



AGENDA

IMPERIAL VALLEY COLLEGE COUNCIL

Monday, March 28, 2011 – 2:30 P.M.
Administration Building Board Room

MEMBERSHIP

Taylor Ruhl, Administrative Representative
Sergio Lopez, Administrative Representative
Alfredo Cuellar, Administrative Representative
Jan Magno, Alternate Administrative Representative
Ted Ceasar, Alternate Administrative Representative

Michael Heumann, Faculty Representative (Chair)
Kevin White, Faculty Representative
Martha Garcia, Faculty Representative
Vacant, Alternate Faculty Representative

Laura Hartsock, Classified Representative
Miriam Trejo, Classified Representative
Michael Boyle, Classified Representative
Marilyn Boyle, Alternate Classified Representative
Matthew Thale, Alternate Classified Representative

Jessica Waddell, CMCA Representative (Vice Chair)
Martha P. Garcia, Alternate CMCA Representative

Joe Trejo, Student Representative
Daniel Bermudez, Student Representative
Jesus Gallegos, Student Representative
Mitchell Vasquez, Alternate Student Representative

Dr. Ed Gould, Ex Officio

Recording Secretary: Paula Saldana

MEMBERSHIP CHANGES

PUBLIC COMMENT

APPROVAL OF MINUTES DATED MONDAY, MARCH 14, 2011

AREA REPORTS/UPDATES

College Council Report
Measure J and L Report
Program Review Update
Budget Update/Financial
ASG President Update
President's Update

COMMITTEE REPORTS

- Academic Senate
- Budget and Fiscal Planning Committee
- Environmental Health & Safety Committee
- Facilities and Environmental Improvement Committee
- Marketing Committee
- Policy & Procedure Committee
- Staffing Committee
- Student Affairs Committee
- Technology Planning Committee

DISCUSSION AND INFORMATION ITEMS

1. Honorary Degrees for June, 2011 – Dr. Victor Jaime (Attachment A)
2. AP 3290 Institutional Review Board – Dr. Victor Jaime (Attachment B)
3. BP 3290 Institutional Review Board – Dr. Victor Jaime (Attachment C)
4. AP 5075 Course Adds and Drops – Jan Magno (Attachment D)
5. Naming of the Art Gallery

ACTION ITEMS

1. Recommendation from College Council to Superintendent/President for the Naming of the Art Gallery as:

- Option 1: Juanita Salazar Lowe Art Gallery
- Option 2: Domingo O. Ulloa Art Gallery
- Option 3: Refer both names to the President and the Board for final determination

This recommendation includes the naming of the pavilion as: Centennial Pavilion

2. Election of College Council Chair

ADJOURNMENT

**2010-2011 College Council Meeting Schedule
at 2:30 p.m. in the Board Room**

2011	
April 11	June 13 & 27
May 9 & 23	

Overload rate for 177-day members

MINUTES



MINUTES

IMPERIAL VALLEY COLLEGE COUNCIL

Monday, March 14, 2011 – 2:30 P.M.
Administration Building Board Room

College Council Vice Chair Jessica Waddell called the meeting to order at 2:36 p.m.

Council members in attendance were as follows:

Taylor Ruhl, Administrative Representative
Alfredo Cuellar, Administrative Representative
Jan Magno, Alternate Administrative Representative
Ted Ceasar, Alternate Administrative Representative

Kevin White, Faculty Representative

Miriam Trejo, Classified Representative
Michael Boyle, Classified Representative
Marilyn Boyle, Alternate Classified Representative
Matthew Thale, Alternate Classified Representative

Jessica Waddell, CMCA Representative (Vice Chair)

Dr. Ed Gould, Ex Officio

Recording Secretary: Paula Saldana

Council members not in attendance were as follows:

Sergio Lopez, Administrative Representative
Michael Heumann, Faculty Representative (Chair)
Martha Garcia, Faculty Representative
Laura Hartsock, Classified Representative
Martha P. Garcia, Alternate CMCA Representative
Joe Trejo, Student Representative
Daniel Bermudez, Student Representative
Jesus Gallegos, Student Representative
Mitchell Vasquez, Alternate Student Representative

MEMBERSHIP CHANGES

Alternate Administrative Representative Jan Magno stated she was present on behalf of Member Sergio Lopez.

Classified Representative Michael Boyle stated Matthew Thale was present on behalf of Member Laura Hartsock.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES DATED MONDAY, FEBRUARY 28, 2011

M/S/C Miriam Trejo/Michael Boyle to approve the Minutes of February 28, 2011.

AREA REPORTS/UPDATES

College Council Report

Vice Chair Waddell reported it was decided at the last College Council meeting that nominations and voting for the College Council Chair would take place on March 28th.

ASG President Update

Member Miriam Trejo stated the ASG representatives were attending the "March in March" event in Sacramento. She reported that sign-ups were being taken for the "Hands Across California" event in April.

Program Review

Vice President for Academic Services Kathy Berry was not present at the meeting. Dean Tina Aguirre reported the following:

- The deadline for the Comprehensive Program Reviews has been extended to March 31st. She stated three of the reviews on the instructional area had been completed; the remaining were near completion.

Dr. Gould stated the reviews for the non-instructional area were 80% complete.

President's Update

President Gould reported the following:

- Announced recent budget discussions which included the governor calling for a Congressional District 36 election for May 17th. If this occurs, it is likely the governor would not call a special election for the tax extension.
- Agreed with Academic Senate to make the three new dean contracts one-year contracts, and not two-year contracts. This would give the Senate and institution an opportunity to re-evaluate the effects of the reorganization.

COMMITTEE REPORTS

Academic Senate – Kevin White

- He attended the Advocacy and Policy Conference on March 6th and 7th in Sacramento.
- On March 7th, they met with different assembly member and senators.
- He attended the CIB conference in Irvine.
- Academic Senate is compiling a survey for faculty to include questions regarding the reorganization and dean structure.
- Academic Senate is holding elections next month for new officers for the next year.
- A committee list was sent out to faculty regarding openings in the various committees. He has received responses from faculty expressing interest in committee memberships.
- Academic Senate and ASG will be having an event for the Cesar Chavez holiday, which would include a documentary, speaker, food, and games.

Environmental Health & Safety Committee

Vice Chair Waddell stated the committee would be meeting next Thursday.

Policy & Procedure Committee

Dean Jan Magno reported the committee met last week and discussed changes to an administrative policy. She stated the proposed policy changes would be brought to the College Council in the future.

Student Affairs Committee

Classified Representative Miriam Trejo reported the following:

- The committee met last week and heard a student appeal.
- The committee's consensus was not to have a commencement speaker this year.

Facilities and Environmental Improvement Committee

Dean Jan Magno reported the committee would be meeting next Monday at 3:00 p.m.

Technology Planning Committee

Dean Taylor Ruhl announced the committee met last week and discussed expansion of the wireless network.

DISCUSSION AND INFORMATION ITEMS

1. Legal Counsel's Opinion related to the Naming of the Art Gallery

Vice Chair Waddell read aloud the legal opinion given by legal counsel:

As I understand it, the request to name the building for Juanita Lowe began in 2008 when she was still alive. The matter had been "tabled" since that time until her recent death. AP 6620 allows for a one year period from request to final decision so that there was ample time to make a decision on the request for Mrs. Lowe while she was alive. Unfortunately your procedure is silent on what happens to a pending application if the proposed honoree dies during the pendency of the application. Given the length of time that has transpired, and the obligation to treat this matter in the fairest manner possible, it is my opinion that the pending request for Mrs. Lowe should be treated as one to honor a living person and that the matter should proceed for consideration.

I also am given to understand that a request has been made to grant this honor to Domingo Ulloa. The most reasonable way to handle this would be to simultaneously process these requests. Obviously, this is a Board decision and the Board should be able to consider the merits of honoring each or perhaps both of these worthy people when they come to make a decision. Frank Oswalt, 3/1/11

Discussion was held regarding the opinion.

Executive Assistant Vikki Carr stated information submitted to the Campus Operations Committee on behalf of Juanita Lowe and Domingo Ulloa would be forwarded to the Council for review.

Dr. Gould advised the Council that the County Centennial Committee had donated \$50,000 towards the construction of the art gallery; therefore, the Centennial name would also need to be included. Dr. Gould stated current policy for naming buildings needed to be re-evaluated.

He believes the policy should have limitations and require fundraising for the institution. He stated neither group had raised money toward the art gallery and challenged both groups to do so.

Council Member Michael Boyle expressed his opinion that the name should include both nominees.

Dr. Gould stated that would probably be his recommendation to the Board. He stated it is ultimately the Board's decision but the College Council has a right to give input and make a recommendation to the President.

Questions were raised regarding how the item would be addressed at the next College Council meeting.

Dr. Gould stated the motions would be untabled and open for discussion and/or further action.

ACTION ITEMS

None.

ADJOURNMENT

Vice Chair Waddell adjourned the meeting at 3:05 p.m.

DISCUSSION AND INFORMATION ITEMS

Attachment A

WHEREAS, when President Franklin Delano Roosevelt signed Executive Order 9066 in February 1943, over 120,000 Americans of Japanese ancestry were forcibly removed from their homes and communities, sent to remote internment camps, and denied all constitutional rights. Sixty-two percent of these men, women and children were American-born citizens who were Nisei (second generation Japanese Americans) or Sansei (third generation Japanese Americans), and;

WHEREAS, in 1941, 2,567 Japanese American students were enrolled in California's higher education institutions, both public and private, and;

WHEREAS, records from the California Nisei College Diploma Project asserts that more than 1,200 Nisei students attended 44 junior and community colleges during the academic term immediately prior to Executive Order 9066, and;

WHEREAS, California Governor Schwarzenegger signed into law on October 2009, Assembly Bill 37 authored by Assemblymember Warren T. Furutani, which provides for our institutions of higher education in California, including community colleges, to award honorary degrees to Japanese American college students who were forcibly evacuated from their homes in 1942, interned in government camps, and as a result, were unable to complete their education, and;

WHEREAS, the California Community College Chancellor's Office has identified 3 individuals who were enrolled in either Brawley Junior College or Central Junior College during 1941-42 or were planning to attend those institutions when Executive Order 9066 was signed by President Franklin Delano Roosevelt in February, 1942;

NOW THEREFORE BE IT RESOLVED, that the Board approves the recommendation of the Superintendent/President to confer an Honorary Associate Degree to the following individuals:

Saburo Aisawa

Akira (Joe) Aisawa

George Matsumoto

Hiroshi Kawashima

AP 3290 Institutional Review Board

Purpose

This policy establishes procedural guidelines for the use of human subjects in grant-funded research activities. It is the institution's responsibility to comply with applicable Federal Regulations; protect the rights, well-being and personal privacy of individuals; assure a favorable climate for the conduct of academic-oriented inquiry; and, protect the interests of Imperial Community College District

Procedures

1. Any principal investigator related to Imperial Valley College (as defined below) who engages in scholarly research involving human subjects, either on- or off-campus, must apply to the Institutional Review Board (IRB) for approval of the research. Such approval must be obtained before undertaking the research. Individuals who meet the definition of a "principal investigator" must apply for approval from Imperial Valley College's IRB even if their research has been approved by another institution's or organization's IRB.

Under this policy, the following individuals are considered to be principal investigators:

- Imperial Valley College faculty and staff,
- Imperial Valley College faculty who are on leave, and who are conducting grant-funded research involving human subjects either at Imperial Valley College, with grant funds administered by Imperial Valley College, or with Imperial Valley College Students.
- Researchers not affiliated with Imperial Valley College who are conducting primary research with human subjects on campus. These unaffiliated researchers include visitors to the campus and off-campus scholars engaged in human subjects research on campus. While at Imperial Valley College, these individuals may, through the courtesy of an on-campus liaison, conduct IRB-approved research on human subjects. The liaison should provide the visitor with appropriate institutional forms including this Policy, and assure that the forms are sent to the Board before the research is undertaken.

2. No grant-funded research activity involving human subjects shall be undertaken unless an IRB has reviewed and approved such activity. This review shall determine whether the activity/research design will adequately protect the rights and welfare of such subjects.
3. Renewal petitions
Projects eligible for continued funding beyond the duration of the initial project award are subject to renewal application review. Projects for which scope of work or activities that involve human subjects change substantially during the project are also subject to renewal application review.
4. Minimum Risk Proposals - Expedited Review
Research activities which involve no more than minimal risk and in which the only involvement of human subjects as outlined below may be reviewed and approved by the IRB through its expedited review procedure. Under this procedure, the IRB review may be carried out by the chairperson of the board, or, in the chairperson's absence, by a member of the board designated by the chairperson. In reviewing research under this procedure, the reviewer may not disapprove the research. A research activity can only be disapproved after review by the full Board.

The following activities shall be eligible for expedited review:

- Minor changes in previously authorized research during the period for which approval is authorized.
- Research involving survey or interview procedures where all of the following conditions occur:
 - Responses are recorded in such a manner that human subjects cannot be identified, directly or through identifiers linked to the subjects.
 - The subject's responses, if they become known outside of the research, would not place the subject at risk of civil or criminal liability or be damaging to the subject's financial standing or employability.
 - The research does not deal with sensitive aspects of the subject's own behavior, such as illegal conduct, drug use, sexual behavior, or use of alcohol, and is not likely to cause the subject undue stress, fatigue, or any other psychological reactions.
 - The research proposal makes adequate provision for obtaining the informed and voluntary participation of subjects.

If, in the reviewer's judgment, the proposal goes beyond the criteria for expedited review, it shall be subject to full board review and approval. The chair shall provide to the IRB summaries of research proposals certified through expedited review procedures and copies of review disposition letters to investigators.

All other cases require a full board review.

Institutional Review Board

1. The purpose of the IRB is to conduct initial and continuing reviews of projects that involve the use of human subjects in accordance with the policy.
2. The IRB board will be composed of five members: the Vice-President for Student Services, the Dean of Counseling, the Director of Institutional Research, one Instructional Dean, and two members of the faculty from different academic divisions of the college and one member of the greater Imperial County community not affiliated with the college appointed by the Superintendent/President of Imperial Valley College to serve one to three-year terms to insure that the review board is sufficiently qualified through the diversity, maturity, experience, and expertise of its members for its advice and counsel to safeguard the rights and welfare of human subjects. The Vice-President for Student Services will serve as chair.
3. In the event that a conflict of interest arises with a member of the IRB related to a project under review, the member will not participate in the review process for that project.
4. The review board will be guided by and operate in compliance with applicable sections of Title 45, CFR, Part 46, Protection of Human Subjects, June 23, 2005.
5. The IRB will accept petitions for review from principal investigators at any time and will return decisions within twenty (20) working days. Decisions will be in writing. To be eligible for review, petitions for review will contain the following information:
 - Name of Principal Investigator with e-mail address and telephone number with signature and date.
 - Name of Co-Principal Investigators with e-mail addresses and telephone numbers.
 - Administering division or department of project.

- Project duration.
- Project title.
- Funding Agency and Proposal ID number (if applicable).
- Statement addressing real or potential conflict of interest.
- Indication of whether or not the project may be exempt from full board review.
- Brief statement of how human subjects are to be involved in the project.
- Project summary.
- Copy of the grant proposal.

The following types of projects are exempt from IRB review: data gathered for the purposes of fundraising; market research for the purposes of admissions recruiting; recruiting efforts for faculty or staff; and statistical data collected for the management of institutional affairs, including surveys of students, prospective students, and alumni. Please note that a project that does not clearly fall into one of these categories should be brought to the IRB Chair for a determination of whether it is exempt. **The determination as to whether a project is exempt from Board review cannot be made by the principal investigator(s) themselves.**

Adopted on XX-XX-2011

**Petition to Conduct Research
On Involving Human Subjects**

Name of Principal Investigator _____ Phone # _____
e-mail address _____

Name of Co-Investigator _____ Phone # _____
e-mail address _____

Name of Co-Investigator _____ Phone # _____
e-mail address _____

Project Duration: _____

Project Title: _____

Funding Agency & Proposal ID Number (if any) _____

Conflicts of interest: Investigators

Do _____ or Do not _____ have a real or potential conflict of interest.

Does this project meet condition (a) or (b) outlined below that will make it exempt from full board review? Yes _____ No _____

- a. Minor changes in previously authorized research during the period for which approval is authorized.
- b. Research involving survey or interview procedures where all of the following conditions (Common Rule Section 101 subsection b) occur:
 - Responses are recorded in such a manner that human subjects cannot be identified, directly or through identifiers linked to the subjects.
 - The subject's responses, if they become known outside of the research, would not place the subject at risk of civil or criminal liability or be damaging to the subject's financial standing or employability.
 - The research does not deal with sensitive aspects of the subject's own behavior, such as illegal conduct, drug use, sexual behavior, or use of alcohol, and is not likely to cause the subject undue stress, fatigue, or any other psychological reactions.
 - The research proposal makes adequate provision for obtaining the informed and voluntary participation of subjects.

Brief statement of how human subjects are involved in the project:

Is Project summary attached? Yes _____ No _____

Is Project proposal attached? Yes _____ No _____

Principal Investigator signature: _____ Date: _____

**Imperial Valley College
Institutional Review Board Decision Letter**

The Institutional Review Board (IRB) has completed its review of the following project:

Principal Investigator: _____

Project Title: _____

Funding Agency: _____

Proposal Number (if applicable) _____

The determination of the board is that:

_____ This project **complies** with the institution's Policy and Procedures regarding use of human subjects in a grant-funded research project (Common Rule Section 101 subsection b). The project may be conducted as planned subject to continuing review as outlined in the IRB's procedures.

_____ This project **does not comply** with the institution's Policy and Procedures regarding use of human subjects in a grant-funded research project. Concerns of the IRB are outlined in an attached document. The Principal Investigator has the right to modify and re-submit the proposal for another review.

Chair, Institutional Review Board

Date

BP 3290 Institutional Review Board

An Institutional Review Board shall be established by Imperial Community College District to review and approve project proposal, and conduct periodic review of research involving human subjects. The primary purpose of such review is to assure the protection of the rights and welfare of the human subjects.

Administrative procedures shall be established to describe the purpose, procedures, composition of the Institutional Review Board, and the disposition of the review.

Adopted on xx-xx-xx

AP 5075 Course Adds and Drops

Reference:

Title 5, Sections 55024, 58004

Specific procedures for adding and dropping classes are established by the Admissions and Records Office under the guidance of the ad hoc Enrollment Operating Committee. They are consistently adapted to accommodate new technology, student and faculty needs and are published each semester in the Class Schedule.

Adding Classes

Students may add classes through the registration period which will end before census. After the deadline to register, requests for exceptions must be made by the student and include the approval of the instructor. Approval or denial of the request is the responsibility of the Chief Admissions and Records Officer or his/her designee. Procedures and decision-making will be coordinated with the Vice President of Academic Services and may require his/her signature.

Dropping Classes

No notation will be made on students' records for courses dropped prior to census for the course.

Students may drop (withdraw from) full-term courses up to 75% of the term, or short-term courses up to 75% of the length of the course. Symbols of W shall be recorded for courses dropped on census day through the 75% date.

- Deadline to drop without owing fees and/or be eligible for refund – the last instructional day prior to census which is the first instructional day of the 3rd week of the term.
- Deadline to drop without receiving a mark of W – the last day prior to census.
- Deadline to drop with a W – 75% of the length of the course or 12th week.

Actual dates associated with these deadlines will be published each term to insure that instructors and students have ample time to comply with these mandatory deadlines.

Instructors are required to clear their rosters of inactive enrollment as of census. Inactive enrollment in a course is defined as the following:

As of each census day, any student who has

- (1) Been identified as a no show, defined as a student who fails to attend the first class meeting. For online classes, it is a student who fails to complete the initial required activity,

OR

- (2) Been dropped for excessive absences, defined as a student whose continuous, unexcused absences exceed the number of hours the class is scheduled to meet per week. Online courses will substitute required activities for absences/class meetings.

An instructor may drop a student after census and up until the final drop deadline (75% of the course) if the student has excessive absences and is no longer participating in the class as long as

said procedures are specifically noted in the class syllabus. However there is no responsibility on the part of the instructor to do so.

Students who no longer wish to participate in class are responsible for dropping themselves using the online registration system. Specific instructions and deadlines are listed each term in the Class Schedule.

Administrative withdrawals/drops after the last day to drop may be requested by students for extenuating circumstances beyond their control which prevented them from dropping on time using the petitioning process available in the Admissions and Records Office.

Short-Term Classes

Enrollment procedures for short-term classes are the same as for regular classes. Deadlines are set in accordance with the California Education Code. Registration will end the day before census. Drop deadlines are as follows:

- Deadline to drop without owing fees and/or be eligible for refund – 10% of the length of the course.
- Deadline to drop without receiving a mark of W – 18% of the length of the course.
- Deadline to drop with a W – 75% of the length of the course.

Maximum Number of W Symbols

Students may not earn more than four symbols of W in any single course. They will be blocked from registering after three Ws have been earned and will be required to petition to take the course a fourth time. If more than 4 W's are earned due to extenuating circumstances, apportionment will not be claimed for attendance.