

**IMPERIAL COMMUNITY COLLEGE DISTRICT
Board of Trustees Special Meeting, 6:00 P.M.
Wednesday, March 7, 2012
UNADOPTED MINUTES**

1. INFORMATION TO THE PUBLIC

Information: 1.1 Information to the Public

Board President Cardenas called the meeting to order at 6:01 p.m.

Board President Cardenas announced the following CHANGES TO THE AGENDA:

CALL TO ORDER

- Trustee Wong is absent due to being out of the country and sends his apologies to the Board.
- Trustee Medina is absent due to a death in the family and sends his apologies to the Board.
- ASG Senator Alberto Izzarraz will be sitting in for ASG President Daniel Bermudez.

HUMAN RESOURCES

Item 13.2, Resolution No. 15288: Faculty Non-Tenure Rehire List

Add the following people to the list:

Name Project Position Funding Source Time Frame

Bennett, Caroline Math Lab Tutorial Specialist State 07/01/11-06/30/12

Howell, Kevin Reading/ESL Instructor State 08/17/11-05/11/12

Item 13.6 Resolution No. 15292: Volunteer Agreements

Steven Sciaky's effective date should be noted as 03/6/12 – 06/30/12, not 02/23/12 – 02/23/12.

2. CALL TO ORDER

Procedural: 2.1 Roll Call by Secretary

Secretary Jaime announced roll call.

Present:

District 2 Karla A. Sigmond

District 3 Jerry D. Hart

District 4 Rudy Cardenas, Jr.

District 5 Norma Sierra Galindo

District 7 Steven M. Taylor

Associated Student Government Representative – Alberto Izzarraz

Academic Senate Representative – Eric Lehtonen

College Council Representative – Jessica Waddell

Absent:

District 1 Louis Wong

District 6 Romualdo J. Medina

Procedural: 2.2 Pledge of Allegiance

Trustee Hart led the Pledge of Allegiance.

3. PUBLIC COMMENT**Information: 3.1 Instructions to the Public**

CTA President Finnell announced CTA supports item 4.1, Resolution No. 15270 which grants tenure to eleven faculty members. She stated CTA supports the recommendation of the Ad Hoc Reorganization Committee for the reduction of three deans. She stated CTA supports Resolution No. 15271 Support of Governor's Tax Initiative. She stated she was disappointed that funding had not been confirmed for three categorically funded members under Resolution No. 15290. She asked that the District make every effort to obtain the funding. She stated that faculty members are present in support of IVC and students. She stated it was imperative that IVC find solutions to the budget crisis. She stated it was important to eliminate all non-essential expenses when possible.

CTA Vice President Lisa Solomon spoke and stated that over the last few days she has had a number of conversations with former and current students regarding their future and is in favor of eliminating positions. She stated that former President Gould had stated that a review of the reorganization be conducted. She urged for administrative reductions.

CSEA Campus Public Relations Officer Yethel Alonso spoke and stated she wanted the Board aware that classified staff have been reduced by over 15%, which is equivalent to 21 classified employees.

CSEA Site Coordinator Laura Hartsock stated CSEA is showing their concern of what is going on at IVC and stated they understand that the Board's position should be that of Strategic Planning with careful consideration and asked they do not count on past practices. She encouraged Board Members to share their concern, involve employees, and be transparent. She stated CSEA is willing to come to the table and all have the desire to contribute to keep IVC afloat.

Full Time Faculty Member Mary Lofgren spoke and stated she supports going forward with the proposed reorganization with three deans. She stated that former President Dr. Gould assured the campus it would be cost neutral and stated that after two years it has proven to be neither cost neutral or effective. She stated she could not support the current administrative structure.

Full Time Faculty Member Eric Jacobson spoke and recommended specific things in terms of saving monies and ways to increase revenues.

Full Time Faculty Member Frances Beope spoke and supported the reduction of the two current probationary deans. She provided recommendations for consideration.

Professor Emerita of 2009 Alicia Ortega spoke and stated she spoke as a taxpayer and wants IVC to be a viable institution and spoke regarding dean changes.

Student Cesar Negrete spoke and stated there was a need for change in leadership and stated he felt IVC was top heavy.

Full Time Faculty Member, IVC Alumni, and Taxpayer Krista Bryd stated she recognizes the

hard decisions that need to be made and she stated she has her education to fall back on; however, the ones that would hurt are the students because they do not have their education.

Student Beatriz Groggins spoke in favor of keeping IVC open and asked for consideration to have a future for children.

Comite Civico del Valle Representative Luis Olmedo spoke in favor of keeping Dean Dr. Alfredo Cuellar.

Student Cesar Negrete thanked Dean Dr. Alfredo Cuellar for his help.

Professor of History Mary Jo Wainwright spoke and stated she feels she is serving a purpose at IVC. She stated that the students take the brunt of the budget cuts. She stated the budget needs to go through line by line.

Resident of Calexico, former IVC student, and Calexico Board Member Gloria Romo spoke in favor of keeping Dean Alfredo Cuellar. She provided her recommendations for cuts.

Anita Niklan asked the reasons for IVC having so many vice presidents. She stated she submitted a letter at the last meeting and had not heard a response. She stated she supports keeping Dean Dr. Alfredo Cuellar.

Student Gil Gomez spoke in favor of keeping Dean Dr. Alfredo Cuellar. He stated he supports Trustee Galindo.

Counselor Frances Beope spoke regarding the reduction of access to students. She stated that with the reduction of students, there will be a reduction in staffing patterns. She stated the reductions being made with deans are not racial or discriminatory.

Retired Professor J.R. Pendley spoke regarding the financial issues of IVC. He stated he feels there is a disconnect and spoke to those present about becoming more involved.

Student Caroline Barniya spoke regarding access to classes, her major, and asked questions related to administration salaries.

Full Time Student Cecilia Carr spoke and stated she was graduating with five AAs and spoke regarding access to classes.

Full Time Student Gustavo Cortez spoke in favor of doing whatever needs to be done so that IVC is working properly stating that students need and depend on it.

Calexico resident Aaron Garcia spoke about efficiencies at IVC.

Full Time Student Michelle Zinn spoke regarding the lack of classes at IVC. She stated Dean Brian McNeece is one person that helped her out personally.

Full Time Faculty Member, IVC Alumni, and Community Member Martha Garcia spoke and stated she was advocating for the students, for the community, and for their opportunities. She requested that everyone work together to find solutions to the current budget crisis to continue

providing quality education to students and stated they deserve it.

Assembly Member Representative Rebecca Terrazas-Baxter spoke on behalf of Assembly Member Manuel Perez. She stated he understands the constraints; however, expressed support for Dean Dr. Alfredo Cuellar and asked for more community engagement.

Full Time Faculty Ed Wells spoke in favor of the technical trades and stated his willingness to work with the Board.

4. TENURE

Action: 4.1 Resolution No. 15270: Tenure

Vice President Berry presented a certificate to newly tenured faculty members that were able to attend.

Motion by Norma Sierra Galindo, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

5. INFORMATION REPORTS

Report: 5.1 Board Member Reports

Trustee Taylor reported the following:

- ∨ A Powwow was held recently and thanked all who attended.
- ∨ Thanked everyone for attending.

Trustee Sigmond reported the following:

- ∨ Let the public know that the Trustees, Staff, Vice Presidents, and President are all here for the students and stated they are going to do their best to get through this hardship.

Trustee Hart reported the following:

- ∨ Attended SDICCCA and the CCCT meetings.
- ∨ Funding is affecting all of the colleges. He stated other colleges are as concerned as IVC is and stated that unfortunately, IVC does not have the reserves that other colleges have.
- ∨ Discussed the TAG agreements and stated that for first time the University of California San Diego has done away with the agreement.
- ∨ Discussed accreditation and are concerned the budget will affect accreditation.
- ∨ Was invited and attended the California Teachers Association Board Member Appreciation Dinner.
- ∨ When it comes to the finances in California, he stated he could not answer some of the questions that were being asked but stated the Trustees were going to do their best to make sure that the college is moving ahead in the best direction possible.

Trustee Galindo reported the following:

- ∨ Thanked everyone for being participatory and the Academic Senate in their cohesiveness and solidarity. She stated she was proud of them in the battles they are fighting.

Trustee Cardenas reported the following:

- ~ Attended the California Teachers Association Board Member Appreciation Dinner.

Report: 5.2 Associated Student Government Update by ASG President Daniel Bermudez
ASG Senator Alberto Izzarraraz reported the following:

- ~ Applications are being accepted to run for president and for senators.
- ~ Presidential debates will take place on March 27th, deadline is March 13th.
- ~ History Professor Ms. Gretz is helping coordinate Women's History Month for March 20th.
- ~ Cesar Chavez celebration will take place on March 29th with a file "Fight in the Fields."
- ~ A message has been left with Senator Vargas to speak to the students.
- ~ A message has been left with Assembly Member Manuel Perez's Office to invite him to speak to students.

Report: 5.3 Academic Senate Update by AS President Eric Lehtonen

Academic Senate President Eric Lehtonen reported the following:

- ~ Senate met February 29th and March 7th.
- ~ Voted unanimously for College Hour from 11:50 a.m. to 1:50 p.m. He stated this would have as few classes in session to foster community activity and will be implemented this coming fall.
- ~ Voted on many changes in the Senate By-Laws. Will go to faculty for vote.
- ~ Voted for three resolutions that he asked be entered into the record as follows:

SENATE RESOLUTION 1

WHEREAS, the Academic Senate of Imperial Valley College approved a motion on 7 December 2011 to bring to the Re-Org Ad Hoc Committee an administrative structure of three academic deans for the year 2012-2013; and

WHEREAS, the Academic Senate approved a motion to reserve the right to bring this structure directly to the Board of Trustees contingent upon the results of the Re-Org Ad Hoc Committee; and

WHEREAS, Imperial Valley College Interim Superintendent/President Victor Jaime invited the Academic Senate to appoint three members to a nine member committee representing all campus stakeholders to study the administrative structure. This committee was subsequently named the Re-Org Ad Hoc Committee; and

WHEREAS, the Re-Org Ad Hoc Committee voted to recommend an administrative structure of three academic deans and one director, with an agreement to review the structure at the end of the year 2012-2013; and

WHEREAS, the recommendations of the two bodies, the Academic Senate and the Re-Org Ad Hoc Committee, are substantially similar; and

WHEREAS, Imperial Valley College is in seriously urgent fiscal trouble; and

WHEREAS, both plans would result in substantial savings to the district;

THEREFORE, BE IT RESOLVED that the Academic Senate reconfirms the motion approved on 7 December 2011 to bring this structure directly to the Board of Trustees;
 BE IT FURTHER RESOLVED that the Academic Senate approves the recommendations of the Re-Org Ad Hoc Committee.

SENATE RESOLUTION 2

WHEREAS, Trustee Norma Galindo was in violation of numerous tenets of Board Policy 2715 Code of Ethics/Standards of Practice at the Imperial Community College District Board of Trustees meeting of 22 February, 2012; and
 WHEREAS, Trustee Norma Galindo was verbally abusive to an Imperial Valley College employee following the meeting; and
 WHEREAS, Trustee Norma Galindo made an obscene gesture to said employee following the meeting; and
 WHEREAS, Trustee Norma Galindo has made threats via telephone against two Imperial Valley College Senators; and
 WHEREAS, the Imperial Valley College Academic Senate considers these behaviors detrimental to the Imperial Community College District Board of Trustees and the Imperial Valley College Community;
 THEREFORE, BE IT RESOLVED that the Imperial Valley College Academic Senate recommends to the Imperial Community College District Board of Trustees that Trustee Norma Galindo be formally censured.

SENATE RESOLUTION 3

WHEREAS, it is vital that all participants of an Imperial Community College District Board of Trustees meeting contribute to an environment of civility; and
 WHEREAS, Board Policy 2715 Code of Ethics/Standards of Practice states that “The Board maintains high standards of ethical conduct for its members”; and
 WHEREAS, in order to best meet the mission of the district and best serve the members of the community, it is vital that each Board member treat all persons with civility and respect when meeting his or her duties and responsibilities as a Board member; and
 WHEREAS, accreditation of a California Community College District may be rescinded due to behaviors of Board members, either individually or collectively, as stated in Accreditation Standards IV.B.1.e and IV.B.1.h;
 THEREFORE, BE IT RESOLVED that the Imperial Valley College Academic Senate recommends that the Imperial Community College District Board of Trustees review Board Policy 2715 Code of Ethics/Standards of Practice with intent to improve the tone and content of Imperial Community College District Board of Trustees meetings.

Report: 5.4 College Council Update by Chair Jessica Waddell

College Council Chair Jessica Waddell reported the following:

- ∨ Met on February 27th and looked at the mission to tie the mission to accreditation standards.
- ∨ Reduction of services in maintenance and security services were discussed at the meeting.
- ∨ Special meeting was held March 6th and voted on resolution similar to the Academic Senate regarding the Reorganization Ad Hoc Committee.

Information: 5.5 Monthly Budget Report By Vice President for Business Services John Lau

VP Lau reported the following:

- ✓ Commend the VPs for coming up with an action plan on the budget.
- ✓ \$690,000 contribution through not hiring as many adjuncts.
- ✓ Summer school is being reduced and reducing further.
- ✓ There was \$200,000 saved in Student Services by shifting funds for staff through grant funds.
- ✓ Vacancies are not being replaced. He stated there are four custodians short in the Maintenance Department and will not be replaced through June 2012.
Reduced security by 40%.
- ✓ He stated that all the reductions and contributions add up to \$1,000,000.
Reserves are at 5.8%.

[5 minute break was taken]

6. DISCUSSION**Information, Report: 6.1 Reorganization Proposals by Interim Superintendent/President Dr. Victor Jaime**

President Jaime introduced the PowerPoint for discussion. He provided a perspective on the reorganization. He reviewed the composition of the Reorganization Ad Hoc Committee. He stated the meetings commenced in January and met several times to review the entire structure. He explained the PowerPoint had his recommendation and that of the Reorganization Ad Hoc Committee.

Laura Hartsock commented on this structure and asked if there was consideration to have the HR Dean become a director position.

Frances Beope commented that IVC used to have separate salary schedules and asked if there was discussion to restructuring the salary schedule. President Jaime explained that under the last reorganization the salary schedule was redone and positions were placed to their equivalent pay. He stated there was no discussion to change the salary schedule due to contractual obligations.

Mary Jo Wainwright asked if an administrator is not meeting their contractual obligations would the District be stuck with the person for two years.

Legal Counsel stated that the administrators under contracts are entitled to that position unless there is good cause for terminating the position. He explained the contractual obligations and how it affects those affected by it.

Luis Olmedo asked how much savings the restructuring would bring by cutting a dean. He asked that deans should be put to the task to bring in funding.

President Jaime stated that staff currently applies for grants.

Luis Olmedo asked if it was possible for the professors and deans to apply for grants.

Gaylla Finnell stated she sees the only significant difference is that of the recommendation between the ad hoc and the president by one dean. She stated two deans were on probationary status. She stated that representation from all groups looked at what would be best for our current situation and have all taken position of the Ad Hoc Reorganization Committee position.

Luis Olmedo wanted to remind the Board that the large part of the community would like to increase performance standards.

7. PRESIDENT'S OFFICE

Action: 7.1 Resolution No. 15271: Support of Community College System Budget

Priorities and the Governor's November Ballot Initiative

Discussion:

Trustee Hart asked to postpone the resolution to the next meeting stating he would like some of the language to change. CTA President Gaylla Finnell agreed with Trustee Hart on a change of language. Resolution was POSTPONED.

Motion by Jerry Hart, second by Steve Taylor.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Karla Sigmond, Steve Taylor

No: Norma Sierra Galindo

Action: 7.2 Resolution No. 15272: Board Goals for 2012-2013

Motion by Norma Sierra Galindo, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 7.3 Resolution No. 15273: Memorandum of Understanding/Contract with The Conifer Group

Motion by Jerry Hart, second by Steve Taylor.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Karla Sigmond, Steve Taylor

No: Norma Sierra Galindo

Action: 7.4 Resolution 15274: Approval of Out of State Travel for Martha Garcia for CTA Business

Discussion:

Martha Garcia spoke and stated that she would be returning on April 2nd not April 9th.

Motion by Jerry Hart, second by Norma Sierra Galindo.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

8. BUSINESS SERVICES

Action: 8.1 Resolution No. 15275: Citizens Bond Oversight Committee Annual Report

Motion by Norma Sierra Galindo, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 8.2 Resolution No. 15276: Payroll Warrant Orders

Motion by Jerry Hart, second by Norma Sierra Galindo.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 8.3 Resolution No. 15277: Commercial Warrant Orders

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

9. ACADEMIC SERVICES

Action: 9.1 Resolution 15278: Consulting Agreement with StoneTree Consultants for Services Related to the National Science Foundation Grant

Motion by Norma Sierra Galindo, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 9.2 Resolution No. 15279: Perkin Elmer Maintenance Agreement

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Karla Sigmond, Steve Taylor

No: Norma Sierra Galindo

Action: 9.3 Resolution No. 15280: BioRad Service Contract Agreement

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Karla Sigmond, Steve Taylor

No: Norma Sierra Galindo

Action: 9.4 Resolution No. 15281: Spitz System Protection Plan

Motion by Karla Sigmond, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Karla Sigmond

No: Norma Sierra Galindo, Steve Taylor

Action: 9.5 Resolution 15282: WIA Contract for Smog Technician Training

Motion by Norma Sierra Galindo, second by Steve Taylor.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 9.6 Resolution 15283: Out of State Travel

Motion by Norma Sierra Galindo, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 9.7 Resolution No. 15284: Piano Donation

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

10. STUDENT SERVICES

Action: 10.1 Resolution No. 15285: Out of State Travel

Motion by Norma Sierra Galindo, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 10.2 Resolution No. 15286: Out of State Travel

Motion by Karla Sigmond, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

11. CLOSED SESSION

Discussion: 11.1 NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT (CSEA Chapter 472)

M/S/C Hart/Sigmond to go into CLOSED SESSION at 9:06 p.m.

Discussion: 11.2 NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT (CCA/CTA/NEA)

Discussion: 11.3 NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT (PTFA)

Discussion: 11.4 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (One Case)

Discussion: 11.5 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Discussion: 11.6 CONFERENCE WITH LABOR NEGOTIATORS (Superintendent/President)

12. OPEN SESSION**Discussion: 12.1 Announcement of Final Action**

Board President Cardenas reconvened the Board meeting at 10:14 p.m.

12.1 Information given, direction provided.

12.2 Information given, direction provided.

12.3 Information given, direction provided.

12.4 Settlement has been ratified between District and Part-Time Faculty for unfair labor practice. Allegation has been dismissed. Unanimous vote to settle with Part-Time Faculty.

12.5 There was 4-1 vote to provide notice that contracts will not be renewed for the Dean of Behavioral and Social Science and the Dean of Arts and Letters.

M/S/C Taylor/Sigmond 4-1 (YES: Sigmond, Hart, Cardenas, Taylor) (NO: Sierra Galindo).

Directed Board Secretary to provide notices to the two individuals before March 15, 2012.

12.6 Information given, direction provided.

13. HUMAN RESOURCES**Action: 13.1 Resolution No. 15287: Faculty Tenure Rehire List**

Motion by Jerry Hart, second by Norma Sierra Galindo.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 13.2 Resolution No. 15288: Faculty Non-Tenure Rehire List

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 13.3 Resolution No. 15289: Voluntary Employee Separation Incentive Program (VESIP)

Motion by Jerry Hart, second by Karla Sigmond.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 13.4 Resolution No. 15290: Reduction or Discontinuance of Particular Kinds of Service

Motion by Karla Sigmond, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 13.5 Resolution No. 15291: Rescinding Resolution No. 13233

Discussion: Legal Counsel explained the resolution would stop rolling contracts each year.

Motion by Karla Sigmond, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

Action: 13.6 Resolution No. 15292: Volunteer Agreements

Motion by Karla Sigmond, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor

14. ADJOURNMENT

Action, Information: 14.1 Adjournment

The meeting ADJOURNED at 10:19 p.m.

Motion by Steve Taylor, second by Jerry Hart.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Norma Sierra Galindo, Karla Sigmond, Steve Taylor