



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

Wednesday, June 18, 2008 – 6:00 P.M.

**Location: Administration Building – Board Room
380 East Aten Road
Imperial, CA 92251**

I. CALL TO ORDER

1. Roll Call by Secretary:

Carlos R. Acuña	Romualdo J. Medina
Rudy Cardenas, Jr.	Rebecca L. Ramirez
Norma Sierra Galindo	Louis Wong
Jerry D. Hart	

Student Representative – Chantilee Mendenhall
Academic Senate Representative – Dr. Bruce Seivertson

2. Pledge of Allegiance

II. PUBLIC COMMENT

At this time persons may speak to the Board either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board. Board Policy 2350 states:

Each speaker will be allowed a maximum of five minutes per topic. Thirty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one Board meeting. At the discretion of a majority of the Board, these time limits may be extended.

If you wish to be heard, please stand and identify yourself to the Board President.

III. WRITTEN COMMUNICATION

1. Paula Saldana, President's Office Technician (RE: Resignation, dated May 21, 2008).

May 21, 2008

Dr. Ed Gould
Superintendent/President
Imperial Valley College
380 East Aten Road
Imperial, CA 92251

Re: Resignation Notice

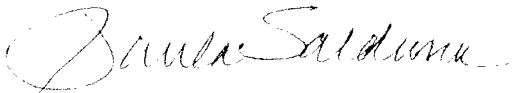
Dear Dr. Gould,

Please accept this letter as notice of my resignation from the position of President's Office Technician at Imperial Valley College. My last day of employment will be June 13, 2008.

Over the past 2 ½ years, I have had the pleasure and privilege of working with and being part of a great family of students, Board members, administrators, faculty and staff. I feel very fortunate to have been associated with such a great group of people. My experiences and training have been invaluable, and I will leave with many pleasant memories.

I wish the college continued success in the future.

Sincerely,

A handwritten signature in cursive script that reads "Paula Saldana".

Paula Saldana
President's Office Technician
Imperial Valley College

IV. INFORMATION REPORTS

1. Employee of the Year – Kathy Berry
2. Board Member Reports
3. Associated Student Government Senate Update – Chantilee Mendenhall
4. Academic Senate Update – Dr. Bruce Seivertson
5. Monthly Financial Report – John Lau
6. President's Update – Dr. Ed Gould
7. Gaining Leadership, Expertise, Aptitude, and Mentoring (G.L.E.A.M.) Program – Travis Gregory
8. Upward Bound Summer Residential Program – Rosie Lopez, Upward Bound Director

V. CONSENT AGENDA – BUSINESS

1. Approval of Minutes dated May 21, 2008, Regular Board Meeting
2. Resolution No. 14118: Purchase Orders
3. Resolution No. 14119: Payroll Warrant Orders
4. Resolution No. 14120: Commercial Warrant Orders
5. Resolution No. 14121: Budget Transfers
6. Resolution No. 14122: GANN Appropriation Limit Hearing
7. Resolution No. 14123: Five-Year Construction Plan
8. Resolution No. 14124: Tentative Budget 2008-2009
9. Resolution No. 14125: IVC Foundation Fundraising Plan for California Community Colleges Scholarship Endowment
10. Resolution No. 14126: Memorandum of Understanding for Use of Facilities at El Centro School District (ECSD)

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

1. Resolution No. 14127: Major, Certificate, Course Additions, Revisions, and Deletions
2. Resolution No. 14128: Major, Certificate, Course Additions, Revisions, and Deletions
3. Resolution No. 14129: Major, Certificate, Course Additions, Revisions, and Deletions
4. Resolution No. 14130: Revision of Board Policy 4020, Program Curriculum, and Course Development
5. Resolution No. 14131: Certificate Correction
6. Resolution No. 14132: Transcript Fees
7. Resolution No. 14133: Medical Directorship Agreement
8. Resolution No. 14134: Agreement with Department of Rehabilitation

VII. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Old Sears Shopping Center, Parcel # 064-470-029
Agency Negotiators: Efrain Silva, Kathy Berry, John Lau, Dr. Ed Gould
Negotiating Parties: Peter Ruiz of The Legaspi Group
Negotiation: Instruction to negotiator will concern price and terms of lease
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Four potential cases)
3. CONFERENCE WITH LEGAL COUNSEL
RE: Superintendent/President Contract
4. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators
RE: Direction for Negotiations

VIII. OPEN SESSION

1. Announcement of final action taken

IX. CONSENT AGENDA – HUMAN RESOURCES

1. Resolution No. 14135: Full-Time Faculty Employment
2. Resolution No. 14136: Academic Summer Session Employment
3. Resolution No. 14137: Athletic Assignments 2008-2009
4. Resolution No. 14138: Outreach Counseling Specialist Employment
5. Resolution No. 14139: Adjunct Counselor Employment
6. Resolution No. 14140: Adjunct Counselor Employment
7. Resolution No. 14141: Instructional Media Designer
8. Resolution No. 14142: ACCESO Project Director
9. Resolution No. 14143: District Reorganization
10. Resolution No. 14144: District Reorganization
11. Resolution No. 14145: Classified Service Employment
12. Resolution No. 14146: Elimination of Classified Position from Classified Services
13. Resolution No. 14147: Classified Voluntary Transfer/Reassignment
14. Resolution No. 14148: Classified Short-Term Employment
15. Resolution No. 14149: Classified Substitute Employment
16. Resolution No. 14150: Classified Resignation

X. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, JULY 16, 2008, AT 6 P.M.** in the Administration Building Board Room.

V. CONSENT AGENDA – BUSINESS

V.1 Approval of Minutes dated May 21, 2008, Regular Board Meeting

V.2 Resolution No. 14118: Purchase Orders

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of Purchase Orders in the amount of \$3,026,901.35 and Direct Payments in the amount of \$130,111.03 for the month of May, 2008.

V.3 Resolution No. 14119: Payroll Warrant Orders

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of the following Payroll Warrants for the month of May 2008:

2007-08 Payroll Warrant	#	Fund 10 General Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total
5/9/08	22	259,903.81			259,903.81
5/30/08	23	2,633,467.64	31,249.22	8,698.88	2,673,415.74
		2,893,371.45	31,249.22	8,698.88	2,933,319.55

V.4 Resolution No. 14120: Commercial Warrant Orders

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of the following Commercial Warrants for the month of May 2008:

Date	#	Fund 10 General Fund	Financial Aid	Fund 20 Building Fund	Fund 45 Child Dev.	Fund 50 Cert. of Part.	Fund 80 Bond Fund	Warrant Total
5/1/08	41	253,643.01	275.00				1,299.06	255,217.07
5/8/08	42	178,501.67	90,473.30				514,904.00	783,878.97
5/15/08	43	524,721.23		1,260.00		65,359.54	588,106.80	1,179,447.57
5/22/08	44	325,516.24			117.49		6,600.00	332,233.73
5/27/08	45	165,111.19	2,395,935.64		3,882.80		404,021.54	2,968,951.17
		1,193,850.33	2,486,408.94	1,260.00	4,000.29	65,359.54	1,513,632.34	5,264,511.44

V.5 Resolution No. 14121: Budget Transfers

BE IT RESOLVED that the Board approves the following transfers between major object codes:

J4056732, J4056737, J4056741, J4056747, J4056753, J4056758, J4056759, J4056764, J4056770, J4056775, J4056785, J4056786, J4056794, J4056795, and J4056804

V.6 Resolution No. 14122: GANN Appropriation Limit Hearing

WHEREAS, in November of 1979, the people of California passed Proposition 4, a Constitutional Amendment commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and,

WHEREAS, Senate Bill 1352, Chapter 1205 of 1980, implements Proposition 4, and requires the Board of Trustees to establish by resolution an appropriation limit each fiscal year beginning with 1981-82; and

WHEREAS, the District's 2008-09 budget is in conformance with the requirements of Proposition 4.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby declare that the appropriations in the budget to be adopted for 2008-09 do not exceed the limitations imposed by Proposition 4.

V.7 Resolution No. 14123: Five-Year Construction Plan

WHEREAS, in accordance with Section 81820 of the California Education Code, each year community college districts are required to submit a Five-Year Construction Plan to the Chancellor the California Community Colleges; and

WHEREAS, the Five-year Plan communicates to the State Chancellor's Office and other State agencies the anticipated capital outlay needs of the district for the next five years; and

WHEREAS, the Five-year Plan includes information on current enrollment, projected enrollment, and instructional staff. This information, together with actual college space utilization, is analyzed by the Chancellor's Office to develop load-capacity ratios, which are measures of a college's need in certain areas. The load-capacity ratio is one factor that is considered in State funding of a capital project; and

WHEREAS, one component to the Five-year Plan is the project priority list for the five-year period. The priority list includes all facility needs of the District based on the Education Master Plan, regardless of whether State funding will be requested. The 2010-14 Project Priority List includes projects that are under way, projects that have been approved by the District for bond or other funding, and projects for which State funding will be requested.

Priority	Project Title	ASF	Current Cost	District Share	First Funding Date	Occupy Date
1	SCIENCE STUDY BUILDING	47,558	\$32,000,000	\$32,000,000	2004/2005	2009/2010
2	BLDG 400 MODERNIZATION	8,321	\$4,599,000	\$2,299,000	2008/2009	2010/2011
3	MODERNIZE ACADEMIC BLDGS	22,536	\$8,427,000	\$1,686,000	2010/2011	2012/2013
4	CAREER TECHNICAL BUILDING	44,030	\$23,627,000	\$9,448,000	2011/2012	2014/2015
5	TECHNOLOGY BUILDING	26,555	\$17,932,000	\$8,959,000	2012/2013	2015/2016
6	LIBRARY REMODEL/ADDITION	31,928	\$13,196,000	\$2,639,000	2013/2014	2015/2016
7	GYM - MODERNIZATION	30,746	\$2,280,000	\$2,280,000	2014/2015	2016/2017
8	COUNSELING/FIN. AID MODERNIZATION	5,931	\$1,715,000	\$1,715,000	2015/2016	2017/2018
9	ADMINISTRATION BUILDING MODERNIZATION	6,053	\$1,322,000	\$1,322,000	2015/2016	2017/2018
			\$105,098,000	\$62,348,000		

NOW, THEREFORE, BE IT RESOLVED that the Board approves the 2010-14 Project Priority List and approves the submission of the 2010-14 Five Year Construction Plan to the California Community Colleges Chancellor's Office.

V.8 Resolution No. 14124: Tentative Budget 2008-2009

BE IT RESOLVED that the Tentative Budget for fiscal year 2008-09 be approved.

BE IT FURTHER RESOLVED that the public hearing for the 2008-09 Final Budget is hereby set for Wednesday, September 10, 2008, at 6:00 p.m. in the Administration Building Board Room.

V.9 Resolution No. 14125: IVC Foundation Fundraising Plan for California Community Colleges Scholarship Endowment

WHEREAS, The Matching Campaign for the Endowment is being launched with a \$25 million gift from The Bernard Osher Foundation; and

WHEREAS, during the next three years, the California Community Colleges and the Foundation for California Community Colleges will raise an additional \$50 million, for which the Osher Foundation will provide a 50 percent match, up to \$25 million; and

<u>Year 1</u>	July 1, 2008 – June 30, 2009
<u>Year 2</u>	July 1, 2009 – June 30, 2010
<u>Year 3</u>	July 1, 2010 – June 20, 2011

WHEREAS, in order to maximize returns, funds raised by the colleges will remain their assets and be invested in a pooled equity fund held by the Foundation for California Community Colleges; and

WHEREAS, the result will be a \$100 million permanent endowment to support student success; and

WHEREAS, Imperial Valley College could benefit up to \$297,859 for support to student success;

NOW, THEREFORE, BE IT RESOLVED, that the Imperial Community College District endorses The Matching Campaign and encourages matching gifts.

V.10 Resolution No. 14126: Memorandum of Understanding for Use of Facilities at El Centro School District (ECSD)

BE IT RESOLVED that the Board approves the following Memorandum of Understanding:

MEMORANDUM of UNDERSTANDING for USE of FACILITIES

The Imperial Valley College (IVC) and the El Centro School District (ECSD) enter into this agreement for the utilization of classroom space and related facilities within District facilities for the purposes of providing IVC courses and instruction for the benefit of the residents of Imperial County.

IVC

IVC will offer and conduct citizenship courses at McKinley Elementary School beginning the Spring 2008 semester. No classes shall be scheduled prior to 6:00 pm and shall end by 9:30 pm, unless specifically authorized by the ECSD Superintendent or designee. The ECSD Superintendent may authorize the use of other ECSD facilities and/or expand the scope of courses offered by IVC.

A listing of the classes scheduled each semester shall be submitted to ECSD at least 30 days prior to the beginning of each semester. The ECSD Superintendent or designee may at their discretion authorize the use of additional classrooms after the beginning of each semester.

IVC reserves the right to cancel classes due to low class enrollment and other administrative factors.

IVC Faculty will be continuously reminded to leave rooms in the original configuration including but not limited to desks, furniture, and white boards. Computer equipment will not be used unless specifically permitted by the respective school site. ECSD will contact the Dean of Instruction for the Extended Campus to address and resolve any issues related to this MOU.

IVC will continuously remind students to stay within appropriate student areas.

IVC will pay ECSD a total daily rate of \$15.00 for each classroom and office used as a part of this MOU, and upon the receipt of an ECSD invoice.

IVC will provide a certificate of insurance for the duration of the agreement naming ECSD as an additional insured. To the extent required by law, Workers' Compensation coverage in full compliance with California statutory requirements for all employees of the IVC.

ECSD

ECSD will provide the adequate number of classroom facilities at McKinley School or designated school site. The ECSD Superintendent may, at his discretion, relocate the classes to other ECSD facilities should it become necessary.

ECSD will be responsible for ensuring that related facilities are open and functional at least 15 minutes prior to the beginning of classes. ECSD will also be responsible for the closing of related facilities at the appropriate ending time. IVC and the ECSD Superintendent or designee may establish alternate mechanisms for the opening and closing of facilities. When IVC holidays and ECSD holidays do not coincide, IVC will be allowed to use the related facilities as necessary. IVC will reimburse ECSD for any applicable extraordinary costs.

ECSD will ensure that ECSD teachers provide at minimum one classroom white board for use by the IVC faculty. Other arrangements may also be developed by IVC and ECSD.

INDEMNITY AND HOLD HARMLESS

IVC undertakes and agrees to defend, indemnify and hold harmless ECSD and it's Board members, officers, employees, agents, from any loss, claim, suit, action, demand, expense, including, but not limited to, attorney's fees and costs, damage or liability, damage or destruction of any property, including property of IVC, ECSD or third parties, death or injury to any person, including IVC, IVC's employees, officers, or agents, that may arise or result from IVC's negligent acts, errors or omissions, willful or malicious actions of IVC, IVC's officers, employees or agents, except for claims, damage or expense caused by the sole negligence or willful acts or omissions of ECSD, its officers, employees or agents.

This MOU will terminate on June 15, 2009. ECSD and IVC reserve the right to terminate this agreement with a minimum 30 day notice to be effective at the end the respective IVC semester.

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

VI.1 Resolution No. 14127: Major, Certificate, Course Additions, Revisions, and Deletions

WHEREAS, programs and courses within the programs have been approved by the Curriculum and Instruction Committee and instructional administration, and satisfy all applicable requirements of Title 5 regulations. All provisions of Title 5, Section 55130(b) have been considered. All factors, taken as a whole, support the establishment and maintenance of the proposed instructional program.

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (05-01-08) and the Academic Senate (05-21-08), with the consent of the Superintendent/President, as follows:

Revised Credit Courses

AMSL 100, American Sign Language 1
AMSL 104, Finger spelling & Numbers
AMSL 110, Intro to Deaf Culture
ART 100, History & Appreciation of Art I
ART 102, History & Appreciation of Art II
ART 110, Design
ART 112, Design
ART 120, Drawing
ART 122, Drawing
ART 124, Painting
ART 126, Painting
ART 134, Web Publishing with Dreamweaver I
ART 135, Web Publishing with Dreamweaver II
ART 136, Web Publishing with Dreamweaver III
ART 140, Ceramics
ART 146, Adobe Photoshop I
ART 147, Adobe Photoshop II
ART 148, Adobe Photoshop III
ART 152, Camtasia Studio
ART 160, Graphic Design
ART 165, Design for the Web
ART 220, Drawing
ART 222, Drawing
ART 224, Painting
ART 226, Painting
ART 240, Ceramics
ART 262, Gallery Display
FREN 232, Intermediate Conversational French II
FREN 297, French – Honors
HUM 100, Introduction to the Humanities
JRN 100, Introduction to Journalism
JRN 106, Photojournalism
MUS 100, Introduction to Music Foundations
MUS 102, Introduction to Music Literature and Listing
MUS 104, Introduction to Twentieth-Century Music
MUS 110, Beginning Musicianship I
MUS 112, Beginning Musicianship II
MUS 122, Beginning Harmony II
MUS 140, Beginning Group Piano I
MUS 142, Beginning Group Piano II
MUS 150, Beginning Voice I
MUS 152, Beginning Voice II
MUS 154, Chamber Singers
MUS 156, College – Community Chorus
MUS 160, Beginning Guitar I
MUS 162, Beginning Guitar II
MUS 171, Chamber Orchestra
MUS 173, Concert Band
MUS 174, Estudiantina

MUS 175, Instrumental Ensemble
MUS 178, Symphony Orchestra
MUS 180, Midi Composition
MUS 182, Introduction to Recording Techniques
MUS 184, Advanced Recording Techniques
MUS 200, History and Literature of Music I
MUS 210, Intermediate Musicianship I
MUS 212, Intermediate Musicianship II
MUS 220, Intermediate Harmony I
MUS 222, Intermediate Harmony II
MUS 240, Intermediate Group Piano I
MUS 242, Intermediate Group Piano II
MUS 250, Intermediate Voice I
PHIL 104, Ethics
RELS 100, Religions of the Modern World
SPAN 210, Intermediate Spanish II
SPAN 215, Spanish Spelling and Beginning Writing
SPAN 223, Spanish Reading and Writing
SPAN 225, Introduction to Spanish American Literature
SPCH 100, Oral Communication
SPCH 110, Public Speaking
SPCH 180, Argumentation and Debate

Deleted Credit Courses

CS 001, Orientation to Computer Science (Special Topics Course)
CS 090, Orientation to Computer Science

New Credit Courses

RELS 104, Ethics (same as PHIL 104)

Revised Majors And Certificates

Art Major
Music Major
Communication Arts Major
Physical Education Major
History and Social Science Majors
University Studies – Replaces General Major
Pre-Engineering General Major
Mathematics Major
General Science Major
California State University General Education Breadth (CSU GE-B) Certificate
Intersegmental General Education Transfer Curriculum (IGETC) Certificate

VI.2 Resolution No. 14128: Major, Certificate, Course Additions, Revisions, and Deletions

WHEREAS, programs and courses within the programs have been approved by the Curriculum and Instruction Committee and instructional administration, and satisfy all applicable requirements of Title 5 regulations. All provisions of Title 5, Section 55130(b) have been considered. All factors, taken as a whole, support the establishment and maintenance of the proposed instructional program.

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (05-15-08) and the Academic Senate (06-04-08), with the consent of the Superintendent/President, as follows:

Revised Majors And Certificates

Business Marketing Major and Certificate

Deleted Majors and Certificates

Transfer Studies Major

Distance Education Courses – Addendum Documentation

BUS 132 – Business Management

BUS 144 – Principles of Marketing

VI.3 Resolution No. 14129: Major, Certificate, Course Additions, Revisions, and Deletions

WHEREAS, programs and courses within the programs have been approved by the Curriculum and Instruction Committee and instructional administration, and satisfy all applicable requirements of Title 5 regulations. All provisions of Title 5, Section 55130(b) have been considered. All factors, taken as a whole, support the establishment and maintenance of the proposed instructional program.

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (05-29-08) and the Academic Senate (06-04-08), with the consent of the Superintendent/President, as follows:

Certificates

Change Credit Certificate Title: “Certificate” to “Certificate of Achievement”

Establish New Credit Certificate Category: “Skill Certificate” (pending clarification from Chancellor’s Office)

Establish New Noncredit Certificate Category: “Certificate of Completion”

Establish New Noncredit Certificate Category: “Certificate of Competency”

Revised Credit Courses

AHP 060 – Health Assistant

PE 210 – Introduction of Physical Education

BUS 210 – Principles of Financial Accounting

BUS 220 – Principles of Managerial Accounting

New Courses

CS 170 – Introduction to Unix/Linux

EDUC 240 – Understanding Exceptional Students

EDUC 242 – Practicum Experience to Work With the Disabled Person

EDUC 250 – Working With Autistic Children

Revised Majors and Certificates

Computer Science Major

Disability Services Technician Major (former title: Rehabilitation Technician for the Physically Limited Major)

Disability Services Technician Certificate (former title: Rehabilitation Technician for the Physically Limited Certificate)

Skill Certificates

Emergency Medical Technician (pending clarification from Chancellor's Office)
Health Assistant (pending clarification from Chancellor's Office)
Home Health Aide (pending clarification from Chancellor's Office)

New Noncredit Courses

DSPS 801 – Critical Thinking
DSPS 803 – Arts and Crafts for the Disabled Person
DSPS 804- Accessing Social/Recreational Resources
PE 802 – Ta Chi Chuan
PE 803 – Zumba Gold
PE 804- Balance and Mobility

Distance Education Courses – Addendum Documentation

SPCH 100 – Oral Communication

VI.4 Resolution No. 14130: Revision of Board Policy 4020, Program, Curriculum, and Course Development

WHEREAS, the District's policy regarding program and curriculum was revised to incorporate changes recommended by the California Community College League Policy & Procedures Service, which are the result of recent revisions to Title 5;

WHEREAS, the revised policy provides that the Board has the authority to approve new programs and courses and to delete programs, and to delegate the authority for all other actions to the Superintendent/President;

NOW, THEREFORE, BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (5-01-08) and the Academic Senate (05-21-08), with the consent of the Superintendent/President, to revise District Board Policy 4020, effective with the 2008–2009 academic year, as follows:

BP 4020 Program, Curriculum, and Course Development

Reference:

Education Code Section **70901(b)**, **70902(b)**; **78016**; Title 5, Section **51000**, **51022**, **55100**, **55130**, **55150**; (OLD BP 5.17.1.C)

The program and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency. To that end, the Superintendent/President District shall establish administrative procedures for the development and review of all curricular offerings, including their establishment, modification or discontinuance.

Furthermore, these administrative procedures shall include:

- appropriate involvement of the faculty and Academic Senate in all processes;
- regular review and justification of programs and course descriptions;
- opportunities for training for persons involved in aspects of curriculum development.
- consideration of job market and other related information for vocational and occupational programs.
- development of a general catalog and announcement of courses

All new programs and program deletions shall be approved by the Board.

~~New courses that are not part of an existing approved program and~~ All new programs shall be submitted to the California Community Colleges Chancellor's Office for approval as required.

Individual degree applicable credit courses offered as part of a permitted educational program shall be approved by the Board. Nondegree-applicable credit and degree-applicable courses that are not part of an existing approved program must satisfy the conditions authorized by Title 5 regulations and shall be approved by the Board.

The Board delegates the authority for all other actions to the Superintendent/ President.

VI.5 Resolution No. 14131: Certificate Correction

WHEREAS, the Air Conditioning and Refrigeration Technology Certificate was approved by the C & I Committee on April 29, 2004, but through oversight the certificate was not submitted to the Board for approval;

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee and the Academic Senate, with the consent of the Superintendent/President, to establish the Air Conditioning and Refrigeration Technology Certificate effective as of May 18, 2004, which is the date of the Board of Trustees meeting that immediately followed the May meetings of the C & I Committee and Academic Senate.

VI.6 Resolution No. 14132: Transcript Fees

BE IT RESOLVED that the Board approves the revision of the Transcripts Policy (2007–2008 Catalog, page 21), to increase the fee for subsequent copies of transcripts and to add a fee for rush service, effective with the 2008 – 2009 catalog;

BE IT FURTHER RESOLVED that the following is the detailed catalog text that was approved:

“The first two official transcripts in a student’s lifetime are free. A fee of \$4.00 will be charged for each subsequent copy. Emergency or rush service is available for an additional fee of \$10.00 per transcript. All outstanding financial and other obligations to the College must be met prior to the issuance of transcripts. Instructions and the form for requesting transcripts are available on the College website and from the Admissions and Records Office.”

VI.7 Resolution No. 14133: Medical Directorship Agreement

BE IT RESOLVED that the Board approved the following agreement:

MEDICAL DIRECTORSHIP AGREEMENT

This Agreement is made and entered into the 1st day of July, 2008, by and between Imperial Community College District, a community college district organized under the laws of the State of California ("District") whose address is P.O. Box 158, Imperial California, 92251 and _____, M.D. ("Director") whose address is _____.

RECITALS

- A. District operates an extensive two-year nursing program including but not limited to an Emergency Medical Services Program.
- B. District is required to staff the Emergency Medical Services Program with a director who is qualified to perform the many different functions required in that position.
- C. Director is a qualified physician, licensed to practice medicine in the State of California and is an emergency medicine specialist, license number _____.
- D. Director, having the requisite skills, education, training and certification desires to enter into this Agreement with the District.

AGREEMENT

In consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

- 1. Term: The term of this agreement shall begin on July 1, 2008 and shall terminate on June 30, 2009.
- 2. Renewal: This agreement may be renewed on such terms as the parties find mutually agreeable.
- 3. Directorship Services: Directorship services provided herein shall include the following:
 - a. Curriculum review;
 - b. Lesson plan review;
 - c. Student clinical evaluations;
 - d. Attendance at all Accreditation Review hearings or meetings;
 - e. Assist in preparation of responses to accreditation report;

- f. Provide advice to and consultation with the Emergency Medical Services Program Committee;
 - g. Consult with program personnel on an as-needed basis;
 - h. Automated External Defibrillator (AED) Program, (policies/procedures/training program).
4. Compensation: Director shall be paid at an annual rate not to exceed a total compensation of no more than Fourteen Thousand Forty Dollars (\$14,040.00). Within fifteen days after the end of each calendar month, Director shall complete and submit the Director of Nursing a signed time sheet itemizing the services performed and the amount of time expended in each activity in the immediately preceding calendar month.
5. Independent Contractor: Director is engaged as an independent contractor with the District in performing all work, duties and obligations hereunder. District shall not exercise any control or direction over the methods by which Director performs his work and functions, except that Director shall perform at all times in strict accordance with approved and appropriate medical education methods which will enhance the accreditation status of the District. The District's sole interest is to ensure that Director performs and renders services in a competent manner in accordance with high administrative standards. The parties expressly agree that no work, act, commission or omission of Director pursuant to the terms and conditions of this Agreement shall be construed to make or render Director the agent or servant of the District. Director shall not be entitled to receive vacation pay, sick leave, retirement benefits, Social Security, workers' compensation, disability or unemployment insurance or any other employee or pension benefit of any kind.
6. Travel Costs: Director shall be required to attend accreditation hearings or meetings from time-to-time. District shall pay Director's flight, ground transportation, parking and lodging costs. Reimbursement for ground transportation and parking shall be approved by the Vice-President for Academic Services. Director shall be paid a thirty-five dollar (\$35.00) per diem for food costs. Travel including lodging shall be made by the District.
7. Assignment: Neither party shall assign, sell or transfer any rights conferred by this Agreement without the prior written consent of the other.
8. Attorneys' Fees: In the event that either party initiates legal proceedings to enforce or interpret the terms of this Agreement, the party prevailing in such proceedings shall be entitled to recover reasonable attorneys' fees incurred as a result of such proceeding.
9. No Waiver: Failure by either party to enforce any provision of this Agreement shall not constitute a waiver of such provision.
10. Entire Agreement: This Agreement embodies the entire agreement between the parties hereto and supersedes all other previous agreements and understandings, written or oral, between the parties hereto. There are no other Agreements between the parties hereto as to the subject matter hereof other than those set forth in this Agreement.

11. Applicable Law and Venue: This Agreement shall be governed by, constructed, interpreted and enforced in accordance with the laws of the State of California. The venue for any legal proceeding relating to, or arising out of, this Agreement shall be in the County of Imperial, State of California.
12. Privacy of Student Records: Director understands that the scope of work under this agreement may require access and inspection of student records. Director understands and agrees to follow state and federal law with respect to the privacy of student records and will confer with the Vice-President of Academic Services in the event questions arise as to student rights of privacy.
13. Non-Discrimination Clause: During the performance of this Agreement, director shall not unlawfully discriminate against any employee or student of the district because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.
14. General Interpretation: The terms of this Agreement have been negotiated by the parties and language used in this Agreement shall be the language chosen by the parties to express their mutual intent. This Agreement shall be construed without regard to any proscription or rule requiring construction against the party causing such instrument or any portion thereof to be drafted. No rule of strict construction will be applied against any person.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$14,040.

VI.8 Resolution No. 14134: Agreement with Department of Rehabilitation

WHEREAS, the Board of the Imperial Community College District has read the Agreement No. 27037(Project Title: Workability III) between the State of California, Department of Rehabilitation, and Imperial Valley College and acknowledges the benefits and responsibilities to be shared by both parties to said agreement.

NOW THEREFORE, BE IT RESOLVED that the Board does hereby authorize Dr. Ed Gould, Superintendent/President or Dr. Victor Jaime, Vice President for Student Services, on behalf of Imperial Valley College, to sign and execute said agreement and all amendments thereto, except to increase the financial liability of said public agency.

VII. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Old Sears Shopping Center, Parcel # 064-470-029
Agency Negotiators: Efrain Silva, Kathy Berry, John Lau, Dr. Ed Gould
Negotiating Parties: Peter Ruiz of The Legaspi Group
Negotiation: Instruction to negotiator will concern price and terms of lease
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Four potential cases)
3. CONFERENCE WITH LEGAL COUNSEL
RE: Superintendent/President Contract
4. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators
RE: Direction for Negotiations

VIII. OPEN SESSION

1. Announcement of final action taken

IX. CONSENT AGENDA – HUMAN RESOURCES

IX.1 Resolution No. 14135: Full-Time Faculty Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time, tenure track, academic personnel for the academic year 2008–2009, pending medical and background clearance:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Holt, Steven	Appropriate Classification and Step Contingent Upon Verification of Records	Emergency Medical Technologies Instructor

FISCAL IMPACT STATEMENT: 2007-2008 budgeted position.

IX.2 Resolution No. 14136: Academic Summer Session Employment

BE IT RESOLVED that the following instructors be employed for the 2008 Summer Session at a salary computed in accordance with the Resolution No. 1907. Employment is contingent upon sufficient enrollment.

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Edwards, Aaron	Appropriate Classification and Step Contingent Upon Verification of Records	Philosophy Instructor

FISCAL IMPACT STATEMENT: 2007-2008 budgeted position.

IX.3 Resolution No. 14137: Athletic Assignments 2008-2009

WHEREAS the following individuals have been designated to the following athletic assignments for the 2008-2009 academic year:

Athletic Director: Jim Mecate
Head Coach Men's Soccer: Rafael Contreras
Asst. Coach Men's Soccer: Roberto Guerrero
Head Coach Women's Soccer: Angelica Ramos
Asst. Coach Women's Soccer: Gabriel Lopez
Asst. Coach Women's Soccer Jesus Ramos
Head Coach Women's Volleyball: Jill Tucker
Asst. Coach Women's Volleyball: Gerardo Casarez
Asst. Coach Women's Volleyball: Patsy Enders
Head Coach Men's Basketball: Tyson Aye
Asst. Coach Men's Basketball: Aurelio Avila
Asst. Coach Men's Basketball: Andrew Robinson
Co-Head Coach Women's Basketball: Jill Tucker
Co-Head Coach Women's Basketball: Jeff Deyo
Asst. Coach Women's Basketball: Joe Garcia
Asst. Coach Women's Basketball: Michael Benton
Head Coach Men's Baseball: Jim Mecate
Asst. Coach Men's Baseball: Enrique Lechuga
Asst. Coach Men's Baseball: Eddie Richey
Head Coach Women's Softball: Jill Lerno
Asst. Coach Women's Softball: TBA
Head Coach Men's Tennis: Mike Palacio
Asst. Coach Men's Tennis: Gerardo Casarez
Head Coach Women's Tennis: Sidne Horton
Asst. Coach Women's Tennis: TBA
Cheer Advisor: Jill Lerno

BE IT FURTHER RESOLVED that thanks are extended for their contribution to the athletic program at Imperial Valley College.

IX.4 Resolution No. 14138: Outreach Counseling Specialist Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President for the following personnel to be employed during the summer 2008 session, at the hourly rate provided for in Resolution No. 13819. Employment is contingent upon continued funding of the grant indicated, and approval of the program officer:

<u>Name</u>	<u>Position</u>	<u>Funding</u>
Cabrera, Hector	Counselor	Federal
Carrera, Jose	Counselor	Federal
Felix, Roxanne	Counselor	Federal
Ruiz, Jesse	Counselor	Federal
Singh, Martha	Counselor	Federal
Torres, Clara	Counselor	Federal
Vizcarra, Margarita	Counselor	Federal

IX.5 Resolution No. 14139: Adjunct Counselor Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President for the following personnel to be employed during the summer 2008 session, at the hourly rate provided for in Resolution No. 13829. Employment is contingent upon continued funding of the grant indicated, and approval of the program officer:

<u>Name</u>	<u>Position</u>	<u>Funding</u>
Andrade, Maria	Counselor	State
Bill, Emily	Counselor	State/District
Garcia, Rosario	Counselor	State
Kakiuchi, Betty	Counselor	State
Neely, Maria	Counselor	State
Ragland, Lisa	Counselor	State/District
Ramirez, Xochitl	Instructional Specialist	Federal
Scott, Norma	Instructional Specialist	State/District
Soto, Veronica	Counselor	State/District
Spears, Wayne	Counselor	District
Trevino, Elizabeth	Counselor	State/District
Vega, Olga	Counselor	Federal

IX.6 Resolution No. 14140: Adjunct Counselor Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President for the following personnel to be employed during the spring 2008 session, at the hourly rate provided for in Resolution No. 13829. Employment is contingent upon continued funding of the grant indicated, and approval of the program officer:

<u>Name</u>	<u>Position</u>	<u>Funding</u>
Kakiuchi, Betty	Counselor	State

IX.7 Resolution No. 14141: Instructional Media Designer

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President and approval from the Academic Senate (06-04-08) and recommendation of the C & I Committee (04-17-08) to modify the position description of Instructional Media Designer effective July 1, 2008.

BE IT FURTHER RESOLVED that the Board approves the modification to the job description to add the following under Representative Duties:

- 3. Plan and offer workshops for faculty on the use of specific instructional technology tools, and/or offer CIS classes up to 40% of normal workload;**

FISCAL IMPACT STATEMENT: There is no fiscal impact.

IX.8 Resolution No. 14142: ACCESO Project Director

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President and Department of Education to appoint Gloria Carmona as the ACCESO Project Director effective July 1, 2008. Gloria will replace Dawn Chun until the grant is scheduled to end in September 2009, or until the grant funding ends. Dawn Chun will continue to assist with the grant as the ACCESO Budget Coordinator.

FISCAL IMPACT STATEMENT: There is no fiscal impact.

IX.9 Resolution No. 14143: District Reorganization

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following academic personnel be employed as an Administrator pursuant to a district reorganization as indicated:

<u>Name</u>	<u>From Position</u>	<u>To Position</u>	<u>Step</u>	<u>Effective</u>
Ruhl, Taylor	Head Librarian	Associate Dean of Learning Services	1	7/1/2008

FISCAL IMPACT STATEMENT: The fiscal impact is approximately \$17,000.

IX.10 Resolution No. 14144: District Reorganization

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following individual be employed as a Classified Manager pursuant to a district reorganization as indicated:

<u>Name</u>	<u>From Position/ Department</u>	<u>Range/ Funding</u>	<u>To Position Department</u>	<u>Range/ Funding</u>	<u>Effective</u>
Chun, Dawn	Institutional Research Analyst/ ACCESO Project Director	02 District	Director of Research Planning and Development	02 District	7/1/2008

FISCAL IMPACT STATEMENT: There is no fiscal impact.

IX.11 Resolution No. 14145: Classified Service Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Deal, Emily	Staff Secretary II	Child, Family & Consumer Science	Federal/50% District /50%	12-1	06/11/2008

FISCAL IMPACT STATEMENT: 2007-2008 budgeted position.

IX.12 Resolution No. 14146: Elimination of Classified Position from Classified Services

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following classified employee be laid off from his position due to lack of categorical funding effective June 30, 2008:

<u>Name</u>	<u>Classification</u>	<u>Department</u>	<u>Range</u>
Clarence M. Boyle	Microcomputer Lab Assistant	Workforce Development	12-7

IX.13 Resolution No. 14147: Classified Voluntary Transfer/Reassignment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following individual be employed in the classified service pursuant to a voluntary transfer and reassignment subsequent to a layoff as indicated:

<u>Name</u>	<u>From Position/ Department</u>	<u>Range/ Funding</u>	<u>To Position Department</u>	<u>Range/ Funding</u>	<u>Effective</u>
Clarence M. Boyle	Microcomputer Lab Assistant	12-7 State	Microcomputer Technician	23-7 District	7/1/2008

IX.14 Resolution No. 14148: Classified Short-Term Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel.

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Chavez, Rosalva	President's Office Technician	President's Office	District	1-1	6/16/2008 - 8/16/2008

IX.15 Resolution No. 14149: Classified Substitute Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following substitute personnel:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Arredondo, Angel	Custodian	Maintenance	District	8-1	5/12/2008
Zamora, Francisco	Custodian	Maintenance	District	8-1	5/12/2008

IX.16 Resolution No. 14150: Classified Resignation

BE IT RESOLVED that the Board accepts the resignation of the following Classified Confidential employee as of the date indicated.

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Saldana, Paula	President's Office Technician	President's Office	District	1-1	6/13/2008

X. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, JULY 16, 2008, AT 6 P.M.** in the Administration Building Board Room.