



AGENDA

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

Wednesday, August 19, 2009
6:00 p.m.

Location
Temporary Board Room – Room 304A
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 – Steven Sciaky
Academic Senate Representative – Kevin White
College Council Representative – Dr. Michael Heumann

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. Memorandum of Understanding between the Imperial Community College District and California School Employees Association, Chapter 472 (dated June 9, 2009)
2. Side Letter Agreement between the Imperial Community College District (District) and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association (Association) (dated July 29, 2009)

IV. INFORMATION REPORTS

1. Board Member Reports
2. Associated Student Government Senate Update – Steven Sciaky
3. Academic Senate Update – Kevin White
4. College Council Update – Dr. Michael Heumann
5. President's Update – Dr. Ed Gould

V. CONSENT AGENDA – BUSINESS

1. Approval of Minutes dated July 15, 2009, Regular Board Meeting
2. Resolution No. 14447: Purchase Orders
3. Resolution No. 14448: Payroll Warrant Orders
4. Resolution No. 14449: Commercial Warrant Orders
5. Resolution No. 14450: Child Development Fund use of Reserves for Cash Flow purposes
6. Resolution No. 14451: First Amendment to Healthcare Services Agreement
7. Resolution No. 14452: Second Amendment to Healthcare Services Agreement
8. Resolution No. 14453: Grant Deed

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

1. Resolution No. 14454: Local agreement California State Preschool Program numbers CSPP-9111 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education
2. Resolution No. 14455: Local agreement General Child Care & Dev. Programs numbers CCTR-9057 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education

VI. CLOSED SESSION

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

VII. OPEN SESSION

1. Announcement of final action taken

IX. CONSENT AGENDA – HUMAN RESOURCES

1. Resolution No. 14456: Modified Employment Contract for Superintendent/President
2. Resolution No. 14457: Classified Management Service Employment
3. Resolution No. 14458: Part-Time Classified Management Position
4. Resolution No. 14459: Full-Time Tenure Track Academic Employment 2009-2010
5. Resolution No. 14460: Full-time, Categorically Funded, Academic Employment 2009-2010
6. Resolution No. 14461: Full-time, Temporary, Academic Employment 2009-2010
7. Resolution No. 14462: Full-time, Temporary, Non Tenure Track, Categorically Grant Funded, Academic Employment 2009-2010
8. Resolution No. 14463: 2009-2010 Athletic Assignments
9. Resolution No. 14464: Adjunct Counselor Employment
10. Resolution No. 14465: Adjunct Instructor Employment
11. Resolution No. 14466: Non-Credit Adjunct Instructor Employment
12. Resolution No. 14467: Outreach Counseling Specialist Employment
13. Resolution No. 14468: Layoff of Classified Employee
14. Resolution No. 14469: Agreement between the Imperial Community College District and California School Employees Association, Chapter 472
15. Resolution No. 14470: Side Letter Agreement between the Imperial Community College District (District) and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association (Association) (dated July 29, 2009)
16. Resolution No. 14471: Volunteer Employment Approval

X. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD TUESDAY, SEPTEMBER 15, 2009*, AT 6:00 P.M.** in the **Administration Board Room located in Building 10.**

****Due to Final Budget***

V. CONSENT AGENDA – BUSINESS

V.1. Approval of Minutes dated July 15, 2009, Regular Board Meeting

V.2. Resolution No. 14447: Purchase Orders

BE IT RESOLVED that, upon the recommendation of the Superintendent/President, purchase orders in the amount of \$1,010,290.99 for the month of July 2009 are hereby approved.

V.3. Resolution No. 14448: 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 July 2009.

2009-10

Payroll Warrant	General Fund	Child Dev.	Bond Fund	Warrant Total
7/30/09	2,301,716.03	32,262.42	8,531.98	2,342,510.43

V.4. Resolution No. 14449: 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 July 2009:

Date Paid	Fiscal Year	Fund 10 General Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total	Total
7/9/09	2009-10	533,573.01			568,096.93	
	2008-09	186,440.78	463.51	1,678,571.29	1,871,802.88	2,439,899.81
7/16/09	2009-10	116,822.35			116,822.35	
	2008-09	48,769.19			48,769.19	165,591.54
7/23/09	2009-10	558,636.46		17,035.92	575,672.38	
	2008-09	294,798.37		128,898.16	423,696.53	999,368.91
7/30/09	2009-10	113,437.21		49,143.44	162,580.65	
	2008-09				346,454.26	509,034.91
					<u>4,113,895.17</u>	<u>4,113,895.17</u>

FY 2009-10	1,423,172.31
FY 2008-09	<u>2,690,722.86</u>
	<u>4,113,895.17</u>

V.5. Resolution No. 14450: Child Development Fund use of Reserves for Cash Flow purposes

WHEREAS, currently Imperial Valley College has Fund 120 with the County of Imperial Treasurer's Department for the purpose of accounting for Child Development Fund Reserves, and

WHEREAS, currently Imperial Valley College has Fund 045 with the County of Imperial Treasurer's Department for the purpose of accounting for Child Development regular operating activities, and

WHEREAS, during any given month of any fiscal year, Fund 045 may experience cash flow needs to satisfy day-to-day operations, and

WHEREAS, any and all funds transferred for this purpose must be returned to Fund 120 before the end of any given fiscal year;

THEREFORE BE IT RESOLVED that the Imperial Community College District Board of Trustees authorizes the Superintendent/President and/or the Vice President for Business Services or designee, to transfer funds as needed between Funds 120 and 045 to make sure that both funds maintain a positive cash flow balance.

V.6. Resolution No. 14451: First Amendment to Healthcare Services Agreement

BE IT RESOLVED that the Board approves the following agreement:

FIRST AMENDMENT TO
HEALTHCARE SERVICES AGREEMENT
Imperial Community College District and Pioneers Memorial Healthcare District

This First Amendment to Healthcare Services Agreement is effective as of August 1, 2009, by and between Imperial Community College District ("ICCD") and Pioneers Memorial Healthcare District ("PMHD").

RECITALS

- A. Effective as of August 21, 2006, the Parties entered into a Healthcare Services Agreement ("Agreement") under which PMHD provides certain healthcare services for qualified students of ICCD ("Covered Services"). Pursuant to the Agreement, some of those Covered Services are available at PMHD's main Brawley campus as well as at its clinics located in the communities of El Centro and Calexico.
- B. PMHD has since closed its El Centro clinic.
- C. The Agreement at Section B 4 requires PMHD, at its sole cost and expense, to maintain professional liability (malpractice) insurance in a minimum amount of Five Million Dollars (\$5,000,000.00) per occurrence and Ten Million Dollars (\$10,000,000.00) annual aggregate.
- D. The Agreement at Section G 7 permits PMHD to contract with other healthcare providers to provide some or all of the Covered Services.

- E. Clinicas de Salud de Pueblo, Inc., a California not for profit corporation, is a federally qualified health clinic ("Clinicas"). It operates a clinic in El Centro, California. Clinicas is able and willing to provide the Covered Services at its El Centro clinic for PMHD.
- F. PMHD is negotiating an agreement with Clinicas to provide the Covered Services at its El Centro Clinic to replace the PMHD clinic in El Centro which is being closed.
- G. The parties desire to amend the Agreement to provide that the professional liability insurance required thereunder will be One Million Dollars (\$1,000,000.00) per occurrence and Three Million Dollars (\$3,000,000.00) annual aggregate.
- H. The parties desire to acknowledge that Clinicas will provide the Covered Services at its El Centro clinic for PMHD.

NOW, THEREFORE, the parties agree as follows:

1. The introductory paragraph of Section B 4 is hereby revised in its entirety and will now provide as follows:

"4. Insurance. PMHD, at its sole cost and expense, shall maintain during the term of this Agreement and, if coverage is provided on a claims-made basis, for a period of seven (7) years after termination of this Agreement, professional liability (medical malpractice) insurance in a minimum amount of One Million Dollars (\$1,000,000.00) per occurrence and Three Million Dollars (\$3,000,000.00) annual aggregate."

Section B 4 subparagraphs a) and b) shall remain the same.

2. The parties acknowledge that PMHD is entering into an agreement with Clinicas to provide Covered Services at its El Centro clinic for PMHD.
3. Except as modified by this First Amendment, the other terms and conditions of the Agreement shall remain the same and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Healthcare Services Agreement as of the date first set forth above.

V.7. Resolution No. 14452: Second Amendment to Healthcare Services Agreement

BE IT RESOLVED that the Board approves the following agreement:

SECOND AMENDMENT TO
HEALTHCARE SERVICES AGREEMENT
Imperial Community College District and Pioneers Memorial Healthcare District

This Second Amendment to Healthcare Services Agreement is effective as of August 1, 2009, by and between Imperial Community College District ("ICCD") and Pioneers Memorial Healthcare District ("PMHD").

RECITALS

- A. Effective as of August 21, 2006, the Parties entered into a Healthcare Services Agreement ("Agreement") under which PMHD provides certain healthcare services for qualified students of ICCD ("Covered Services").
- B. The term of the Agreement expires as of July 31, 2009.
- C. The parties desire to extend the term of the Agreement and to change the compensation paid to PMHD thereunder.

NOW, THEREFORE, the parties agree as follows:

- 1. Section D is hereby revised in its entirety and will now provide as follows:

"D. Compensation. As compensation for the provision of the Services, ICCD shall pay PMHD an amount equal to (a) \$11.50 per Qualified Student for the fall and spring semesters, and (b) \$9.50 per Qualified Student for winter and summer sessions.

- a. During the term of this Agreement such compensation shall be payable within thirty (30) days following the commencement of the applicable semester and/or session during the term of this Agreement. Within thirty (30) days following the end of each semester and/or session, any appropriate adjustments to the compensation shall be made based on the actual census during each such semester and/or session.
 - b. ICCD shall retain an annual administrative fee of \$6,000 prior to payment to PMHD. Such administrative fee shall be secured during the fall semester annually."
- 2. Section E of the Agreement is hereby amended to provide that the term shall be extended commencing on August 1, 2009 and terminating on July 31, 2010.
 - 3. Except as modified by this Second Amendment, the other terms and conditions of the Agreement and First Amendment shall remain the same and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Second Amendment to Healthcare Services Agreement as of the date first set forth above.

V.8. Resolution No. 14453: Grant Deed

BE IT RESOLVED that the Board approves a Grant Deed conveying the following parcels to the County of Imperial, State of California for the purpose of facilitating the "Aten Road and Old County Road 111 Improvements" Project:

PARCEL "A":

THAT PORTION OF TRACT 84, T15S, R14E, SBM, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 84; THENCE NORTH 89°59'04" EAST, ALONG THE SOUTH LINE OF SAID TRACT 84, A DISTANCE OF 873.53 FEET; THENCE NORTH 00°00'56" WEST, A DISTANCE OF 19.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 19.00 FEET OF RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL BY RIGHT OF WAY DEED RECORDED JANUARY 21, 1976 IN BOOK 1383, PAGE 550 OF OFFICIAL RECORDS ON **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 00°00'56" WEST, A DISTANCE OF 53.00 FEET; THENCE NORTH 89°59'04" EAST, PARALLEL WITH SAID SOUTH LINE OF TRACT 84, A DISTANCE OF 154.71 FEET; THENCE SOUTH 00°00'56" EAST, A DISTANCE OF 22.20 FEET; THENCE SOUTH 89°47'17" EAST, A DISTANCE OF 381.94 FEET; THENCE NORTH 75°53'34" EAST, A DISTANCE OF 26.87 FEET TO THE EXISTING COUNTY RIGHT OF WAY LINE PER BOOK 1119, PAGE 128 OF OFFICIAL RECORDS TO AN ANGLE POINT IN SAID RIGHT OF WAY LINE; THENCE SOUTH 00°00'56" EAST, A DISTANCE OF 17.79 FEET TO AN ANGLE POINT IN SAID COUNTY RIGHT OF WAY PER BOOK 1119, PAGE 128 OF OFFICIAL RECORDS; THENCE SOUTH 89°59'04" WEST, A DISTANCE OF 96.93 FEET TO AN ANGLE POINT IN SAID COUNTY RIGHT OF WAY PER BOOK 1119, PAGE 128 OF OFFICIAL RECORDS; THENCE SOUTH 79°35'04" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 99.91 FEET TO A POINT ON THE NORTH LINE OF COUNTY RIGHT OF WAY PER BOOK 1383, PAGE 550 OF OFFICIAL RECORDS; THENCE SOUTH 89°59'04" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 367.51 FEET **TO THE TRUE POINT OF BEGINNING**.

SAID AREA CONTAINING 0.41 ACRES MORE OR LESS.

PARCEL "B":

THAT PORTION OF TRACT 84, T15S, R14E, SBM, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID TRACT 84 LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY LINE OF THAT RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL BY RIGHT OF WAY DEED RECORDED AUGUST 9, 1962 IN BOOK 1119, PAGE 128 OF OFFICIAL RECORDS AND LYING NORTH OF THE NORTH LINE OF THE SOUTH 19.00 FEET OF RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL BY RIGHT OF WAY DEED RECORDED JANUARY 21, 1976 IN BOOK 1383, PAGE 550 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT RIGHT OF WAY GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 21, 1969 IN BOOK 1284, PAGE 1150 OF OFFICIAL RECORDS.

SAID AREA CONTAINING 0.11 ACRES MORE OR LESS.

PARCEL "C":

THAT PORTION OF TRACT 84, T15S, R14E, SBM, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 84; THENCE NORTH 00°09'05" WEST, ALONG THE WEST LINE OF SAID TRACT 84, A DISTANCE OF 19.00 FEET TO THE A POINT ON THE NORTH LINE OF THAT RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL BY RIGHT OF WAY DEED RECORDED JANUARY 21, 1976 IN BOOK 1383, PAGE 550 OF OFFICIAL RECORDS AND **THE TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTH 00°09'05" WEST, ALONG SAID WEST LINE OF SAID TRACT 84, A DISTANCE OF 5.00 FEET; THENCE NORTH 89°59'04" EAST ALONG A LINE THAT IS 29.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACT 84, A DISTANCE OF 873.59 FEET; THENCE SOUTH 00°00'56" EAST, A DISTANCE OF 5.00 FEET TO A POINT ON SAID NORTH LINE OF THE 19.00 FEET RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL; THENCE SOUTH 89°59'04" WEST, ALONG THE SAID NORTH LINE OF THE 19.00 FEET OF RIGHT OF WAY GRANTED TO THE COUNTY OF IMPERIAL, A DISTANCE OF 873.58 FEET **TO THE TRUE POINT OF BEGINNING.**

SAID AREA CONTAINING 0.10 ACRES MORE OR LESS.

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

VI.1. Resolution No. 14454: Local agreement California State Preschool Program numbers CSPP-9111 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into local agreement California State Preschool Program numbers CSPP-9111 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education, and that Ed Gould, Ed. D. , Superintendent/President and Kathy Berry, Vice President for Academic Services are authorized to sign the transaction for the Governing Board.

VI.2. Resolution No. 14455: Local agreement General Child Care & Dev. Programs numbers CCTR-9057 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into local agreement General Child Care & Dev. Programs numbers CCTR-9057 project number 13-6315-00-9, for the fiscal year 2009-2010, with the California State Department of Education, and that Ed Gould, Ed. D. , Superintendent/President and Kathy Berry, Vice President for Academic Services are authorized to sign the transaction for the Governing Board.

VII. CLOSED SESSION

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

VIII. OPEN SESSION

1. Announcement of final action taken

IX. CONSENT AGENDA – HUMAN RESOURCES

IX.1. Resolution No. 14456: Modified Employment Contract for Superintendent/President

WHEREAS, the Superintendent/President's current total compensation package comprises an expense account, car allowance, doctoral stipend and base salary totaling \$205,600; and,

WHEREAS, the Board has agreed to provide a 3% increase of the former base salary and combine all compensation into a new base salary; and,

WHEREAS, the Board wishes to extend the term of the current contract as provided herein; therefore,

BE IT RESOLVED that the Board approves a contract for a period of four years beginning July 1, 2009 and terminating on June 30, 2013 with Dr. Ed Gould, as the Superintendent/President for the Imperial Community College District;

BE IT FURTHER RESOLVED that effective July 1, 2009, the Superintendent/President's annual base salary shall be \$211,150.

IX.2. Resolution No. 14457: Classified Management Service Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following individual as a part-time Classified Manager:

<u>Name</u>	<u>Position</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Gay, William	Director of Community and Media Relations Part-Time (50%)	District	1	August 1, 2009

IX.3. Resolution No. 14458: Part-Time Classified Management Position

WHEREAS, the Board of Trustees accepted an Administrator's request to exercise his retreat administrative rights (Board Resolution No. 14427);

WHEREAS, effective August 1, 2009, the Dean of Instruction position is considered unfilled and vacant;

WHEREAS, the Superintendent/President, after discussion with the Cabinet, recommends to the Board of Trustees to delete this administrative position;

BE IT RESOLVED, that as part of the District-wide reorganization process, the above mentioned position shall be replaced and re-advertised as follows:

<u>Position</u>	<u>Funding</u>	<u>Department</u>
Director of Evening College Part-time (50%)	District	Academic Services

IX.4. Resolution No. 14459: Full-time, Tenure Track, Academic Employment 2009-2010

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time, tenure track, academic personnel effective 2009-2010 academic year pending medical and background clearance:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Wells, Edward	Appropriate Classification and Step Contingent Upon Verification of Records	Administration of Justice Instructor/P.O.S.T. Coordinator
Chang, Eddie		Biological Sciences Instructor
Nelipovich, Jill		Mathematics Instructor
Cozzani, Alejandro		Physics/Mathematics Instructor

IX.5. Resolution No. 14460: Full-time, Categorically Funded, Academic Employment 2009-2010

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time (categorically funded), non-tenure track, academic personnel effective 2009-2010 academic year pending medical and background clearance:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Howell, Kevin	Appropriate Classification and Step Contingent Upon Verification of Records	Reading/ESL Instructor
Kitzmiller, Jill		Mathematics Instructor

IX.6. Resolution No. 14461: Full-time, Temporary, Academic Employment 2009-2010

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time, temporary, academic personnel for the fall 2009 Semester pending medical and background clearance:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Leming, Ann	Appropriate Classification and Step Contingent Upon Verification of Records	English as a Second Language Instructor

IX.7. Resolution No. 14462: Full-time, Temporary, Non Tenure Track, Categorically Grant Funded, Academic Employment 2009-2010

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reemploy the following full-time, temporary, non tenure track, categorically grant funded, academic personnel effective August 10, 2009 through September 30, 2009 to be extended through June 30, 2010 pending Department of Education approval and continued program funding:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Garcia, Martha	Appropriate Classification and Step Contingent Upon Verification of Records	Learning Support Specialist (ACCESO)

IX.8. Resolution No. 14463: 2009-2010 Athletic Assignments

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

Assistant Coach for Women's Softball: Jill Tucker
Volunteer Assistant Coach for Men's Baseball: Richard G. Guzman Jr.

IX.9. Resolution No. 14464: 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 2009–2010 Academic Year, at the hourly rate provided for in Resolution No. 14438. Employment is contingent upon verification of records, credentials, finger printing clearance and continued funding of the grant indicated, and approval of the program officer:

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

**Fiscal Impact: Pioneer’s Contract (Resolution No. 14452) from 2009-2010 will offset the District salary which is collected from the Student Health Fee.*

IX.10. Resolution No. 14465: Adjunct Instructor Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel during the fall 2009 session, at the hourly rate provided for in Resolution No. 14438. Employment is contingent upon verification of records, credentials, finger printing clearance and sufficient enrollment, or whether the class is essential to a full-time instructor’s load:

<u>Name</u>	<u>Possible Assignment</u>
Aguayo, Rodolfo	Political Science
Agundez, Rebecca	Nursing
Altamirano, Susan	English as a Second Language
Alvarado, Soto	Math
Alvarez, Anabelle	Psychology
Andrade-Encinas, Georgina	English as a Second Language
Apodaca, Joe	English
Arevalo, Jim	English as a Second Language
Arzaga, Michael	English as a Second Language
Ballard, Timothy	Political Science
Beckett, Phillip	English
Benavidez, Benny	Correctional Science
Benton, Michael	Physical Ed/Health Ed
Berker, Enola	Allied Health Profession
Brian, Bill	Legal Assistant
Bradshaw, David	Agriculture
Brock, Alison	Business/Accounting

Burch, Steven	Agriculture
Burris, David	Philosophy
Canchola, Guadalupe	Spanish
Canez, Carlos	Math
Capeci, Michael	Admin of Justice
Carson, Randall	English
Carvajal, Rosa	English as a Second Language
Castañeda, Nicole	Nursing
Castillo, Kelly	Math
Castro, Sandra	English as a Second Language
Cervantes, Carole	Nursing
Churchwell, Donald	Spanish
Colunga, Jr., Richard	Music
Contreras, Rafael	Physical Education
Cornejo, Frank	Water Treatment
Coronado, Petra	Nursing
Crawford, Myles	Math
Damelio, William	Electrical Trades
De Leon, Felix	Water Treatment
Dizon, Milagros	American Sign Language
Drescher, Jack	Electrical Trades
Driskill, Mitchell	Legal Assistant
Duarte, Carlos	Math
Escalera, Anthony	Physical Education
Estrada, Jorge	Art
Evers, Douglas	English as a Second Language
Felix, Ascencion	Admin of Justice
Ferguson, Douglas	Speech
Figuroa, Victor	Electrical Trades
Fimbres, Rogelio	Nursing
Fisher, Raenelle	History
Fletes, Marilu	English as a Second Language
Freitas, Linda	Art
Gaddis, David	Building/Construction
Gappinger, Mark	Electrical Trades
Garay, Jeronimo	Math
Garcia, Ana	Physical Education
Garcia, Alex	American Sign Language
Garcia, Federico	Human Relations
Garcia, Margie	English as a Second Language
Garcia, Maria I.	English as a Second Language
Garrie, Ronnie	Automotive
Germani, Gina	Journalism
Gonti, Carolina	Spanish
Gonzalez, Adrian	Computer Information Systems
Gonzalez, Gloria	Nursing
Gray, Ronette	Physical Education
Green, John	Emergency Medical Services/Fire Science
Green, Rebecca	Child Family & Consumer Science
Grivanos, Maria Luisa	Spanish
Gutierrez, Reyna	American Sign Language
Guzman, Manuel	English as a Second Language/Spanish
Hackett, Elaine	Nursing

Hansink, Pamela	Nursing
Herbert, Robert	Geography
Hernandez, Adrian	English as a Second Language
Hernandez, Jesus	Electrical Wiring
Hernandez, Porfirio	Math
Holdridge, Mary	Reading
Jacobson, Susan	Philosophy/Religious Studies
Jimenez, Javier	Electronics
Jimenez, Ricardo	Electronics
Jones, Azucena	Computer Information Systems
Jones, Shane	Computer Information Systems
Juarez, Arturo	Electrical Wiring
Ketchum, Monica	History
Khan, John	Art
Kofford, Brooke	Music
Knapp, Leslie	Admin of Justice
Krejci, Caroline	English
Kuschnik, Katarina	English as a Second Language
Landeros, Jose	Political Science
Lang, Dennis	Music
Lantzer, David	Fire Science
LaPena, Eva	Nursing
Lerno, Jill	Physical Education
Lewenstein, Jay	English
Loper, Amy	English
Lopez, Jacqueline	History
Lopez, Teresa	English as Second Language
Luna, Sylvia	Allied Health Profession
Macdonald, Andara	Speech
Machuca, Victor	English as Second Language
Macias, Claudia	Sociology
Magana, Angelica	English as a Second Language
Magos, Maria Rosa	Auto body/English as a Second Language
Maland, James	Electrical Trades
Marquez, Arturo	English as a Second Language
Marquez, Simon	Allied Health Profession
Mason, Jeff	Admin of Justice
Mello, Marjo	Library
Mendez, Armando	Administrative Justice
Mendoza, Liisa	American Sign Language
Messick, Steve	Admin of Justice
Monge, Antonio	Admin of Justice/Correctional Science
Montenegro, Jean	English
Moran, Santos	Math
Murray, Brian	Electrical Trades
Murray, Charlotte	Biology
Niebla, Eduardo	Chemistry
Nippins, Frederick	Fire Science
Olmedo, Jose B.	Art
Padilla, Jesus	English as a Second Language
Palacio, John	Physical Education
Palacios, Graciela	Nursing
Pascua, Darrol	Water Treatment

Pena, Francisco	Building/Construction
Perez, Jose	Automotive
Peterson, Randall	Electrical Trades
Ramirez, Carlos	Nursing
Ramos, Angelica	Physical Education
Reel, Rebecca	Speech
Riley, Edward	Child Family & Consumer Sciences/CPR
Rivera, Alfredo	Welding
Robinson, Andrew	Health Education
Rodiles, Nicole	Psychology
Rodriguez, Kathy	Admin of Justice
Rodriguez, Keila	English as a Second Language
Rolland-Druihet, Timothy	Psychology
Roman, Donanciano	Spanish
Roman, Jose	Electrical Wiring
Romero, Patricia	Nursing
Rosas, David	Math
Salas, Ramiro	Water Treatment
Saldana, Reyna	Allied Health Profession
Sanchez, Gerardo	Physical Education
Sanchez, Joaquin	Air Conditioning and Refrigeration Systems
Sanchez, Jose	English as a Second Language
Sanchez, Jose-Alfred	Electronics
Sanchez, Manuel	Water Treatment
Scott, Norma	Personal & Career Development
Scott, Robert	Fire Science
Serrano, Jesus	Admin of Justice
Shelton, David	Electrical Trades
Shiffer, Richie	English s a Second Language
Simon, Darren	English
Singh, Baldev	Agricultural
Singh, Joanne	English
Singh, Mike	Admin of Justice
Smith, Lisa	Computer Information Systems
Smith, Ruth	Music
Solomon, Benjamin	Speech
Soto, Veronica	Personal & Career Development
Spencer, Standlee	Electrical Wiring
Staton, Jack	Admin of Justice
Suarez, Velarmino	Math
Sullivan, Terrie	Allied Health Profession/Nursing
Sutton, Clifford	Electrical Trades
Swearingen, Michael	History
Taylor, Althera	Electrical Wiring
Thomas, Unneetha	Biology
Thomas, Darrin	Electrical Trades
Thompson, Arelys	Theatre
Tigert, John	Electrical Trades
Tirado, Xochitl	English
Tittle, Elizabeth	English as a Second Language
Tolegian, Elisabeth	Alcohol and Drugs Studies/Psychology
Torales-Acosta, Maria Elena	Spanish
Torres, Jesusa Adriana	English as a Second Language

Torres, Tim	English as a Second Language
Trejo, Lidia	Allied Health Profession
Valdez, Aida	Allied Health Profession
Varela, Ruben	Math
Vasquez, Melisa	Computer Information Systems
Veysey, Millie	Nursing
Villicana, Norma	Political Science
Viloria, Vicki	Business/Computer Information Systems
Walther, Kimberly	Math
Williams, Robert	Building/Construction
Williams, Steven	Geology
Wilson, Steve	Fire Science
Young, Patricia	Speech
Yturralde, Sonja	English
Zwart, Martin	Physical Education

IX.11. Resolution No. 14466: Non-Credit Adjunct Instructor Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel during the fall 2009 session, at the hourly rate provided for in Resolution No. 12945. Employment is contingent upon verification of records, credentials, finger printing clearance and sufficient enrollment, or whether the class is essential to a full-time instructor's load:

<u>Name</u>	<u>Possible Assignment</u>
Castillo, Raymond	American Citizenship
Castro, Monica	English as a Second Language
Delys, John	English as a Second Language
Ramirez-Dominguez, Rosalinda	English as a Second Language
Van Der Linden, Jennifer	English as a Second Language

IX. 12. Resolution No. 14467: 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 2009–2010 academic year, at the hourly rate provided for in Resolution No. 13819. Employment is contingent upon verification of records, credentials, finger printing clearance and continued funding of the grant indicated, and approval of the program officer:

<u>Name</u>	<u>Position</u>	<u>Funding</u>
Amesquita, Julie	Counselor Specialist	Federal
Avelar, Irma	Counselor Specialist	Federal
Cabrera, Hector	Counselor Specialist	Federal
Vasquez, Lorena	Counselor Specialist	Federal
Vizcarra, Margarita	Counselor Specialist	Federal

IX.13. Resolution No. 14468: Layoff of Classified Employee

WHEREAS, Article 17 of the CSEA collective bargaining agreement and Education Code sections 88117 authorize the District to layoff classified employees for lack of work and/or lack of funds upon forty-five (45) days prior notice; and

WHEREAS, the affected employee be granted re-employment rights pursuant to Ed Code Sections 88014, 88015, 88117, and 88127;

WHEREAS, termination of employment for this employee was based entirely on the lack of funds and it is in no way a reflection of the employees' work performance or abilities;

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to dismiss Juan Carlos Aguilar from his position of part-time, Student Services Representative effective August 21, 2009;

THEREFORE, BE IT RESOLVED that our gratitude is hereby extended to Juan Carlos Aguilar for his three (3) years of service and significant contribution he has made on behalf of the District.

IX.14. Resolution No. 14469: 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.

IX.15. Resolution No. 14470: Side Letter Agreement

BE IT RESOLVED that the Board approves the following Side Letter Agreement between the Imperial Community College District (District) and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association (Association).

WHEREAS, the District has been notified by the County of Imperial that the funding for this categorical program ceased on July 1, 2009 and;

WHEREAS, the elimination of this program subsequently led to the elimination of five temporary faculty positions with no displacement rights,

NOW, THEREFORE, it is agreed as follows:

1. That the District will maintain pay for these five faculty members until July 17, 2009 (as approved by the Board of Trustees on July 15, 2009).
2. The District will maintain current insurance benefits until the end of September 2009.
3. The District will offer limited reemployment privileges, to these employees only, as outlined below. This agreement is not meant to be used as precedent or extend any additional rights or privileges

to any previous, current, or future employees, other than the five individuals referenced in this agreement:

- a. Right of first refusal. Each affected faculty member will be notified of all counseling positions that become vacant and, if any of the affected faculty members meet the position qualifications, they will be rehired in that position. If more than one of these five requests to be rehired and are qualified, then seniority will determine who gets the position.
- b. These privileges will be extended for a period of up to 24 months (or until hired in a fulltime position). Affected faculty members may waive these rehire rights for a period of up to one year without losing the right to subsequent rehire offers.
- c. If rehired then the layoff period will not be considered a break in service but it shall not count towards STRS credit. Any probationary or tenure requirements shall apply.

IX.16. Resolution No. 14471: Volunteer Employment Approval

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ Dewi Castrapel as a volunteer Office Assistant who shall be covered by Workers' Compensation Insurance effective July 21, 2009.

BE IT FURTHER RESOLVED that thanks be hereby extended to Dewi Castrapel for her volunteering in the Human Resources Department and for her contribution to Imperial Valley College.

X. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD TUESDAY, SEPTEMBER 15, 2009*, AT 6:00 P.M.** in the **Administration Board Room located in Building 10.**

****Due to Final Budget***

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

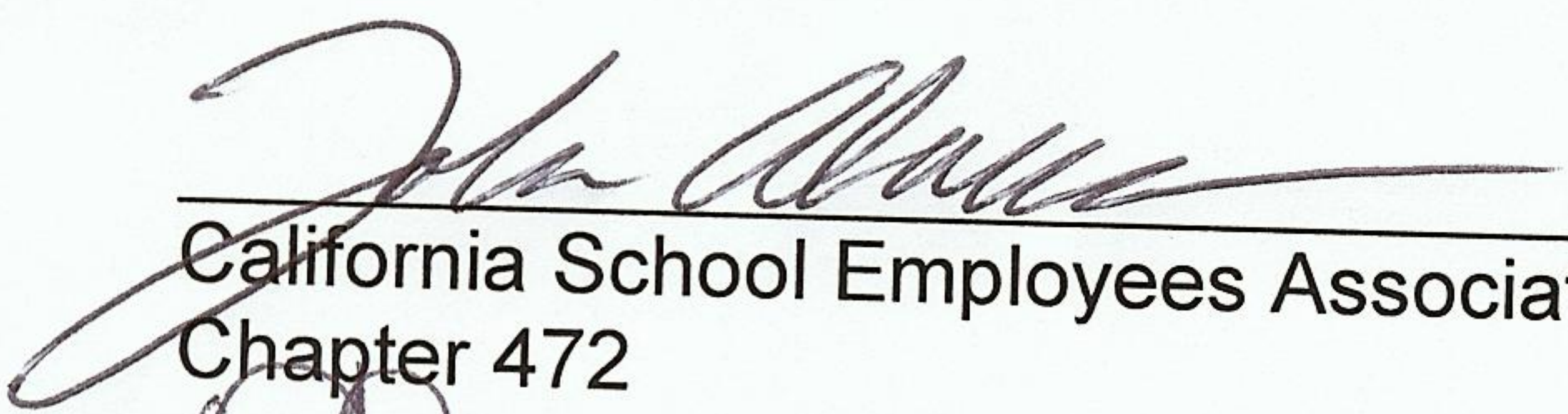
1. District to pay 100% of insurance premiums. Coverage to remain status quo.
2. Maintain current retiree health benefits.

III. ARTICLE 12.4: Vacation Accrual

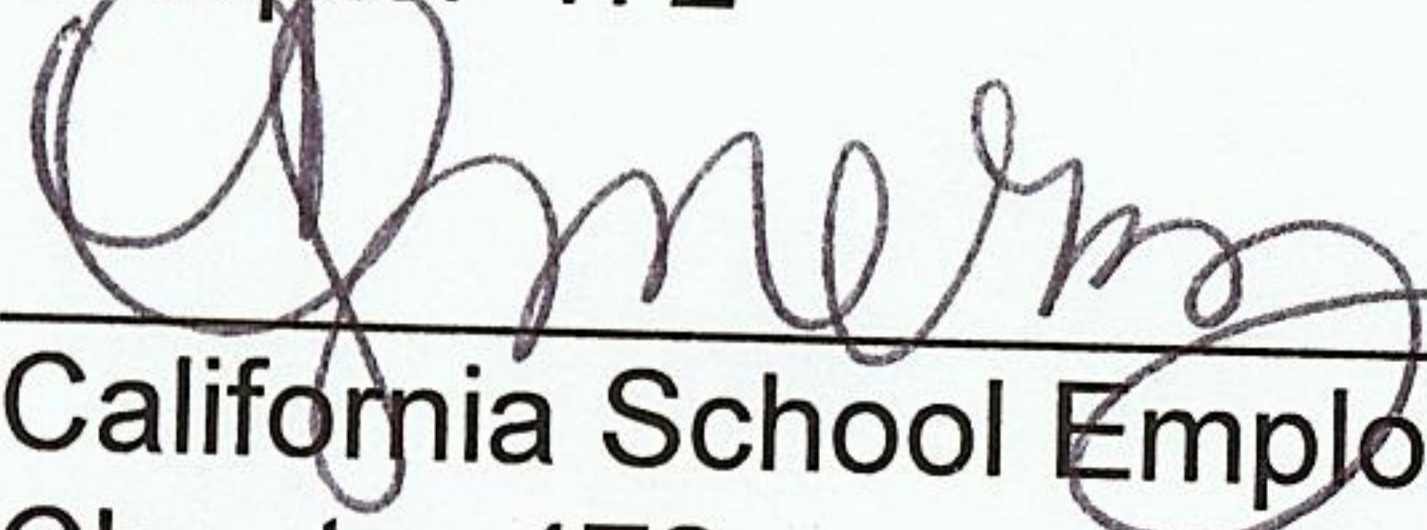
1. District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).

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

Side Letter Agreement

This Memorandum of Understanding is entered into between the Imperial Community College District (District) and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association (Association).

WHEREAS, the District has been notified by the County of Imperial that the funding for this categorical program ceased on July 1, 2009 and;

WHEREAS, the elimination of this program subsequently led to the elimination of five temporary faculty positions with no displacement rights,

NOW, THEREFORE, it is agreed as follows:

1. That the District will maintain pay for these five faculty members until July 17, 2009 (as approved by the Board of Trustees on July 15, 2009).
2. The District will maintain current insurance benefits until the end of September 2009.
3. The District will offer limited reemployment privileges, to these employees only, as outlined below. This agreement is not meant to be used as precedent or extend any additional rights or privileges to any previous, current, or future employees, other than the five individuals referenced in this agreement:
 - a. Right of first refusal. Each affected faculty member will be notified of all counseling positions that become vacant and, if any of the affected faculty members meet the position qualifications, they will be rehired in that position. If more than one of these five requests to be rehired and are qualified, then seniority will determine who gets the position.
 - b. These privileges will be extended for a period of up to 24 months (or until hired in a fulltime position). Affected faculty members may waive these rehire rights for a period of up to one year without losing the right to subsequent rehire offers.
 - c. If rehired then the layoff period will not be considered a break in service but it shall not count towards STRS credit. Any probationary or tenure requirements shall apply.

Executed this 29 day of July, 2009, at Imperial California.

IMPERIAL COMMUNITY COLLEGE DISTRICT

By _____

Dr. Ed Gould

IMPERIAL VALLEY CHAPTER OF CCA/CTA/NEA

By _____

Suzanne Gretz