College.

**M/S/C Cardenas/Acuña**  
**Resolution No. 14622: Classified Short-Term Employment**

WHEREAS, Ed Code Section 88003 and Board Resolution 12673, short-term employees may be employed for a period not to exceed 75 percent of a college year (195 working days);

WHEREAS, due to regulatory and compliance issues, clerical and technical support is critical to the administration of WIA grants;

THEREFORE BE IT RESOLVED the Board approves the recommendation of the Superintendent/President to extend the short-term employment contract for the following employees:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Diaz, Cindy	Office Assistant II	WIA Grant	Categorical	8-1	2/17/10-4/17/10

Total number of days employed as a short-term: 100 work days

Orduno, Arthur	Instructional Lab Assistant - Electronics	WIA Grant	Categorical	10-1	3/12/10-6/30/10
----------------	--	-----------	-------------	------	-----------------

Total number of days employed as a short-term: 122 work days

**M/S/C Cardenas/Acuña**

**Resolution No. 14623: Classified Substitute Employment**

WHEREAS, Ed Code Section 88003 and Board Resolution 12673, substitute employees may be employed for a period not to exceed 75 percent of a college year (195 working days);

WHEREAS, the regular classified employee continues on an approved leave of absence;

THEREFORE BE IT RESOLVED the Board approves the recommendation of the Superintendent/President to extend the substitute employment contract for the following employee:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Ruiz, Ricardo	Grounds Maintenance Worker	Maintenance	District	11-1	01/15/10-3/31/10

Total number of days employed as a substitute: 123 work days

**ADJOURNMENT**

**M/S/C Cardenas/Acuña to ADJOURN the meeting at 7:57 p.m.**

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for **WEDNESDAY, MARCH 17, 2010, AT 6:00 P.M.** in the Administration Board Room located in Building 10.

The next **Board Retreat** of the Imperial of the Imperial Community College District Board of Trustees is scheduled for **SATURDAY, MARCH 27, 2010, AT 8:00 A.M.** in the Administration Board Room located in Building 10.

Adopted this 21<sup>st</sup> day of April 2010.

---

ICCD Board President

---

ICCD Board Secretary