



## ADOPTED MINUTES

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

Wednesday, July 15, 2009

Location  
Room 2131  
380 East Aten Road  
Imperial, CA 92251

#### CALL TO ORDER/ROLL CALL

On Wednesday, June 15, 2009, at 6:03 p.m., Board President Acuña called the regular meeting of the Imperial Community College District Board of Trustees to order in Room 2131 since the Temporary Board Room 304A had the AC unit out and the Administration Building Board Room is under construction.

#### BOARD MEMBERS PRESENT:

Carlos R. Acuña  
Rudy Cardenas, Jr.  
Romualdo Medina [left at 7:50 p.m.]  
Rebecca L. Ramirez  
Norma Sierra Galindo  
Louis Wong

#### BOARD MEMBERS ABSENT:

Jerry D. Hart

#### REPRESENTATIVES PRESENT:

Kevin White, Academic Senate Representative  
Steven Sciaky, Associated Student Representative [arrived 6:15 p.m.]  
Dr. Michael Heumann, College Council Representative

#### CONSULTANTS PRESENT:

Dr. Ed Gould, Superintendent/President  
Dr. Victor Jaime, Vice President for Student Services  
Kathy Berry, Vice President for Academic Services  
Travis Gregory, Associate Dean of Human Resources  
Frank Oswald, Legal Counsel [arrived 6:57 p.m.]  
Bill Gay, Public Relations Officer

President Gould welcomed Academic Senate Representative Kevin White to the Board meeting for his first meeting as the Academic Senate President.

#### PLEDGE OF ALLEGIANCE

Associate Dean Gregory led the Pledge of Allegiance to the Flag.

#### CHANGES TO THE AGENDA

Board President Acuña announced the following changes to the agenda:

- Resolution No. 14430: Classified Management Service Employment

The range is to be corrected from 2-2 to 2-3 and the effective date should reflect August 10, 2009, not August 1, 2009.

- Resolution No. 14441: CalWORKs Program Elimination

The years of service are to be corrected as follows:

<u>Name</u>	<u>Project Position</u>	<u>Years of Service</u>	
Esquer, Maria	Counselor	<del>8 years (3/2001)</del>	9 ½ years (January 2000)
Felix, Mireya	Counselor	<del>9 years (1/2000)</del>	11 ½ years (January 1998)
Garcia, Martha	Counselor	<del>8 years (1/2002)</del>	9 ½ years (November 1999)
Romero, Yolanda	Coordinator	<del>11 years (10/1988)</del>	21 ½ years (October 1988)
Sigala, Isabel	Counselor	<del>10 years (7/1999)</del>	10 ½ years (July 1999)

President Gould asked to move the two resolutions No. 14430 and 14441 out of order since the employees were at the meeting.

**M/S/C Cardenas/Galindo**

**A motion was made by Trustee Cardenas, seconded by Trustee Galindo to move the items to be acted on.**

**M/S/C Medina/Wong**

**Resolution No. 14430: Classified Management Service Employment**

**Discussion**

President Gould spoke and asked Gloria Carmona to stand and be recognized. He stated she is about to embark as the new director for Admissions and Records.

**Resolution**

BE IT RESOLVED THAT the Board approves the recommendation of the Superintendent/President to accept employment within another department for the following individual currently employed with the Imperial Community College District.

<u>Name</u>	<u>Position</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Carmona, Gloria	Director of Admissions & Records	District	2-3	August 10, 2009

***There was discussion regarding Resolution No. 14441; however, at this point there was NO ACTION taken – the action is shown under Resolution No. 14441.***

**M/S/C Medina/Wong**

**A motion was made by Trustee Medina, seconded by Trustee Wong to discuss Resolution No. 14441: CalWORKs Program Elimination**

**Discussion**

President Gould recognized the CalWORKs employees and stated they were the victims of the budget. He stated the CalWORKs budget was recommended by the state for elimination. He stated the contract had been open for 21 ½ years. He stated he would be meeting with the CalWORKs representative to discuss whether there is intent to rehire.

Board President Acuña recognized the letter from CTA President Suzanne Gretz that was presented to the Board.

CTA President Gretz spoke on Resolutions 14441 and 14442 via a letter she wrote and distributed to the Board members. She asked that resolution 14442 reflect their last day of employment so that it corresponds correctly and not be noted as Sunday, July 19<sup>th</sup> but as of Friday, July 17<sup>th</sup>. She asked that their rehire benefits be extended.

President Gould addressed the letter CTA President read aloud. He stated he had no objections to changing the last day as July 17<sup>th</sup>.

Associate Dean Gregory spoke and stated that the offer to extend the benefits was made in writing and through an MOU. He stated that CTA President Gretz stated there were no entitlement rights extended to elimination of programs, and stated the District kept the employees on payroll for an additional 30 days at the District's cost.

Associate Dean Gregory stated he would not concur with the change until there has been proper notification and discussion and stated this was a personnel item.

Trustee Medina agreed that the item was a personnel item.

There was discussion as to how the item would be handled and it was decided that it be discussed during the Human Resources portion of the agenda and after Legal Counsel arrived for the meeting.

President Gould reiterated that he wanted to publicly recognize the CalWORKs employees for their service to the district.

**PUBLIC COMMENT**

Lindsay Dale representing Imperial Farm Bureau spoke in opposition of the solar farm that is scheduled to be placed on campus. She presented a letter to the Board of which copies were handed to each Trustee.

Al Kalin of the Westmorland area spoke as a board member for the Farm Bureau and an Ag Advisory Committee member. He spoke in opposition of the solar farm that is scheduled to be placed on campus.

Bo Sharpshire spoke against the solar field farm proposed.

CSEA President John Abarca spoke regarding Resolution 14435 Exhibit A, the agreement between CSEA and IVC. He asked that the item be pulled entirely or that the last five pages be excluded which were not mutually agreed upon.

### **WRITTEN COMMUNICATION**

Board President Acuña stated there were four written communications.

Trustee Galindo asked a few questions about the 2008-2009 Accreditation Annual Report (dated June 30, 2009). There was discussion on question number 15 of the report and President Gould stated the number shows a lower rate than administration would like. VP Berry stated there has been a decline in pass grades and stated the exam changes every two years.

Associate Dean of Nursing Tina Aguirre stated that hospitals will not hire an RN until he/she has passed their tests and stated the RN permit will no longer be accepted. She stated that has altered how quickly the students are taking their tests.

Trustee Medina stated that he would like to see the progress report in September.

### **INFORMATION REPORTS**

#### **Board Member Reports**

- There were no Board Member reports.

#### **Associated Student Government Senate Update – Steven Sciaky**

ASG President Sciaky reported the following:

- Apologized for being a few minutes late.
- ASG participated in the Freedom Fest 2009 on campus. He reported that ASG sold waters and sodas and made over \$460.

#### **Academic Senate Update – Kevin White**

Academic Senate President Kevin White reported the following:

- Happy to be attending the meeting.
- Over the last week, he and some faculty attended a curriculum institute and it was very informative.
- During the summer before school starts, he intends to meet with groups to become more familiar with his role in the Academic Senate.

#### **College Council Update – Dr. Michael Heumann**

College Council Chair Heumann reported the following:

- College Council will not meet during the summer.
- Commented on the summer Basic Skills Institute. He stated he has enjoyed it and has been working with tutors Leticia Garcia and Tina Tautch, and counselor Emily Bill. He stated it was great to work and collaborate with a group of people in the classroom.

#### **Student Portal Presentation – Omar Ramos, Webmaster**

Webmaster Omar Ramos presented a PowerPoint presentation on the new Student Portal.

Webmaster Ramos gave an overview of the new student portal and stated the following were reasons that prompted the creation of the portal:

- New federal data collection requirements
- Limitations within Banner Self-Service
- The big problems with Self-Service are:
  - Questions are limited to 5 options
  - Unable to Present Survey to Students once per semester
- Missing Features Make it Impossible to Meet New Data Collection Requirements
- Best Practices suggested by Sungard is to maintain Banner at the baseline level.

He presented the following student portal quick facts:

- Built on version 1.5 of the Joomla Content Management System
  - Open-source
  - Free
  - Has many inexpensive “off the shelf” programs available
  - Uses PHP/MySQL
  - Easily Installed
- Acts as an additional layer above Banner Self-Service
  - Students must login to portal before WebSTAR can be accessed.

He ended the presentation by stating that IVC can fulfill the new federal requirements easily, created the portal in an inexpensive manner, and in his opinion, added exceptional value to IVC students, faculty, and staff that may not be available at other California community colleges.

Board President Acuña asked if the portal would allow for chats. Webmaster Ramos stated it could be done through the social network site.

College Council Chair and Distance Coordinator Dr. Heumann stated that when he logged on, he was excited to see the many possibilities that can be extended to every class. He stated he would be talking to Omar about presenting the portal to the Technology Camp and to teachers.

### **President’s Update – Dr. Ed Gould**

President Gould presented a PowerPoint presentation and reported the following:

- **Basic Skills Institute**  
Thanked students for going into the immersion program. He stated the Basic Skills Program had technical aspects and it was an intense immersion program with Basic Skills and ESL.
- **New Student Portal**  
Reiterated that the new student portal was created at no additional cost.
- **First Step Program**  
Vice President for Student Services Jaime spoke and recognized Lead Counselor Frances Beope for the work she has done on the First Step Program. VP Jaime thanked Frances for her leadership. He stated that this program has a parent component because through high school, parents are involved and when the students get to college, counselors help parents transition as they will not have the same access to information as in high school due to FERPA rights. He stated 6,000 students do not have special programs such as EOPs and stated this program helps students with the orientation process. He stated close to 500 RSVPs were

received and 320 students registered along with 115 parents. He stated there were two sessions – one in the morning and one in the afternoon. He stated the program started with an assessment of the students, meeting with a counselor, and applying before the deadline which was June 15<sup>th</sup>. He stated 60 faculty members, administrators, and classified staff helped with registration. He stated future orientations will include a virtual tour on the website since it is hot in June. He also acknowledged State Farm as the main sponsor. He stated this program was done as a pilot this year but would go through shared governance to give the program priority for next year.

Trustee Galindo asked if Gear Up had participation in the program. VP Jaime stated they did not participate in this program but there are occasions when IVC works together with them. He stated the administrator of Gear Up was unable to partner with them for the First Step Program. President Gould stated has asked Director Dawn Chun to keep track of the students for future use.

- **Enrollment Update**

Reported that IVC met and exceeded projections and should result in maximum funding, but that amount is currently unknown because the State of California has not passed a 2009–2010 Budget he stated the 2008-2009 FTES were 7,426.24 which equaled to a 4.81% growth. He discussed the 2009 fall enrollment trend.

Trustee Galindo asked about the dual enrollment with high schools and possibly letting the students take online classes. President Gould stated he would be in favor of that proposal.

- **Solar Project**

Reported on the Tessara (Stirling) Training and Power Plant proposal. He stated Tessara has offered to create a .5 – 1.5 mega watt power plant, training for all local and regional employees, provide an educational emphasis, and would move the water access point. He stated the solar paneling would be placed on the approved area discussed during the 10-Year Facilities Plan.

Trustee Galindo asked if Tessara had donated money to the college. President Gould stated that they had not.

- **Agriculture Program Update**

Reported there is a great appreciation for collaboration and contributions of \$135,000 in-kind and contributions to the agriculture program. He stated some difficulties have been with communication in planning and stated that he is committing to improve communications with District by improving senior leadership attendance at Advisory Committee Meetings. He stated that from the District's position, the field is not experimental but farmed to provide the program some income, there are no agriculture funds in the Foundation or in Student Affairs and that is being looked into since it is against the law to keep a separate account if that is the case. He stated there has been repeated requests for plans and timelines from the agriculture department which have been ignored or inadequate, and the three year trial of the program is failing to meet enrollment expectations, noting that only three classes in six semesters met the minimum enrollment numbers. He explained that the field has been plowed without permission and damage to the water line was done at a cost to the District.

- **Budget Update**

Reported there were no updates on the budget and there was some speculation that a budget was expected by Sunday. He stated IVC is still controlling expenditures by requiring VP approval. He stated IVC's spending plan to date is based on last Governor's proposal. He

reported that state furloughs are impacting California Community College Chancellor's Office and services to districts. He reported there is some concern that President Obama's community college initiative may result in further reduction to Community College funding. He discussed the proposed initiative and the benefits it would have to community colleges.

- **Foundation Update**

Reported the Master Agreement was approved by the Foundation Board and would be reviewed annually. He stated the agreement would be brought before the Board of Trustees at its September Board meeting. He stated the IVC Foundation would hire the Executive Director for the Foundation. He stated if the Board of Trustees approves the agreement, the District would pay for two foundation positions (Foundation Executive Director and the Advancement Office and College Foundation Coordinator). He stated the reserve fund from RDA monies would pay for the staff.

- **Construction Update**

Reported on the construction happening on campus during the summer and stated that the projects are underway and the south parking lot should be completed by the start of the fall semester and there is an alternate plan in case there is an unforeseeable delay.

- **Grant Chase**

Reported on the current grant efforts the District is pursuing which included:

- Student Support Services – Federal
- NSF Grant – Start up Grant money to prepare to become Center for Alternative Energy Technology Center
- DOL Career Pathways
- Title V – Language and Math Acquisition
- FIPSE
- 3 WIA Grants
- \$400,000 (2) WIB grants
- Broadband Expansion Imperial County with ICOE/IVTA

- **SDSU-IV Update**

Reported that he and President Weber are meeting regularly and working together on:

- Joint Appointments
- Working with ICOE on evolution of Honors Program
- SDSU-IV Campus to be made available to IVC Transfer Programs
- Discussing joint fund raising
- 2-3 year Baccalaureate Programs for Concurrent Enrolled HS Students

- **Community Groups with Valley Jazz, Chorale and Chamber Singers, Symphony**

Reported he and Public Relations Officer Bill Gay met with representatives from the three groups and have come to a compromise. He stated he has agreed to allow the continuance of courses for credit and non-credit. He stated the three groups would collaborate on a Benefit Concert at the Southwest High School Theatre to benefit their groups and IVC.

- **Economic Impact Report**

Reported that consultants researched the impact IVC has and they have found:

- 2009–2021 IVC would have a \$4.7 billion economic impact on the Imperial Valley
- Average Annual impact would be \$368.3 million
- IVC is one of the five largest economic engines of the Imperial Valley

- One in every 8 jobs in the Imperial Valley have a connection back to IVC
- Graduates earn more than \$8,100 per year more than high school graduates
  
- **Announced he would be on vacation July 20 – 24.**
  
- **Green Jobs Initiative, August 4<sup>th</sup> 10:00 a.m.**  
Announced he would be attending the Green Jobs Initiative conference given by SDG&E Renewable Energy Resource Center

**CONSENT AGENDA – BUSINESS**

Board President Acuña pulled Resolution No. 14416.

**Approval of Minutes dated June 17, 2009, Regular Board Meeting  
M/S/C Medina/Wong and the Board approved the minutes as presented.**

**M/S/C Medina/Wong  
Resolution No. 14409: Purchase Orders**

BE IT RESOLVED that upon the recommendation of the Superintendent/President the following Purchase Orders and Direct Payments are hereby approved:

June 2009	
Purchase Orders	606,973.97
Direct Payments	<u>286,368.67</u>
	893,342.64

**M/S/C Medina/Wong  
Resolution No. 14410: 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 June 2009.

<b>2008-09</b>	<b>Fund 10</b>	<b>Fund 45</b>	<b>Fund 80</b>	
<b>Payroll</b>	<b>General</b>	<b>Child</b>	<b>Bond</b>	<b>Warrant</b>
<b>Warrant</b>	<b>Fund</b>	<b>Dev.</b>	<b>Fund</b>	<b>Total</b>
6/10/09	280,787.79	342.36		281,130.15
6/30/09	<u>2,940,788.48</u>	<u>31,477.47</u>	<u>8,058.26</u>	<u>2,980,324.21</u>
	3,221,576.27	31,819.83	8,058.26	3,261,454.36



**M/S/C Medina/Wong  
Resolution No. 14411: Commercial Warrant Orders**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of the following commercial warrant orders for the month of June 2009:

	<b>Fund 10 General Fund</b>	<b>Financial Aid</b>	<b>Fund 20 Building Fund</b>	<b>Fund 45 Child Dev.</b>	<b>Fund 50 Cert. of Part.</b>	<b>Fund 80 Bond Fund</b>	<b>Warrant Total</b>
6/4/09	72,119.85					1,736,154.22	1,808,274.07
6/11/09	621,215.71	2,838,879.67		173.31			3,460,268.69
6/18/09	7,883,148.27	117,241.50	2,493.00		1,183.20	135,278.02	8,139,343.99
6/30/09	385,704.38			7,631.27	63,975.00	37,399.75	494,710.40
	8,962,188.21	2,956,121.17	2,493.00	7,804.58	65,158.20	1,908,831.99	13,902,597.15

**M/S/C Medina/Wong  
Resolution No. 14412: District Purchases**

WHEREAS, procurement is one of the major functions of the administration of school business; and

WHEREAS, Education Code Section 81656 authorizes delegation of purchasing and contract authority;

NOW THEREFORE BE IT RESOLVED that the Vice President for Business Services under the guidance of the Superintendent/President, is hereby authorized and directed to contract for all supplies, materials, apparatus, equipment and services for the District; and

BE IT FURTHER RESOLVED that contracts or purchases exceeding the current bid threshold amount as specified in Section 20651(a) of the Public Contract Code shall be approved by the Board of Trustees in advance of execution; and

BE IT FURTHER RESOLVED that administrative rules and regulations shall be implemented pursuant to the Education Code, Budget and Accounting Manual of the California Community Colleges, and other codes and directives as applicable; and

BE IT FINALLY RESOLVED that this policy shall be reviewed annually.

**M/S/C Medina/Wong  
Resolution No. 14413: Delivery of Documents to the Imperial County Superintendent of Schools**

BE IT RESOLVED that the Imperial County Superintendent of Schools be authorized to mail and/or deliver warrants and correspondence from the Accounting Section of the Office of the Imperial County Superintendent of Schools for the Imperial Community College District to the Vice President for Business Services, his designee, or Carlos Fletes, Mary Bell, Nancy Hoyt, Mary Carter, Susan Rodriguez, Mirtha Galindo, Betty Kakiuchi, Phyllis Gilliam, Rosalind Summers, Travis Gregory, Martha P. Garcia, Martha Sanchez, Sheila Dorsey-Freeman, Zula Hartfield, and Angie Gallo.

**M/S/C Medina/Wong**

**Resolution No. 14414: Imperial County Superintendent's Office to Make Corrections on Commercial and/or Payroll Warrants**

WHEREAS, an occasional error is found in the total amount of a payment of a commercial and/or payroll warrants; and

WHEREAS, the delay of returning said warrant or warrants and the expense of returning them is not a sound business practice;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Imperial Community College District hereby authorizes the Office of Imperial County Superintendent of Schools to correct the commercial warrant in any amount not to exceed ten dollars (\$10.00), and make corrections to the payroll warrant in any amount necessary.

**M/S/C Medina/Wong**

**Resolution No. 14415: School Orders**

BE IT RESOLVED that pursuant to Education Code Section 42632/85232, the Imperial Community College District Board of Trustees, representing Imperial County, hereby authorizes the following persons to sign any and all orders in the name of said District during the 2009-2010 school year:

Dr. Ed Gould, Superintendent/President  
John Lau, Vice President for Business Services  
Kathy Berry, Vice President for Academic Services  
Dr. Victor Jaime, Vice President for Student Services  
Carlos Fletes, Director of Fiscal Services

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

**Resolution No. 14416: Authorized Agents**

**Discussion**

Board President Acuña asked for clarification on Notices of Termination. President Gould stated that the terminations would come to the Board first, and that these signatures were the formality of any action taken by the Board.

**Resolution**

BE IT RESOLVED that the Superintendent/President, Vice President for Business Services, Vice President for Academic Services, Vice President for Student Services, and the Associate Dean of Human Resources be designated the "Authorized Agents" for the Imperial Community College District to sign the following documents:

Notices of Employment  
Notices of Termination  
Changes of Salary  
Payroll Authorization  
Commercial Warrant Orders

State Compensation Insurance Claims  
State Teachers' Retirement Membership Forms  
Time Sheets  
Notices of Leave of Absence  
State and Federal Project Requests  
PERS Membership Forms  
Any Other Items Approved by the Superintendent

**M/S/C Medina/Wong**  
**Resolution No. 14417: Authorized Agents**

BE IT RESOLVED that the following persons be designated as "Authorized Agents" to sign the documents indicated for the 2009-2010 school year:

Student Notices of Employment	Superintendent/President Vice President, Business Services Vice President, Student Services Vice President, Academic Services Dean, Financial Aid and State Programs
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**M/S/C Medina/Wong**  
**Resolution No. 14418: Authority to Sign Checks**

BE IT RESOLVED that the following persons be authorized to sign checks for the accounts indicated for the 2009-2010 school year:

Commercial Warrants Account (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Director of Fiscal Services
Associated Students (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Associate Dean/Student Affairs Associated Students Treasurer Director of Fiscal Services
Campus Organizations (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Associate Dean/Student Affairs Director/Fiscal Services

Revolving Account  
(1 signer)

Superintendent/President  
Vice President/Business Services  
Vice President/Student Services  
Vice President/Academic Services  
Director/Fiscal Services

IVC Trust Account  
(2 signers)

Superintendent/President  
Vice President/Business Services  
Vice President/Student Services  
Vice President/Academic Services  
Dean/Financial Aid/State Programs  
Director/Fiscal Services

IVC Holding Account  
(1 signer)

Superintendent/President  
Vice President/Business Services  
Vice President/Student Services  
Vice President/Academic Services  
Director/Fiscal Services

**M/S/C Medina/Wong  
Resolution No. 14419: Investment of Monies**

BE IT RESOLVED that the Vice President for Business Services is hereby empowered to authorize and instruct the Treasurer of Imperial County to invest monies not required for the immediate necessities of the Imperial Community College District, as determined. Said funds are to be used to establish an interest bearing inactive bank deposit account for the period specified, or to purchase United States Government Bonds, notes, bills, or certificates for the account of Imperial Community College District; and

BE IT FURTHER RESOLVED that said Imperial County Treasurer be authorized and instructed to deposit for safekeeping, in a legal depository, in the State of California or New York, any such bonds notes, bills, and certificates purchased for the account of Imperial Community College District; and

BE IT FURTHER RESOLVED that this resolution be reviewed and acted upon annually.

**M/S/C Medina/Wong  
Resolution No. 14420: Designation of District Negotiators**

BE IT RESOLVED that the Board approves the District Negotiating Team appointments of John Lau, Vice President for Business Services, and Travis Gregory, Associate Dean for Human Resources.

BE IT FURTHER RESOLVED that the Vice President for Business Services is designated as the lead Negotiator for the District.

**M/S/C Medina/Wong**

**Resolution No. 14421: Award of Bids for Bus Transfer Terminal Improvements**

WHEREAS, the District has advertised for bids and a bid opening was held on July 2, 2009 for the following projects:

**IVC BUS TRANSFER TERMINAL IMPROVEMENTS**

WHEREAS, in accordance with the provisions of California Business and Professions Code Section 7028.15 and Public Contract Code Section 3300, the District requires that the bidder possess applicable classification(s) of contractor's license(s) at the time the bid is submitted. Any bidder not so licensed at the time of the bid opening will be rejected as non-responsive; and

WHEREAS, there will be one base bid on each bid package and all work in the base bid must be completed within the time specified on the Notice to Proceed issued by the District. Failure to complete the work within the time specified will result in the imposition of liquidated damages for each day of delay, in the amount set forth in the bid documents.

WHEREAS, the District reserves the right to reject any or all bids or to waive any irregularities or informalities in any bids or in the bidding process.

NOW, THEREFORE, BE IT RESOLVED, that the following contracts be awarded, per the plans and specifications:

Bid Package	Bid Package Description	Contractor		Base Bid
01	Demo; Grading; Paving	Pyramid Construction & Aggregates, Inc.	Heber, CA	\$ 499,500.00
02	Structural & Site Concrete	Team C Construction	El Cajon, CA	\$ 687,700.00
03	Structural & Misc. Steel	Trade Mark Construction, Inc.	El Centro, CA	\$ 197,477.00
04	Masonry; Framing; Roof; Finishes	DEZ Construction	El Cajon, CA	\$ 238,000.00
05	Plumbing and Fixtures	Jim O'Malley Plumbing	Brawley, CA	\$ 40,300.00
06	Electrical and Fixtures	Supreme Electric Contracting, Inc.	El Centro, CA	\$ 254,930.00
07	Landscape & Irrigation	Executive Landscape, Inc.	Fallbrook, CA	\$ 421,532.00
				\$ 2,339,439.00

BE IT FURTHER RESOLVED, that the Superintendent/President and/or the Vice President for Business Services be authorized to sign all notices, contracts, change-orders, and other necessary documents related to these contracts on behalf of the District.

Fiscal Impact: Funded by State Highway Safety, Traffic Reduction, Air Quality and Port Security Bond

Act, Prop 1B passed November 2006 (Public Transportation Modernization, Improvement and Service Enhancement Account, PTMISEA funds) and Measure L Bond Funds

**M/S/C Medina/Wong**

**Resolution No. 14422: Notice of Completion – Sewer Lift Station & Extension**

WHEREAS a contract was awarded on January 21, 2009 to Pyramid Construction and Aggregates, Inc. for Sewer Lift Station and Extension in the amount of \$412,000; and

WHEREAS the work has been completed.

NOW, THEREFORE, BE IT RESOLVED that the Board directs the Vice President for Business Services to file a Notice of Completion for the Sewer Lift Station and Extension project with the County Recorder's Office, with a completion date of July 15, 2009.

**M/S/C Medina/Wong**

**Resolution No. 14423: Budget and Fiscal Planning Committee**

WHEREAS, the Planning and Budget Committee was established by Board Resolution 11338, March 11, 1998.

BE IT RESOLVED that the name of the Planning and Budget Committee be changed to: Budget and Fiscal Planning Committee.

BE IT FURTHER RESOLVED that Resolution 11338 be amended in respect to the name of the committee only.

**M/S/C Medina/Wong**

**Resolution No. 14424: Board of Trustees of the Imperial Community College District Requesting the Board of Supervisors of the County of Imperial to Issue Not to Exceed \$8,000,000 Principal Amount of Tax and Revenue Anticipation Notes for Fiscal Year 2009-2010, Approving Distribution of Official Statement, Purchase Contract and Authorizing and Directing Certain Actions with Actions with Respect Thereto**

WHEREAS, community college districts organized and existing under the laws of the State of California are authorized by Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code of the State (the "Act") to borrow money by the issuance of temporary notes, the proceeds of which may be used and expended for any purpose for which the community college district is authorized to spend moneys; and

WHEREAS, pursuant to the Act, such notes shall be issued in the name of such community college districts by the board of supervisors of the county, the county superintendent of which has jurisdiction over such community college district, as soon as possible following receipt of a resolution of the governing board of such community college district requesting such borrowing; and

WHEREAS, the Board of Trustees (the "District Board") of the Imperial Community College District (the "District") has determined that it is desirable that the District borrow funds in an amount not to exceed

\$8,000,000 with respect to fiscal year 2009-2010 for authorized purposes of the District, and to issue notes (the "Notes") under the Act for that purpose; and

WHEREAS, such Notes are expected to be payable within twelve months after their date of delivery, but as required by Section 53854 of the Act, such date shall not be later than fifteen months after the date of issue, and such Notes shall be payable only from revenue received or accrued during the fiscal year 2009-2010 in which issued; and

WHEREAS, such Notes may not bear interest to exceed twelve percent (12%) per annum, as permitted by Section 53531 of the Act, notwithstanding Section 53854 of the Act; and

WHEREAS, pursuant to Section 53856 of the Act, the District may pledge any taxes, income, revenue, cash receipts, or other moneys of the District deposited in inactive or term deposits (but excepting certain moneys encumbered for a special purpose); and this Resolution specifies that certain Unrestricted Revenues, as hereinafter defined, which will be received by the District for the General Fund of the District during or allocable to fiscal year 2009-2010 are pledged for the payment of the Notes; and

WHEREAS, the Notes shall be a general obligation of the District, and to the extent not paid from the taxes, income, revenue, cash receipts, and other moneys of the District pledged for the payment thereof, shall be paid with interest thereon from any other moneys of the District lawfully available therefore, as required by Section 53857 of the Act; and

WHEREAS, the Notes shall be in denominations of \$5,000 or integral multiples thereof, as permitted by Section 53854 of the Act; shall be sold on the date provided in the Purchase Contract, as permitted by Section 53853 of the Act; and shall be in the form and executed in the manner prescribed in this Resolution, as required by Section 53853 of the Act; and

WHEREAS, the District Board has found and determined that said \$8,000,000 maximum principal amount of Notes to be issued by the Board of Supervisors of Imperial County (the "Board of Supervisors") in the name of the District in fiscal year 2009-2010, when added to the interest payable thereon, does not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue (including, but not limited to, revenues from state and federal governments), cash receipts and other moneys of the District which will be available for the payment of the Notes and interest thereon, as required by Section 53858 of the Act; and

WHEREAS, the District Board has found and determined that the Notes will not be outstanding after a period ending twelve months after the date on which such Notes are issued, will not be issued to finance a working capital reserve and will be expended within the time period required as provided in the Income Tax Regulations of the United States Treasury; and

NOW, THEREFORE, BE IT RESOLVED by the District Board as follows:

**Section 1. Recitals True and Correct.** All of the recitals herein set forth are true and correct, and the District so finds and determines.

**Section 2. Authorization of Issuance of Notes; Terms Thereof; Paying Agent.** The District Board hereby requests the Board of Supervisors to issue in the name of the District, an amount not to exceed \$8,000,000 principal amount of Notes under Sections 53850, et seq., of the Act, designated "Imperial Community College District, Imperial County, State of California, 2009-2010 Tax and Revenue

Anticipation Notes" (the "Notes"); to be numbered from 1 consecutively upward in order of issuance; to be in the denominations of \$5,000, or integral multiples thereof, to be dated the date of delivery thereof; to mature (without option of prior redemption) twelve months after said date of delivery, or if such date is not a day on which banks in New York or California are open for business, on the last day prior to such date; and to bear interest, payable at maturity and computed on a 30-day month/360-day year basis, at the rate or rates determined at the time of sale thereof, but not in excess of twelve percent (12%) per annum. Subject to Section 4 hereof, both the principal of and interest on the Notes shall be payable, only upon surrender thereof, in lawful money of the United States of America at the principal office of the County of Imperial Treasurer-Tax Collector (the "Treasurer-Tax Collector"), which is hereby designated by this Board as the paying agent for the Notes.

**Section 3. Deposit of Note Proceeds; No Arbitrage.** The monies so borrowed shall be deposited in the Treasury of the County of Imperial (the "County") in a proceeds fund to the credit of the District to be withdrawn, used or expended by the District for any purpose for which it is authorized to invest or expend funds from the general fund of the District, including, but not limited to, current expenses, capital expenditures or the discharge of any obligation of indebtedness of the District. The District hereby covenants that it will make no use of the proceeds of the Notes that would cause the Notes to be "arbitrage bonds" under Section 148 of the Code; and, to that end, so long as any of the Notes are outstanding, the District, and all of its officers having custody or control of such proceeds, shall comply with all requirements of (a) said section, including restrictions on the use and investment of proceeds of the Notes and the rebate of a portion of investment earnings on certain amounts, including proceeds of the Notes, if required, to the Federal government, and (b) of the Income Tax Regulations of the United States Treasury promulgated there under or any predecessor provisions, to the extent that such regulations are, at the time, applicable and in effect, so that the Notes will not be "arbitrage bonds."

**Section 4. Payment of Notes.**

(a) Source of Payment. The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts, and other moneys which are received by the District during fiscal year 2009-2010 and which are available therefore. The Notes shall be a general obligation of the District, and, to the extent the Notes are not paid from the Pledged Revenues defined below, the Notes shall be paid with interest thereon from any other moneys of the District lawfully available therefore, as provided herein and by law.

(b) Pledged Revenues. As security for the payment of the principal of and interest on the Notes, the District hereby pledges and covenants to deposit in the "Repayment Fund," as hereinafter defined, an amount equal to 50% of the principal amount of the Notes, from the first "Unrestricted Revenues" (as hereinafter defined) to be received in January 2010; and an amount equal to 50% of the principal amount of the Notes, plus an amount equal to all interest due on the Notes at maturity, from the first Unrestricted Revenues to be received in May 2010 (such pledged amounts being hereinafter called the "Pledged Revenues"). The term "Unrestricted Revenues" shall mean taxes, income, revenue, cash receipts and other money of the District as provided in Section 53856 of the Act, which are intended as receipts for the general fund of the District and which are generally available for the payment of current expenses and other obligations of the District.

The principal of the Notes and the interest thereon shall be a first lien and charge against and shall be payable from the first moneys received by the District from such Pledged Revenues, as provided by law.



In the event that there are insufficient Unrestricted Revenues received by the District to permit the deposit into the Repayment Fund, as hereinafter defined, of the full amount of Pledged Revenues to be deposited from Unrestricted Revenues in any month on the last business day of such month, then the amount of any deficiency shall be satisfied and made up by the District from any other moneys of the District lawfully available for the repayment of the Notes and the interest thereon.

(c) Repayment Fund. The Treasurer-Tax Collector is hereby authorized to create a special fund on behalf of the District separate and distinct from all other County and District funds and accounts designated the "Imperial Community College District 2009-2010 Tax and Revenue Anticipation Notes Repayment Fund" (the "Repayment Fund") and applied as directed in this Resolution. Any money placed in the Repayment Fund shall be for the benefit of the holders of the Notes, and until the Notes and all interest thereon are paid by the District or until provision has been made for the payment by the District of the Notes at maturity with interest to maturity, the moneys in the Repayment Fund shall be applied solely for the purposes for which the Repayment Fund has been created.

(d) Covenant Regarding Additional Short-Term Borrowing. The District hereby covenants and warrants that it will not request the Treasurer-Tax Collector to make temporary transfers of funds in the custody of the Treasurer-Tax Collector to meet any obligations of the District during the 2009-2010 fiscal year pursuant to the authority of Article XVI, Section 6, of the Constitution of the State of California or any other legal authority.

**Section 5. Book-Entry Only System.** "CUSIP" identification numbers shall be imprinted on the Notes, but such numbers shall not constitute a part of the contract evidenced by the Notes and any error or omission with respect thereto shall not constitute cause for refusal of any purchaser to accept delivery of and pay for the Notes. In addition, failure on the part of the District to use such CUSIP numbers in any notice to registered owners of the Notes shall not constitute an event of default or any violation of the District's contract with such registered owners and shall not impair the effectiveness of any such notice.

Except as provided below, the owner of all of the Notes shall be The Depository Trust Company, New York, New York ("DTC"), and the Notes shall be registered in the name of Cede & Co., as nominee for DTC. The Notes shall be initially executed and delivered in the form of a single fully registered Note in the full aggregate principal amount of the Notes. The District may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for all purposes of this Resolution, and the District shall not be affected by any notice to the contrary. The District shall not have any responsibility or obligation to any participant of DTC (a "Participant"), any person claiming a beneficial ownership interest in the Notes under or through DTC or a Participant, or any other person which is not shown on the register of the District as being an owner, with respect to the accuracy or adequacy of any records maintained by DTC or any Participant or the payment by DTC or any Participant by DTC or any Participant of any amount in respect of the principal or interest with respect to the Notes. The District shall pay all principal and interest with respect to the Notes only to DTC, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to the principal and interest with respect to the Notes to the extent of the sum or sums so paid. Except under the conditions noted below, no person other than DTC shall receive a Note. Upon delivery by DTC to the District of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the term "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

If the District determines that it is in the best interest of the beneficial owners that they be able to obtain Notes and deliver a written certificate to DTC to that effect, DTC shall notify the Participants of the availability through DTC of Notes. In such event, the District shall request the Board to issue transfer

and exchange Notes as requested by DTC and any other owners in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the District shall request the Board to deliver Notes as described in this Resolution and the Issuance Resolution (as defined in Section 14 hereof). Whenever DTC requests the District to do so, the District will cooperate with DTC in taking appropriate action after reasonable notice to (a) make available one or more separate Notes evidencing the Notes to any DTC Participant having Notes credited to its DTC account or (b) arrange for another securities depository to maintain custody of Certificates evidencing the Notes.

Notwithstanding any other provision of this Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments by the District with respect to the principal and interest with respect to such Note and all notices with respect to such Note shall be made and given, respectively, to DTC as provided as in the representation letter of the District delivered on the date of issuance of the Notes.

**Section 6. Sale of the Notes.** The Board hereby approves the sale of the Notes by negotiation with Piper Jaffray & Co. (the "Underwriter"), under the Purchase Contract between the District and the Underwriter (the "Purchase Contract"), in substantially the form on file with the Clerk of the Board of Trustees together with any changes therein or additions thereto approved by the Superintendent, the Vice President/Chief Financial Officer or any other duly appointed officer of the Districted authorized by resolution of the Board to act as a representative of the District hereunder (each, an "Authorized Officer"), whose execution thereof will be conclusive evidence of approval of any such additions and changes. The Authorized Officers are each separately authorized and directed to execute and deliver the Purchase Contract on behalf of the District. The Underwriter must purchase the Notes for a purchase price at least equal to 98% of the par amount thereof, and the rate of interest to be borne by the Notes may not exceed 12% per annum.

**Section 7. Transfer of Notes.** Any Note may, in accordance with its terms, but only if the District determines to no longer maintain the book entry only status of the Notes, or if DTC determines to discontinue providing such services and no successor securities depository is named or DTC requests the District to deliver Note certificates to particular DTC Participants, be transferred, upon the books required to be kept pursuant to the provisions of Section 8 hereof, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Note for cancellation at the office of the District, accompanied by delivery of a written instrument of transfer in a form approved by the District, duly executed.

Whenever any Note or Notes shall be surrendered for transfer, the District shall have the Board execute and deliver a new Note or Notes, for like aggregate principal amount.

**Section 8. Note Register.** The District shall keep or cause to be kept sufficient books for the registration and transfer of the Notes if the book entry only system is no longer in effect and, in such case, the District shall register or transfer or cause to be registered or transferred, on said books, Notes as herein before provided. While the book entry only system is in effect, such books need not be kept as the Notes will be represented by one Note registered in the name of Cede & Co., as nominee for DTC.

**Section 9. Limitation on Maximum Amount.** The principal amount of notes issued pursuant hereto, when added to the interest payable thereon, shall not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, revenue and other moneys of the District for the General Fund of the

District attributable to Fiscal Year 2009-2010, and available for the payment of said notes and the interest thereon (as hereinafter provided).

**Section 10. Official Statement.** The District hereby authorizes each Authorized Officer to separately approve, and to deem final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934 except for permitted omissions, a Preliminary Official Statement describing the Notes. The Underwriter is hereby authorized to distribute the approved form of the Preliminary Official Statement in connection with the sale of the Notes. Each Authorized Officer is hereby separately authorized and directed to (a) execute and deliver to the Underwriter a certificate deeming the Preliminary Official Statement to be nearly final prior to the distribution thereof by the Underwriter to prospective bidders, (b) approve any changes in or additions to cause the Official Statement to be put in final form, and (c) execute the final Official Statement for and in the name and on behalf of the District.

The District hereby acknowledges that the County has not approved the District's Official Statement, and the County does not accept any responsibility for the accuracy or adequacy of the statements contained therein.

**Section 11. Authorization to Make Corrections.** The Authorized Officers are separately authorized to approve corrections and additions to the Purchase Contract and the Official Statement by supplement or amendment thereto, or otherwise as appropriate, provided that any such corrections or additions shall be necessary to cause the information contained therein to conform with facts material to the Notes or to the proceedings of the District and the Board, or such corrections or additions are in form rather than substance.

**Section 12. Further Authorization.** The District Representatives are separately authorized and directed to execute said Official Statement and a statement that the facts contained in the Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof for the purpose of such statement) were, at the time of sale of the Notes, true and correct in all material respects and that the Official Statement did not, on the date of sale of the Notes, and does not, as of the date of delivery of the Notes, contain any untrue statement of a material fact with respect to the District or omit to state material facts with respect to the District required to be stated where necessary to make any statement made therein not misleading in the light of the circumstances under which it was made. The District Representatives shall take such further actions prior to the signing of the Official Statement as are deemed necessary or appropriate to verify the accuracy thereof.

**Section 13. Approval of Action Taken.** All actions heretofore taken by the officers and agents of the District with respect to the sale and issuance of the Notes are hereby approved, and the Authorized Officers are hereby authorized and directed for and in the name and on behalf of the District, to do any and all things and take any and all actions relating to the execution and delivery of any and all certificates, requisitions, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Notes in accordance with the Issuance Resolution (defined in Section 14) and this Resolution.

**Section 14. Approval of Board of Supervisors' Resolution.** The resolution entitled "A Resolution of the Board of Supervisors of the County of Imperial Providing for the Borrowing of Funds for Imperial Community College District for Fiscal Year 2009-2010 and the Issuance of Imperial Community College District 2009-2010 Tax and Revenue Anticipation Notes Therefore In An Amount Not To Exceed \$8,000,000, and Authorizing and Directing Certain Actions With Respect Thereto" (the "Issuance Resolution") in substantially the form presented to the Board of Trustees at this meeting, together with

any additions to or changes therein deemed necessary or advisable by the Board of Supervisors and the Superintendent of the District or the Superintendent's authorized designee, is hereby approved.

**Section 15. Tax Covenants.**

(a) No Arbitrage. The District shall not take, nor permit nor suffer to be taken any action with respect to the proceeds of the Notes which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Notes (the "Closing Date") would have caused the Notes to be "arbitrage bonds" within the meaning of section 148 of the Internal Revenue Code of 1986 (the "Code").

(b) Rebate Requirement. The District shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government.

(c) Private Activity Bond Limitation. The District shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private business tests of section 141(b) of the Code.

(d) Federal Guarantee Prohibition. The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Notes to be "federally guaranteed" within the meaning of section 149(b) of the Code.

(e) Maintenance of Tax-Exemption. The District shall take all actions necessary to assure the exclusion of interest on the Notes from the gross income of the owners of the Notes to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the Closing Date.

**Section 16. Covenants and Warranties.** It is hereby covenanted and warranted by the District Board that all representations and recitals contained in this Resolution are true and correct, and that the District Board has reviewed, or caused to be reviewed, all proceedings heretofore taken by the District Board relative to the authorization of the Notes and has found, as a result of such review, and hereby finds and determines that all acts, conditions and things required of the District Board by law to exist, happen and be performed by the District Board precedent to and in the issuance of the Notes have existed, happened and been performed in due time, form and manner as required by law, and the District Board is duly authorized to incur indebtedness in the manner and upon the terms provided in this Resolution.

**Section 17. Indemnification.** The District Board agrees to indemnify, defend and save the County (including its officers, agents and employees) harmless against any and all liabilities, costs, expenses, damages and claims which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its active negligence or bad faith.

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**CLOSED SESSION**

**M/S/C Ramirez/Wong to go into CLOSED SESSION at 7:50 p.m.**

**[Trustee Medina left at 7:50 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 EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE
4. CONFERENCE WITH LABOR NEGOTIATIONS  
Unrepresented Employee: Superintendent/President

**OPEN SESSION**

**M/S/C Ramirez/Cardenas to go into OPEN SESSION at 8:47 p.m.**

1. Information was provided and direction given.
2. Information was provided and direction given
3. Information was provided and direction given.
4. Instructions were given to Counsel

**CONSENT AGENDA – HUMAN RESOURCES**

Resolution No. 14435 and Resolution No. 14442 were pulled from the agenda.

Trustee Galindo pulled Resolution No. 14446.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14425: Classified Retirement**

BE IT RESOLVED that the Board accepts, with sincere regret, the retirement of Esther Lansing, Staff Secretary III effective September 1, 2009.

BE IT RESOLVED that sincere appreciation be expressed for her 35 years of devoted service to Imperial Valley College.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14426: Administrator Resignation**

BE IT RESOLVED that the Board accepts, with sincere regret, the resignation of Frank Rapp, Dean of Instruction, effective July 31, 2009.

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14427: Administrative Retreat Rights**

BE IT RESOLVED that the Board accepts Frank Rapp's requests to exercise his administrative retreat rights effective August 1, 2009.

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14428: Basic Skills Coordinator**

BE IT RESOLVED that effective August 21, 2009, Frank Rapp shall return to his previous faculty position as an English Instructor while concurrently holding the position of Basic Skills Coordinator with six (6) units of reassigned time.

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14429: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reemploy the following full-time, tenure track, academic personnel pursuant to Education Code: 87731 effective August 21, 2009:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Rapp, Frank	Appropriate Classification and Step Contingent Upon Verification of Records	English Instructor

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14430: Classified Management Service Employment**

BE IT RESOLVED THAT the Board approves the recommendation of the Superintendent/President to accept employment within another department for the following individual currently employed with the Imperial Community College District.

<u>Name</u>	<u>Position</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Carmona, Gloria	Director of Admissions & Records	District	2-3	August 10, 2009

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14431: Management Employment Contract**

WHEREAS, Tuen "Dawn" Chun is currently employed as Institutional Research Analyst (Range 2) and shall be employed as an Interim Director of Research, Planning, and Grants Administration (Range 2) from July 1, 2009 to June 30, 2010.

THEREFORE, BE IT RESOLVED that the Board approves the temporary management reorganization as stipulated in the Temporary Management Employment Contract signed on June 19, 2009.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14432: Agreement between the District and Confidential Employees**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Confidential Employees for the fiscal year 2009-2010 as follows:

- I. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- II. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- III. VACATION ACCRUAL  
The District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).
- IV. OTHER
  1. Confidential employees shall be entitled to serve as adjunct instructors (teaching and non-teaching) at the current designated rate.
  2. The Professional Growth Plan that the district currently uses for classified staff will continue to be applied towards confidential staff. The District will review the proposed Tuition Reimbursement language and discuss potential options at the 2010-2011 meet and confer session.
  3. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14433: Agreement between the District and Classified Managers**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Classified Managers for the fiscal year 2009-2010 as follows:

- V. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- VI. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- VII. VACATION ACCRUAL  
The District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).
- VIII. OTHER
  1. Classified Management employees shall be entitled to serve as adjunct instructors (teaching and non-teaching) at the current designated rate.

2. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14434: Agreement between the District and Administrators**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Administrators for the fiscal year 2009-2010 as follows:

- I. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- II. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- III. OTHER  
Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**THIS ITEM WAS PULLED FROM THE AGENDA – NO ACTION**

**Resolution No. 14435: Agreement between the Imperial Community College District and California School Employees Association, Chapter 472.**

BE IT RESOLVED that the Board ratifies the Agreement between Imperial Community College District and California School Employees Association (CSEA), Chapter 472, effective July 1, 2004 through June 30, 2008 as presented in EXHIBIT A.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14436: Memorandum of Understanding between the Imperial Community College District and California School Employees Association, Chapter 472**

BE IT RESOLVED that the Board ratifies the Tentative Agreement between Imperial Community College District and California School Employees Association (CSEA), Chapter 472, for the school year 2008-2009 as follows:

The District and CSEA agree to the following tentative contract agreement for 2008-2009. Pending ratification of CSEA Chapter 472 and the Board of Trustees, the following contract provisions will become effective as of July 1, 2008:

**2008-2009**

- I. SALARY
  1. An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- II. ARTICLE 10: INSURANCE
  1. District to pay 100% of insurance premiums. Coverage to remain status quo.



2. Maintain current retiree health benefits.

III. ARTICLE 12.4: Vacation Accrual

1. District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).

IV. OTHER

1. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14437: Memorandum of Understanding with CCA/CTA/NEA Regarding Overload**

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

Memorandum of Understanding between the  
Imperial Community College District and Imperial Valley College Chapter CCA/CTA/NEA  
June 11, 2009

The Salary and Benefit Agreement for 2007-2010, Exhibit B3 in the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association, California Teachers Association and the National Education Association for Academic Years 2007 – 2010 is modified as follows:

2009 – 2010 Salary

2. ~~Overload rate at \$60 per hour~~ Overload rate to be at \$55 per hour, no change from the 2008-2009 academic year.

This agreement is subject to ratification by the CTA membership and the District Board of Trustees. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14438: Compensation Method for Adjunct Credit Teaching Faculty**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the salary remains the same for adjunct credit (teaching and non-teaching) faculty.

BE IT FURTHER RESOLVED that the adjunct credit (teaching and non-teaching) rate shall remain at \$55 per hour for every lecture and lab hour taught for the Academic year 2009-2010.

**M/S/C Cardenas/Ramirez**

**Resolution No. 14439: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reemploy the following full-time, tenure track, academic personnel pursuant to Education Code: 87731 effective July 1, 2009:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Zazueta, Cathy	Appropriate Classification and Step Contingent Upon Verification of Records	Assistant Librarian

**M/S/C Cardenas/Ramirez**

**Resolution No. 14440: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time, contract, academic personnel effective 2009-2010 academic year:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Goldsberry, Rick	Appropriate Classification and Step Contingent Upon Verification of Records	EMS Program Director/Coordinator/Instructor

**M/S/C Cardenas/Ramirez**

**Resolution No. 14441: CalWORKs Program Elimination**

WHEREAS, the District received information from the County of Imperial that the CalWORKs assessment program would no longer be funded effective June 30, 2009, and;

WHEREAS, the elimination of the CalWORKS program resulted in the termination of all full-time, non tenure track, categorical funded positions, and;

WHEREAS, the termination of employment for these employees was based entirely on the CalWORKs program elimination and it is in no way a reflection of the employees' work performance or abilities.

THEREFORE, BE IT RESOLVED that our gratitude is hereby extended to the affected CalWORKs staff for their years of service and the significant contributions that they have made on behalf of the District.

<u>Name</u>	<u>Project Position</u>	<u>Years of Service</u>
Esquer, Maria	Counselor	9 ½ years (January 2000)
Felix, Mireya	Counselor	11 ½ years (January 1998)
Garcia, Martha	Counselor	9 ½ years (November 1999)
Romero, Yolanda	Coordinator	21 ½ years (October 1988)
Sigala, Isabel	Counselor	10 ½ years (July 1999)

**M/S/C Cardenas/Wong to discuss the item.**

**M/S/C Cardenas/Wong to PULL THE ITEM FROM THE AGENDA – NO ACTION TAKEN**

**Resolution No. 14442: Termination of Full-Time Non-Tenure Track Academic Employment**

**Discussion**

It was agreed that the change of elimination date would change from July 19<sup>th</sup> to July 17<sup>th</sup>.  
Trustee Ramirez asked to receive information on the issue.

Associate Dean Gregory spoke and stated there was an option given that an MOU was drafted which included some optional rehire rights in which the District offered 18 months . He stated he received an email from CTA President Gretz stating that it was a negotiable item and she in turn presented another version option in writing which had a permanent impact on the MOU. He stated the rehire rights are not specified in any law but the District felt 18 months would be fair.

Legal Counsel Oswald spoke and stated that perhaps there should be a side letter agreement so that it is specifically and narrowly focused on this particular group.

CTA President Gretz spoke and stated she is concerned that an actual MOU was given to the five affected individuals because her name was on there and it was assumed that she had reviewed the MOU. She stated that Associate Dean Gregory stated in his last email that the District was not interested in opening an MOU with the CTA at this time.

President Gould stated that he recommended pulling the item and discussing the benefit and a longer period of time from 18 months to 24 months to take the employees best interest at heart and suggested bringing the item back to the next meeting after the details have been resolved.

Trustee Ramirez stated that her concern was that it is a categorical program and that it is not entitled to a “me too” clause.

Trustee Ramirez stated that her concern was that it is a categorical program and if the consideration/exception was made for this program it should not be considered as a “me too” for all other programs.

Legal Counsel Oswald stated that is the reason he is suggesting a side letter due to the peculiar circumstances of the program and to indicate that the District has agreed to certain items and that it would only apply to them, and cannot be cited or used because of similar situation in another program.

A CalWORKs employee spoke and stated that she did not want to renegotiate the contract and wanted to have the 18 months extended to 24 months.

Trustee Cardenas stated that the requests needed to be agreed upon with the Union.

It was agreed that the item would be brought back to the next Board meeting.

**Resolution**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following temporary, full-time non tenure track, categorically grant funded positions be eliminated effective July 19, 2009 due to program elimination. The District will compensate employees on a pro-rata daily rate until July 19, 2009 and the District shall continue health and welfare benefits through September 30, 2009:

<u>Name</u>	<u>Project Position</u>	<u>Funding Source</u>
Esquer, Maria	Counselor	CalWORKs – State
Felix, Mireya	Counselor	CalWORKs – State
Garcia, Martha	Counselor	CalWORKs – State
Romero, Yolanda	Coordinator	CalWORKs – State
Sigala, Isabel	Counselor	CalWORKs – State

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14443: 2009-2010 Athletic Assignments**

BE IT RESOLVED that the Board approves the following athletic assignments:

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: Jesus Ramos  
Head Coach Women's Volleyball: Jill Tucker  
Asst. Coach Women's Volleyball: Gerardo Casarez  
Asst. Coach Women's Volleyball: Winston Lay  
Head Coach Men's Basketball: Tyson Aye  
Asst. Coach Men's Basketball: Aurelio Avila  
Asst. Coach Men's Basketball: Andrew Robinson  
Head Coach Women's Basketball: Michael Benton  
Asst. Coach Women's Basketball: Jeff Deyo  
Asst. Coach Women's Basketball: Joe Garcia  
Asst. Coach Women's Basketball: Melinda Benton  
Head Coach Men's Baseball: Jim Mecate  
Asst. Coach Men's Baseball: Enrique Lechuga  
Asst. Coach Men's Baseball: Eddie Richey  
Asst. Coach Men's Baseball: Enrique Lechuga Jr.  
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  
Asst. Coach Men's Tennis: Dan Williams  
Asst. Coach Men's Tennis: Sergio Molina  
Head Coach Women's Tennis: Sidne Horton  
Asst. Coach Women's Tennis: Mike Palacio  
Asst. Coach Women's Tennis: Isaac Navarro  
Head Coach Women's Cross Country: Eric Lehtonen  
Asst. Coach Women's Cross Country: Yvonne "Robin" Paine  
Cheer Advisor: Jill Lerno

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14444: Classified Substitute Employment**

BE IT RESOLVED that the Board approved 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>
Cortez, Karina	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Gutierrez, Reyna	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Martinez, Gina	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Ramirez, Alejandra	Sign Language Interpreter II	DSPS	District	22-1	6/22/2009 - 7/30/2009

**M/S/C Cardenas/Ramirez**  
**Resolution No. 14445: Volunteer Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following volunteers who shall be covered by Workers' Compensation:

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Effective</u>
Denise Torres	Volunteer Office Assistant	Maintenance	July 6, 2009 - July 30, 2009
Lucia Diaz 2009	Volunteer Lab Assistant	Information Systems	June 25, 2009 - July 31,
Dewi Castaprel	Volunteer Office Assistant	Science/Math/ Engineering Division	July 7, 2009 - August 21, 2009
Deanna Carrillo	Volunteer Office Assistant	Behavioral Science and Social Science Division	July 8, 2009 - August 31, 2009

BE IT FURTHER RESOLVED that thanks be hereby extended to the aforementioned volunteers for volunteering in the various departments and for their contribution to Imperial Valley College.

**M/S/C Ramirez/Wong**  
**Resolution No. 14446: Employee Assistance Program Agreement**

**Discussion**

Trustee Galindo thanked the staff and President Gould for pursuing the agreement to provide employees with the program.

**Resolution**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to enter into an agreement with U.S. Behavioral Health Plan (a California corporation licensed as a Knox-Keene Health Care Service Plan), to provide an Employee Assistance Program effective August 1, 2009.

Fiscal Impact Statement: \$8,112.00 per year

**ADJOURNMENT**

**M/S/C Wong/Ramirez to ADJOURN the meeting at 9:05 p.m.**

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, AUGUST 19, 2009, AT 6:00 P.M.** in the **Temporary Board Room located in Room 304A.**

Adopted this 19<sup>th</sup> day of August 2009.

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ICCD Board President

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ICCD Board Secretary



# TENTATIVE AGREEMENT

June 9, 2009

The District and CSEA agree to the following tentative contract agreement for 2008-2009. Pending ratification of CSEA Chapter 472 and the Board of Trustees, the following contract provisions will become effective as of July 1, 2008:

## **2008-2009**

### I. SALARY

1. An on-schedule salary increase of .68%, retroactive to July 1, 2008.

### II. ARTICLE 10: INSURANCE

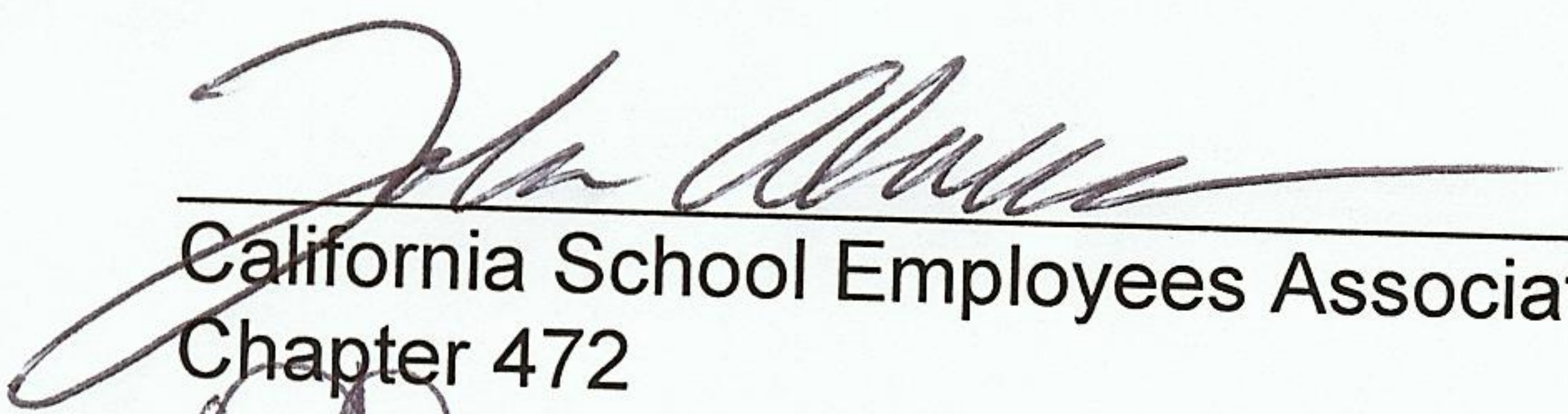
1. District to pay 100% of insurance premiums. Coverage to remain status quo.
2. Maintain current retiree health benefits.

### III. ARTICLE 12.4: Vacation Accrual

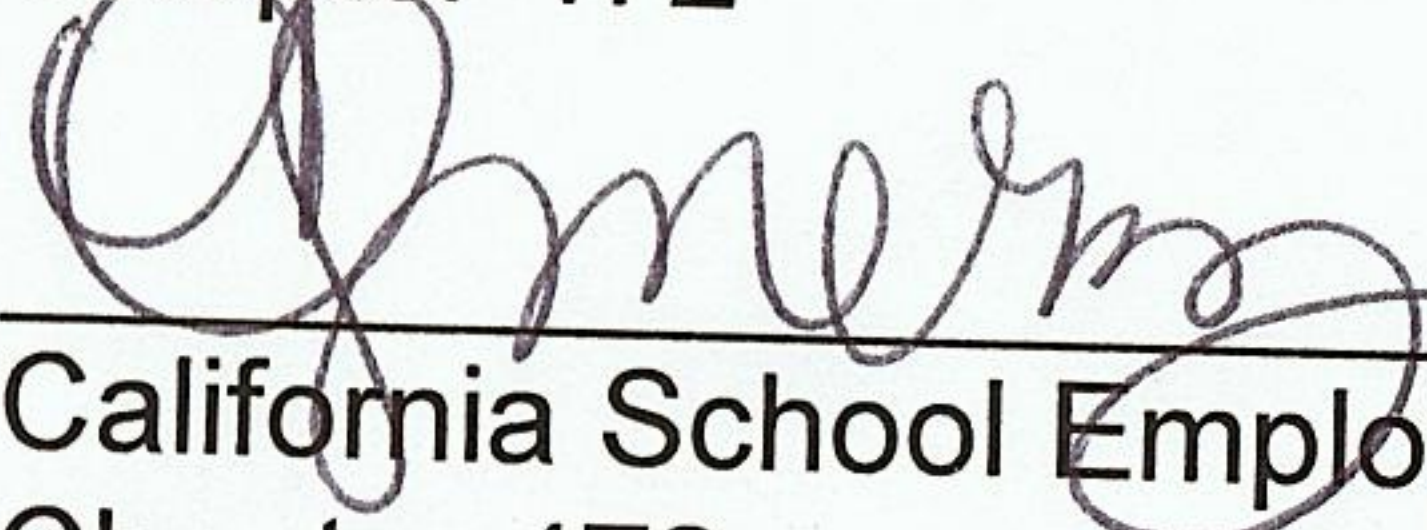
1. District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).

### IV. OTHER


1. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

  
California School Employees Association  
Chapter 472

  
District Lead Negotiator

  
California School Employees Association  
Chapter 472

  
District Negotiator

  
California School Employees Association  
Chapter 472

  
Superintendent / President



Memorandum of Understanding  
between the  
Imperial Community College District and  
Imperial Valley College Chapter CCA/CTA/NEA  
June 11, 2009


The Salary and Benefit Agreement for 2007-2010, Exhibit B3 in the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association, California Teachers Association and the National Education Association for Academic Years 2007 – 2010 is modified as follows:

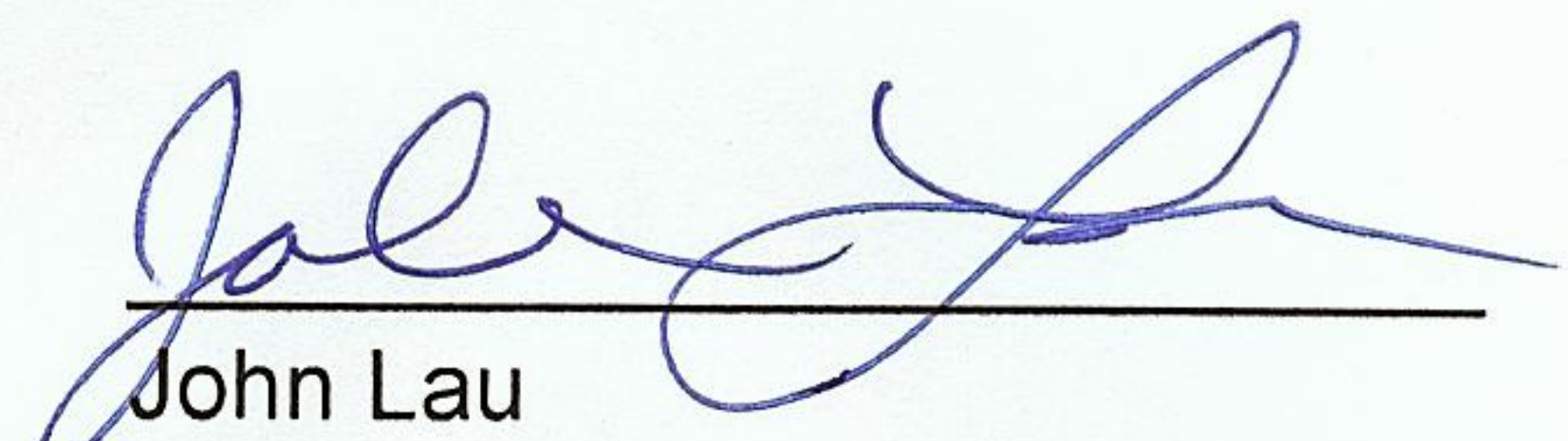
2009 – 2010

Salary


2. ~~Overload rate at \$60 per hour~~ Overload rate to be at \$55 per hour, no change from the 2008-2009 academic year.

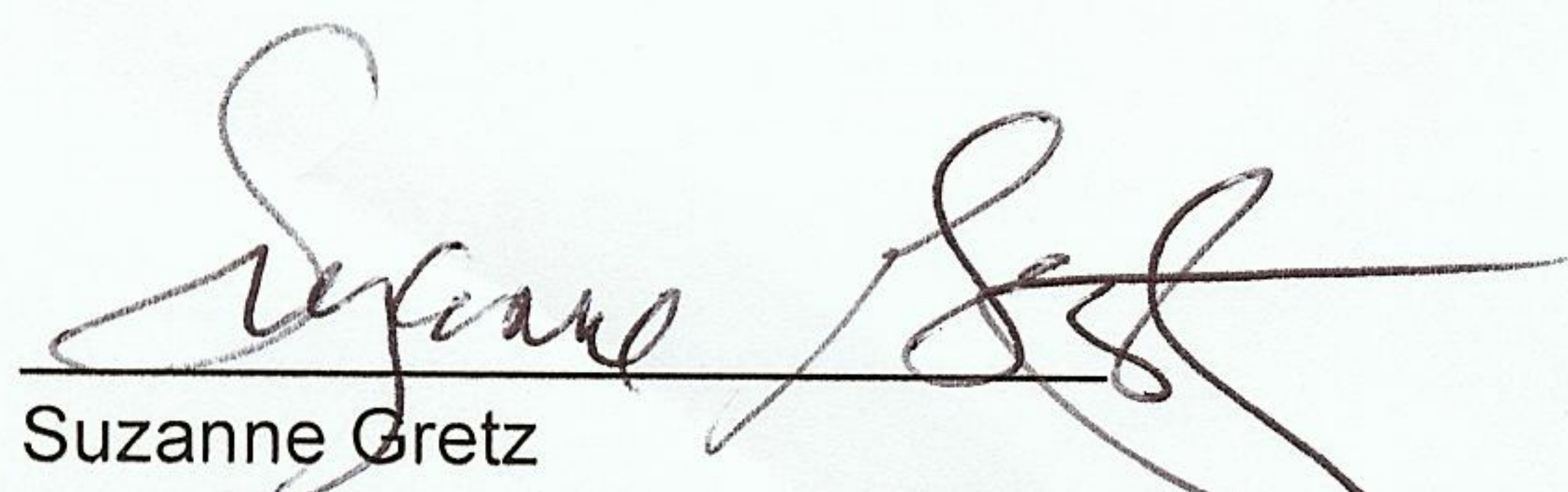
This agreement is subject to ratification by the CTA membership and the District Board of Trustees. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

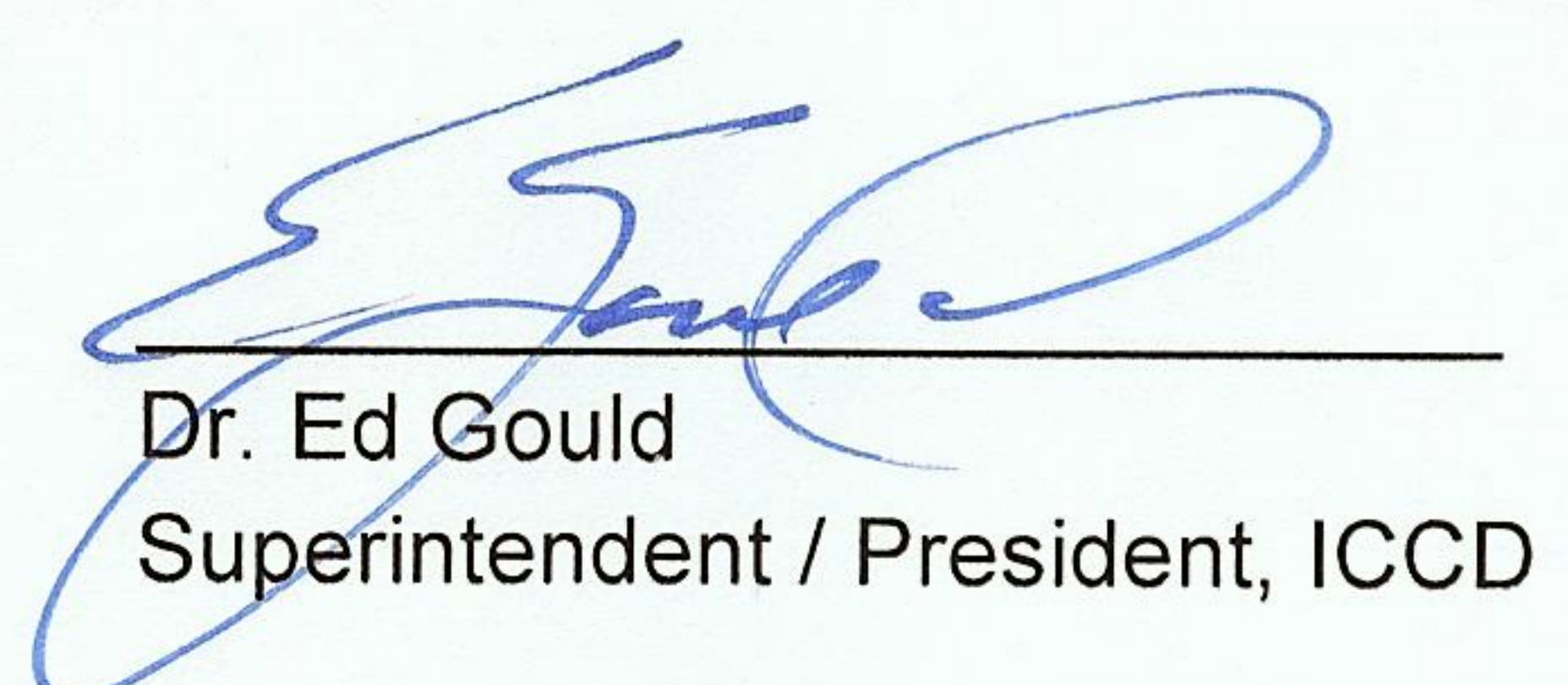
  
Ed Scheuerell  
Lead Negotiator, IVC CCA/CTA/NEA

  
John Lau  
Lead Negotiator, ICCD

  
Mary Lofgren  
Negotiator, IVC CCA/CTA/NEA

  
Travis Gregory  
Negotiator, ICCD

  
Suzanne Gretz  
President, IVC CCA/CTA/NEA

  
Dr. Ed Gould  
Superintendent / President, ICCD



June 26, 2009

Board of Trustees  
Imperial Valley College  
P.O Box 158  
Imperial, CA 92251

Dear Members of the Board:

It is with mixed emotions that I announce my intent to retire from my position of Staff Secretary III of the maintenance department at Imperial Valley College with acceptance of the Golden Handshake and the Supplemental Employee Retirement Plan (SERP). My last day of service will be August 31, 2009.

The past 35 years have been a very rewarding experience for me filled with wonderful memories. I enjoyed working with everyone and establishing long lasting friendships through the years.

Thank you for the opportunities I have had these past 35 years at IVC.

Sincerely,



Esther L. Lansing  
Staff Secretary III  
Maintenance & Operation

CC: Rick Webster, Director of Maintenance/ Operations  
Travis Gregory, Associate Dean of Human Resources  
Mary Bell, Payroll/Benefit Coordinator  
Ed Gould, President/Super Entendent ✓

**2008-2009 ACCREDITATION ANNUAL REPORT**  
**Accrediting Commission for Community and Junior Colleges**

**DUE BY June 30, 2009**

- 1) Name of College: **Imperial Community College District**
- 2) College Address: **380 E. Aten Road, P. O. Box 158, Imperial, CA 92251**
- 3) City, State, Zip: **Imperial, CA 92251**
- 4) Prepared by/Title: **Kathy Berry, Vice President for Academic Services**
- 5) Telephone: **(760) 355-6213**
- 6) E-mail: [\*\*kathy.berry@imperial.edu\*\*](mailto:kathy.berry@imperial.edu)

**INSTRUCTIONS**

**Please respond to all of the questions. Enlist the assistance of appropriate individuals in your institution to ensure the accuracy of information submitted.**

**As you respond to the following questions, please consider “new” to mean only those changes which have occurred since the college’s last Annual Report unless otherwise indicated. Include any updates or approved substantive changes since the last Annual Report.**

- 7) Indicate any change in the official name, address, or control of the institution.

**There has been no change in the official name, address or control of the institution.**

- 8) What is the institution’s overall course completion rate for *the fall 2008 semester*?  
Indicate by percentage: 65.6%. (Course completion is the percentage of officially-registered students at the time of census who complete the course with a passing grade. Please indicate what your institution requires for a passing grade.)

**The percentage for the 2007 – 2008 Accreditation Annual Report should be 63.0% based on the above definition, instead of 80.6% as submitted.**

- 9) Has the institution’s course completion rate decreased by 5% or more this past year?  
Yes \_\_\_\_\_ No  X

- 10) If “yes” to item #9 above, what is the percentage decrease? \_\_\_\_\_%.

N/A



- 11) Total FTES enrollment in credit degree applicable courses:  
**In fall 2008, total FTES enrollment in credit degree applicable courses was 2,646.70.**
- 12) Total FTES enrollment in pre-collegiate credit courses which are non-degree applicable:  
**In fall 2008, total FTES enrollment in pre-collegiate credit courses was 551.82.**
- 13) Total FTES of international students: **4.01% for fall 2008.**
- 14) Does your institution collect data on state licensing examination results for career/technical programs? Yes **X** No \_\_\_\_\_.
- 15) If “yes” to item #14 above, list the licensure exam pass rate for **each** career/technical program since last year’s Annual Report (Rate = # passing ÷ # attempting).

Name of Program	Licensure Exam Pass Rate
<b>Associate Degree Nursing</b>	<b>66.07%</b>
<b>Vocational Nursing</b>	<b>66.3%</b>
<b>Emergency Medical Technician – Paramedic</b>	<b>50%</b>

- 16) Have the institution’s licensure exam pass rates declined by 10% or more this past year? Yes **X** No \_\_\_\_\_.
- 17) If “yes” to item #16 above, by what percentage?

Name of Program	Licensure Exam Pass Rate Percentage of Decline
<b>Associate Degree Nursing</b>	<b>12.0%</b>
<b>Vocational Nursing</b>	<b>13.0%</b>
<b>Emergency Medical Technician – Paramedic</b>	<b>N/A</b>

- 18) Does your institution collect information on job placement rates for its career/technical programs? Yes \_\_\_\_\_ No **X**
- 19) If “yes” to item #18 above, list the job placement rate for **each** career/technical program since last year’s Annual Report (Rate = # placed ÷ # graduates in each program).

N/A



- 20) Have the institution's job placement rates declined by 10% or more this past year?  
Yes \_\_\_\_\_ No \_\_\_\_\_

N/A

- 21) If "yes" to item #20 above, by what percentage? \_\_\_\_\_%?

N/A

- 22) List all sites or campuses, since the last Annual Report, at which students can complete 50% or more of the credits for a degree or certificate program, and list the programs for which 50% or more of the credits may be earned at each site or campus. Also, report when these sites or campuses began operating.

**Students can complete at least 50% of the credits for a degree or certificate program at the following sites:**

**Programs: All Programs**

**Site/Campus: Main Campus (Year of Operation, 1959)**

**At least 50% of the following certificate programs may be completed at the site or campus:**

**Programs: Legal Assistant, Firefighter I, Health Assistant Certificate, Electrical Trades Certificate**

**Site/Campus: El Centro Extended Campus (Year of Operation, 1975)**

- 23) List new courses and programs offered at sites or campuses outside the geographic region (but within the U.S.) served by the college since the last Annual Report.

**No new courses and programs are offered at sites or campuses outside the geographic region (but within the United States) serviced by the college since the last Annual Report.**

- 24) List and describe any programs which were added to the college curriculum since the last Annual Report, regardless of location, that represent a significant departure in either content or method of delivery. Please indicate whether each program is offered at the degree or certificate level and if the programs are for credit or non-credit. (Refer to the ACCJC web site [www.accjc.org](http://www.accjc.org) for Substantive Change Policy.)

- 25) Describe new programs for which 50% or more of the credits are offered through a mode of distance or electronically mediated delivery. Do not include study abroad programs.

**The college does not offer any programs in which 50% or more of the credits are offered through a mode of distance or electric delivery.**

- 26) What is the total FTES enrollment for fall 2008 in all types of distance or electronically mediated delivery offered? **143.8 FTES**

- 27) List courses offered in a distance or electronically mediated delivery mode for the first time since the last Annual Report submission.

**AJ/CSI 102, Concepts of Criminal Law  
BIOL 100, Principles of Biological Science  
CIS 208, Programming in Java  
ENGL 102, Introduction to Literature  
LBRY 153, Library Public Services  
PE 210, Introduction to Physical Education  
SPAN 100, Elementary Spanish I  
SPCH 100, Oral Communication**

### **INSTRUCTIONS**

**STUDENT LEARNING OUTCOMES: Update the college's progress with course, certificate, degree, and general education expected Student Learning Outcomes identification, assessment, analysis and use of assessment results for institutional evaluation, planning and improvement. Respond to questions 28 – 41 below.**

- 28) Percent of courses with SLOs: **84.0%**

- 29) Percent of programs with SLOs: **10.0%**

- 30) Percent of courses with on-going assessment: **84.9%**

- 31) Percent of programs with on-going assessment: **10.0%**

- 32) Have institutional-level SLOs been developed? Yes **X** No \_\_\_\_\_.

- 33) What percent of student and learning support activities have SLOs identified?

**Student support activities 100.0%; learning support activities 80.0%**

34) Percent of learning support activities with on-going assessment? 90.0%

35) List and describe any programs for non-US nationals the institution conducts or plans to conduct outside the U.S. Do not include study abroad programs for the institution's native students. Has the institution submitted a Substantive Change Proposal for this/these activities?

**None.**

36) List and describe any articulation agreements or Memoranda of Understanding with non-US institutions. Has the institution submitted a Substantive Change Proposal for this/these activities?

**None.**

37) Has the institution entered into new contracts with non-regionally accredited organizations which provide courses or programs on behalf of the institution?  
Yes \_\_\_\_\_ No X

38) If "yes" to item #37 above, please complete questions #39, #40, and #41 below.

**N/A**

39) Which courses or instructional programs are provided?

**N/A**

40) Which student and learning support services are provided?

**N/A**

41) Describe the level of control the institution exercises over the contract.

**N/A**