



AGENDA

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

Wednesday, December 17, 2008

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

I. CALL TO ORDER

1. Roll Call by Secretary:

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

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

2. Pledge of Allegiance

II. PUBLIC COMMENT

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

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

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

III. PRESENTATION TO REBECCA L. RAMIREZ

IV. WRITTEN COMMUNICATION

1. John "Mike" McCormick, English/HE Professor (RE: Retirement, dated October 31, 2008).
2. IVEDC Post Card (RE: Thank you, dated November 24, 2008).
3. Memorandum of Understanding 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) (RE: Workload, dated December 5, 2008)
4. Memorandum of Understanding 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) (RE: Workload, dated December 10, 2008)

To: Dr. Ed Gould, President, Imperial Valley College

**From: John "Mike" McCormick, English/HE Professor
Imperial Valley College**

Subject: Retirement with 2+2.

Dear Dr. Gould,

October 31, 2008

It is always difficult to decide just when you should retire. For me, it has been extremely difficult. While I have the energy and the enthusiasm, and the love for teaching, my lungs have not been cooperating recently. It is with that in mind that I submit this letter.

First, IVC has been home to me since 1972. Although I was out of the valley on medical leave in 1978-79, the rest of my IVC life here has been spent teaching English, Health, Physical Fitness, Tennis, Basketball, Psychology, Philosophy, Music Appreciation, Class Piano, and subbing in Sociology, History, different ESL and English classes, coaching tennis twice, one baseball game, assisting with our 5th place in State cross country program, one year as Student Life and Community Services Director, meeting new friends, helping students, working with the Christian Club, and enjoying the excellent teachers, extremely helpful staff, and strong supportive administrators.

Second, when a worsening physical condition called "interstitial pulmonary fibrosis" limited my movement on campus, you were so helpful in orchestrating rides to class and, ultimately, my own electric car to get to and from classes. Even cruising around campus, I have been overwhelmed with the encouragement I have received from so many. From Human Relations to Business, from President's Office to the English Division, so many have done so much to make this last semester a joy to work here. Your kindness went a long way to motivate me to complete the semester.

Third, I had to consider the students, the English Division, and the College because advanced notice will let you advertise and find a replacement by Spring, 2009. I know how important that is to the college.

In addition, the 2+2 enticement will run out next year, so I wanted to take advantage of that offer. Money isn't the reason I'm retiring, but the 2+2 does help my retirement package.

Last, I'm reluctant to say good bye. It isn't easy. I believe the Lord Jesus Christ will always lead, guide, and direct me in decisions. As a Christian, believers are promised "All things work together for the good for those who love God and are called according to His purposes" (Romans 8:28). Like the verse says, I know that retirement will work together for good. I will miss all of the IVC family, but if I'm given a lung transplant, I may be back to enjoy the emeritus privileges afforded retirees. If I should die before, during, or after my transplant, please let the IVC Christian Club organize a celebration of joy. Co-sponsors Jeff Deyo and Bruce Page, and members Jade, Joseph, David, and others know the spiritual side of my life better than others; however, my Pastor, Walter Colace, would also be an excellent speaker should there be some type of celebration of my life.

It is a reluctant heart, mind, and body that tenders this letter of resignation, effective December 31, 2008. It's hard to say I'm done.

May God bless all those who have been such a wonderful influence in my life here in Imperial.

Sincerely,



J. Michael McCormick, Professor in English/Health Education

**cc: Kathy Berry, Vice President
Dave Zielinski, English Division Chairman
Dave Drury, Physical Education Chairman
Travis Gregory, Associate Dean of Human Resources**

2008 DEC 2 PM 1 06

IYC
PRESIDENT'S OFFICE

El Centro, November 24, 2008

Dear Ed,

The Annual Dinner & Meeting is the time of year, were IVEDC, together with its valued Investors and Partners, gets to review its highlights and achievements of the previous 12 month. In addition we also ring in the new fiscal year with the ceremonial meeting and embrace the new opportunities ahead of us.

With a total of 400 registered attendees, this year's celebration has exceeded our expectations and made possible thanks to the very generous contribution made, as Table Sponsor at IVEDC's 4th Annual Dinner & Meeting 2008.

Thank you Ed and the Imperial Valley College, for your participation during this exciting event and I am looking forward to continue working with you as a valued Investor of IVEDC, pursuing our common vision to grow the economy in our region, for the betterment of our families, our residents and ourselves.

Sincerely Yours,


Simone D. Rivas
Investor Liaison



Tentative Agreement

Memorandum of Understanding

The following changes to the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association for the Academic Years 2008-09 are hereby agreed to by the Association and the District:

1. Workload: Effective beginning with the 2008-09 Academic Year and extending for the remainder of the life of the existing agreement:

- a. The following words [in bold] shall be added to Article 15.1 Primary Workload Function:

15.1 Primary Workload Function

The workload for members of the bargaining unit shall include the primary functions of teaching, counseling, or serving as a librarian. In addition, the workload may include, but not be limited to, **a reasonable amount** of these allied professional responsibilities: preparation for classroom activities; evaluating student performance including test and/or paper correcting and grading; **developing, assessing, and evaluating student learning outcomes**, holding office and appointment hours; serving on college standing, **planning, and/or** advisory committees; developing new courses or programs; maintenance and revision of existing course outlines and materials, participating in college, departmental, or division meetings; **participating in program review, accreditation and any assessment and planning activities required for the successful continuing operation of the college**; sponsoring student clubs and activities; helping to plan and approve students' programs; and the timely and accurate submission of all required college registration documentation and final grades.

- b. The following paragraphs [in bold] are to be added to Article 15.3 Normal Work Load – Teaching Faculty:

15.3.1 Contract Load

The normal contract load of a teaching faculty member shall be fifteen (15) lecture units, or the equivalent, per semester, which may be spread over a four (4) or five (5) day per week schedule.

All schedules must meet the educational needs of the students of Imperial Valley College, and are subject to the approval of the Vice President of Academic Services. The District and unit members agree that they shall work collegially, using policies and procedures established within their departments and divisions, to establish schedules

which best meet the needs of the District, the students, and the unit members and in accordance with the provisions of section 15.5 below.

Teaching faculty members are expected to complete the allied professional duties as expressed in article 15.1 during the times when they are not teaching. As professional employees the expectation is that these duties will be completed in a timely manner using the amount of time required for their successful completion rather than by following a strict hourly work schedule, and at times and locations necessary for or conducive to the duties' successful completion.

During the Fall and Spring semesters of the academic year, allied professional duties may be completed at any time during the calendar week without expectation of additional compensation, with the exception that no faculty member shall be required by the District to work more than five days in any given calendar week without additional compensation for a required sixth workday. This does not preclude any faculty member from voluntarily participating in activities, or working independently on allied professional duties, during the sixth or seventh day of the calendar week with no expectation of additional compensation.

- c. Article 15.4 Office and Appointment Hours is modified as follows, deleting the requirement for office by appointment hours:

During the fall and spring semesters, members of the unit who are teaching faculty are required to establish five (5) hours per week, where each hour consists of sixty (60) minutes, that shall be set aside as scheduled, maintained, office hours at which times the instructor is available to students for consultation on a walk-in basis. Scheduled office hours must be spread over at least four (4) days per week.

~~Teaching faculty are required to establish an additional ten (10) hours per week as office by appointment hours, where each hour consists of 60 minutes, that will be made available for student appointments. Students should be informed that appointments must be scheduled with a minimum of twenty-four (24) hours notice, exclusive of weekends and holidays. Scheduled appointment hours must be spread over at least four (4) days per week. Faculty members are not required to be on campus or in their offices for appointment hours during which no appointments have been scheduled. Unit members may utilize appointment hours during which no student meetings are scheduled to complete allied professional duties.~~

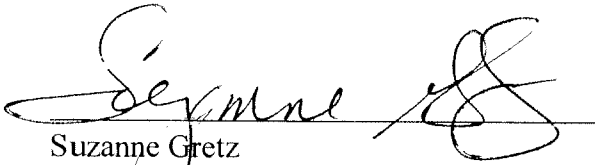
The unit member should establish office and appointment hours no later than the start of the second week of instruction during the fall and spring semesters. A copy of the teaching faculty member's schedule, including course times and locations and office and appointment hours should be posted on or near his/her office door. In addition, a copy of the schedule should be forwarded to the appropriate dean or division chairperson, and to the office of the Vice President of Academic Services.

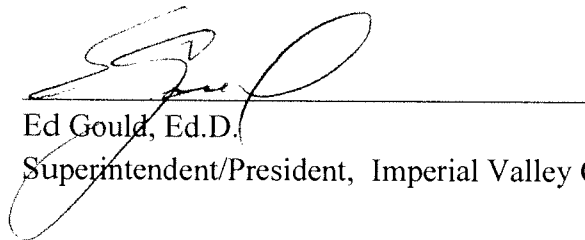
In the event it is necessary to make long-term or permanent changes in scheduled office or appointment hours at any time during the semester, the instructor shall make corrections on the posted schedule and notify in writing the appropriate division

chairperson and the Vice President for Academic Services. The instructor shall post temporary changes of short duration on the posted schedule, and the division secretary shall be notified.

Any other references to appointment hours that exist within the agreement shall also be assumed by this memorandum to be stricken.

Signed this 11th day of December, 2008.


Suzanne Gretz
President, IVC CCA/CTA/NEA


Ed Gould, Ed.D.
Superintendent/President, Imperial Valley College

MEMORANDUM OF UNDERSTANDING

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 and the Association agree that for the 2008-09 Academic Year the Industrial Technology Division will have a unit member designated as Division Chair; and

WHEREAS, the District and the Association agree that the Industrial Technology Division Chair will have the same rights, duties, and obligations as all other faculty members designated as Division Chairs; and

WHEREAS, Article 15.3.3 of the Agreement identifies the workload for Division Chairs; and

WHEREAS, Article 17.13.1 of the Agreement identifies the Lecture Reassigned Time for Division Chairs; and

WHEREAS, as per the above referenced articles, the Division Chair serves as a 199 day faculty member, rather than as a 177 day faculty member;

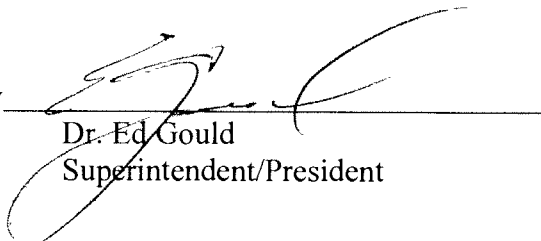
NOW, THEREFORE, it is agreed as follows:

1. Unit member Jose Lopez shall serve as the Division Chair for the Industrial Technology division commencing on October 27, 2008 and ending on June 30, 2009; and
2. Jose Lopez shall be granted the full 12 hours of contract reassigned time for the above named period, and shall be compensated for overload teaching hours, if any, recalculated based upon the new level of contract reassigned time beginning on October 27, 2008 and as per the above reference articles; and
3. As Jose Lopez will be serving as Division Chair for 8 months rather than for the full 12 months as is standard, he shall be required to provide an additional 15 days of service beyond the fall and spring semesters rather than the full 22 days

Executed this 10th day of December, 2008, at Imperial California.

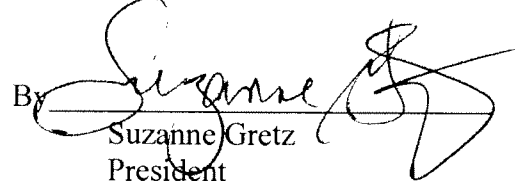
IMPERIAL COMMUNITY COLLEGE DISTRICT

By


Dr. Ed Gould
Superintendent/President

**IMPERIAL VALLEY CHAPTER OF
CCA/CTA/NEA**

By


Suzanne Gretz
President

V. INFORMATION REPORTS

1. RN Presentation – Tina Aguirre, Associate Dean of Nursing
2. Board Member Reports
3. Associated Student Government Senate Update – Chantilee Mendenhall
4. Academic Senate Update – Dr. Bruce Seivertson
5. College Council Update – John Abarca
6. Monthly Financial Report – John Lau
7. President’s Update – Dr. Ed Gould

VI. DISCUSSION

1. Annual Board Self-Evaluation – Dr. Ed Gould
2. Annual Board Retreat Date – Dr. Ed Gould

February 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

VII. CONSENT AGENDA – BUSINESS

1. Approval of Minutes dated November 17, 2008, Regular Board Meeting
2. Resolution No. 14254: Purchase Orders
3. Resolution No. 14255: Payroll Warrant Orders
4. Resolution No. 14256: Commercial Warrant Orders
5. Resolution No. 14257: Budget Transfers
6. Resolution No. 14258: Award of Bid, Science Building Construction – Site Concrete
7. Resolution No. 14259: Award of Bid, Science Building – Communications
8. Resolution No. 14260: Notice of Completion – Fire Alarm System Improvements
9. Resolution No. 14261: Citizens Oversight Committee for Measure L
10. Resolution No. 14262: Strategic Planning Committee
11. Resolution No. 14263: AlertU Contract
12. Resolution No. 14264: ICCD Board of Trustees Representation and Voting Rights on the IVC Foundation Board of Directors
13. Resolution No. 14265: ICCD Board of Trustees Representation on the SDICCCA Alliance Board
14. Resolution No. 14266: Smoking Policy

VIII. CONSENT AGENDA – EDUCATIONAL SERVICES

1. Resolution No. 14267: New Distance Education Committee
2. Resolution No. 14268: Division Chair Appointment

IX. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (One potential case)
2. PUBLIC EMPLOYEE(S) DISCIPLINE/DISMISSAL/RELEASE

X. OPEN SESSION

1. Announcement of final action taken

XI. CONSENT AGENDA – HUMAN RESOURCES

1. Resolution No. 14269: Memorandum of Understanding 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)
2. Resolution No. 14270: Memorandum of Understanding 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)
3. Resolution No. 14271: Academic Winter Intersession Employment
4. Resolution No. 14272: Full-Time Temporary Faculty Employment
5. Resolution No. 14273: Adjunct Instructor Employment
6. Resolution No. 14274: Classified Short-Term Employment
7. Resolution No. 14275: Faculty Retirement
8. Resolution No. 14276: Revision of Sexual Harassment Policy

XII. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, JANUARY 21, 2009, AT 6 P.M.** in the Administration Building Board Room.

VII. CONSENT AGENDA – BUSINESS

VII.1. Approval of Minutes dated November 19, 2008, Regular Board Meeting

VII.2. Resolution No. 14254: Purchase Orders

BE IT RESOLVED that upon the recommendation of the Superintendent/President the following Purchase Orders and Direct payments for the month of November 2008 are hereby approved:

Purchase Orders	579,646.08
Direct Payments	<u>66,271.16</u>
	<u><u>645,917.24</u></u>

VII.3. Resolution No. 14255: 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 November 2008.

2008-09 Payroll Warrant	#	Fund 10 General Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total
10/10/08	7	280,256.15	124.00		280,380.15
10/31/08	8	2,787,103.41	40,639.79	10,390.44	2,827,743.20
		3,067,359.56	40,763.79	10,390.44	3,108,123.35

VII.4. Resolution No. 14256: Commercial Warrant Orders

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

2008-09 Commercial Warrant	#	Fund 10 General Fund	Fund 45 Financial Aid	Fund 50 Child Dev.	Fund 50 Cert. of Part.	Fund 80 Bond Fund	Warrant Total
11/6/08	18	93,218.08			23,613.93	920,829.66	1,037,661.67
11/13/08	19	535,622.55	291,826.10	2,825.05	31,447.49	81,649.29	943,370.48
11/20/08	20	104,344.56	157,324.47			19,789.33	281,458.36
11/26/08	21	351,679.45			14,153.70	21,597.60	387,430.75
		1,084,864.64	449,150.57	2,825.05	69,215.12	1,043,865.88	2,649,921.26

VII.5. Resolution No. 14257: Budget Transfers

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the following budget transfer(s) between major object codes (within the same cost center budget): J4057729 and J4057733.

VII.6. Resolution No. 14258: Award of Bid, Science Building Construction – Site Concrete

WHEREAS, the District advertised for bids for various packages relating to the construction of a Science Building, and a bid opening was held on November 6, 2008; and

WHEREAS, the project is a multiple-prime contract with Nielsen Construction acting as the construction manager on behalf of the District; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that after the resolution of a bid protest, a contract be awarded for bid package #4, Site Concrete to: DEZ Construction in the amount of \$1,249,000 or Har Construction in the amount of \$1,120,000.

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

Fiscal Impact: Contract in the amount of \$1,249,000 or \$1,120,000 to be paid from Measure L Bond Funds.

VII.7. Resolution No. 14259: Award of Bid, Science Building – Communications

WHEREAS, the District has advertised for bids for various packages relating to the construction of a Science Building, and a bid opening was held on December 4, 2008 for Science Building Phase 4A Communications; and

WHEREAS, the Science Building project is a multiple-prime contract with Nielsen Construction acting as the construction manager on behalf of the District; and

WHEREAS, in accordance with the provisions of California Business and Professions Code Section 7028.15 and Public Contract Code Section 3300, the District requires that the bidder possess

applicable classification(s) of contractor's license(s) at the time the bid is submitted. Any bidder not so licensed at the time of the bid opening will be rejected as non-responsive; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that a contract be awarded to **Teldata Enterprise Networks** in the amount of **\$778,000**.

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

Fiscal Impact: \$778,000 to be paid from Measure L Bond Funds

VII.8. Resolution No. 14260: Notice of Completion - Fire Alarm System Improvements

WHEREAS a contract was awarded on October 15, 2008 to Five Star Electric for Fire Alarm System Improvements in the amount of \$117,000; and

WHEREAS the work has been completed and has passed inspection.

NOW, THEREFORE, BE IT RESOLVED that the Board directs the Vice President for Business Services to file a Notice of Completion for the Fire Alarm System Improvements project with the County Recorder's Office, with a completion date of December 17, 2008.

VII.9. Resolution No. 14261: Citizens Oversight Committee for Measure L

BE IT RESOLVED that upon the recommendation of the Superintendent/President, the Board appoints the following member(s) to the Citizens Oversight Committee for Measure L:

Name:	Membership category:	Term:	Replacing:
Timothy E. Kelley	<i>One member active in a business organization (President/CEO of Imperial Valley Economic Development Corporation)</i>	December 19, 2008 – December 31, 2010	Cathy Kennerson
Nicole Nicholas Gilles	<i>Member at large (CEO Brawley Chamber of Commerce/Brawley Economic Development Commission)</i>	December 19, 2008 – December 31, 2010	Terence Donovan

VII.10. Resolution No. 14262: Strategic Planning Committee

WHEREAS the function of the Strategic Planning Committee will be to develop the District's Strategic Plan after receiving input from the Educational Master Plan on the prioritized goals of the institution, both short-term and long-term. The committee will assess the stated priorities and the college resources for achieving those priorities. The Strategic Plan will address how the District can best implement the planned improvements based on the institutional resources, required and desired time frames, and final recommendations and strategies of the Educational Master Plan, all in line with the District's mission and vision. The Strategic Plan will be formally submitted every six (6) years to the Superintendent/President, corresponding with the college accreditation cycle. The committee will review and update the Strategic Plan annually.

THEREFORE, BE IT RESOLVED that the Board approves the formation of a Strategic Planning Committee.

BE IT FURTHER RESOLVED that the committee be composed of the following members:

Vice-President for Business Services, co-chair
Elected co-chair

Academic Senate representative
Academic Senate/C&I Representative
Administrative representative
Admissions/Registration representative
Campus Operations Committee representative
College Council representative
Environmental Health & Safety Committee representative
Executive Council representative
Extended Campus representative
Staff Development Committee representative
Planning and Budget Committee representative
Student representative
Student Affairs Committee representative
Technology Planning Committee representative

BE IT FURTHER RESOLVED that the Strategic Planning Committee be added to the Board Policy Manual as BP 3255 and to the Administrative Procedures Manual as AP 3255.

VII.11. Resolution No. 14263: AlertU Contract

BE IT RESOLVED that the Superintendent/President recommends approval with recommendations from College Council (12-8-08) and the Environmental Health and Safety Committee (09-15-08) to contract the services of Waterfall "AlertU" Services. Waterfall delivers text message alerts to registered users via mobile SMS (text) messaging.

NOW, THEREFORE, BE IT RESOLVED that Imperial Valley College participates in the Foundation for California Community Colleges system-wide contract with Waterfall for the use of AlertU.

BE IT FURTHER RESOLVED AlertU has been offered to Imperial Valley College at no cost through a California Community College System-wide corporate sponsorship for CCC Member College's use of AlertU.

VI.12. Resolution No. 14264: ICCD Board of Trustees Representation and Voting Rights on the IVC Foundation Board of Directors

WHEREAS, the IVC Foundation changed its bylaws on September 26, 2006, to have two Board members serve as advisory and one with voting rights;

WHEREAS, the following ICCD Trustees served the IVC Foundation Board of Directors from December 2007 through November 2008:

- Voting Trustee – Trustee Wong
- Advisory Trustee – Trustee Hart
- Advisory Trustee – Trustee Acuña

NOW, THEREFORE, BE IT RESOLVED that the Board designates the following three ICCD Board members to serve on the IVC Foundation Board of Directors for one year beginning December 2008:

1. Voting Trustee –
2. Advisory Trustee –
3. Advisory Trustee –

VI.13. Resolution No. 14265: ICCD Board of Trustees Representation on the SDICCCA Alliance Board

WHEREAS, representation for Imperial Community College District is needed on the SDICCCA Alliance Board;

WHEREAS, Trustee Hart served on the SDICCCA Alliance Board for the year 2008;

NOW, THEREFORE, BE IT RESOLVED that the Board designates the following ICCD Board member to serve on the SDICCCA Alliance Board for one year beginning January 2009:

SDICCCA Alliance Member:

VI.14. Resolution No. 14266: Smoking Policy

Associated Students Smoking Policy Resolution

WHEREAS, the Imperial Community College District's current smoking policy is widely ignored and ineffective; and

WHEREAS, thousands of Imperial Valley College stakeholders including students, staff, faculty, administrators, campus visitors, and the children enrolled in the on campus preschool and infant toddler center are involuntarily exposed to second hand smoke while on IVC's main campus; and

WHEREAS, cigarette litter has become an increasing presence affecting the cleanliness of IVC, and

there have been documented reports of fires at IVC because of improper handling of cigarettes thereby creating a serious concern for the well being of all people and property; and

WHEREAS, on June 27, 2006, Richard H. Carmona, Surgeon General of the United States of America stated, "The scientific evidence is now indisputable: secondhand smoke is not a mere annoyance. It is a serious health hazard that can lead to disease and premature death in children and nonsmoking adults;" and

WHEREAS, during November of 2006 an IVC student suffered a serious allergic reaction to the second-hand smoke she was exposed to at IVC; and

WHEREAS, we have a responsibility as members of a community associated with an institution of higher learning to promote education and behavior that serves the personal responsibility and global awareness of each individual at IVC; and

THEREFORE, BE IT RESOLVED, that it is the recommendation of the Associated Students of IVC that the District address the serious health risks that the District's current smoking policy allows; and

BE IT FURTHER RESOLVED that it is the recommendation of the Associated Students of IVC that the appropriate IVC shared governance groups along with the Governing Board of the Imperial Community College District begin an immediate transition towards becoming a tobacco-free district as outlined in the policies below:

The success of this policy will depend on the thoughtfulness, consideration and cooperation of smokers and nonsmokers.

Policy Statement for the Spring Semester

Designated Smoking Areas:

Effective February 17, 2009, Imperial Valley College shall designate smoking areas and phase into a smoke-free campus. Smoking shall be designated to all parking lots excluding parking lot A & the Pre-school lot. This prohibition shall apply to all campus-owned building or leased space. The sale of tobacco products on campus is prohibited.

A. The IVC Campus Operations Committee will ensure that clear signs are displayed at all entrances to the campus, as well as other conspicuous locations, to notify the public that smoking is permitted only in the officially designated areas (all parking lots with the exclusion of lot A & the Pre-school lot) and is otherwise prohibited on the campus grounds or in campus buildings.

B. Questions and problems regarding this policy should be handled through existing administrative processes, including Human Resources and the Associate Dean of Student Affairs.

Policy Statement for the Following Fall Semester

Tobacco Free Campus:

1. It is the policy of Imperial Valley College to provide a tobacco free environment for its students, faculty, staff, administrators, visitors and the general public while on this campus. The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate,

the exposure of nonsmokers to environmental tobacco smoke, nor does the EPA recognize a safe level of exposure to environmental tobacco smoke.

2. Effective the first day of the Fall Semester 2009, Imperial Valley College shall be a tobacco-free campus. The use of any tobacco products shall be prohibited on any District properties. The sale of tobacco products on campus is prohibited.

3. Appropriate signs shall be posted at all entrances to campus grounds.

4. Smoking shall be prohibited at all times in all vehicle on campus.

5. The smoking prohibition applies to passenger vehicles and all other state-owned mobile equipment to include light and heavy trucks, cargo and passenger vans, buses, and any other mobile equipment with an enclosed or enclosable driver/passenger compartment.

VIII. CONSENT AGENDA – EDUCATIONAL SERVICES

VIII.1. Resolution No. 14267: New Distance Education Committee

Resolution for Distance Education Committee	
Date of First Reading: September 17, 2008	Resolution No. 0809-1
Date of Second Reading: October 1, 2008	
Sponsor of Motion	Michael Heumann
Second Sponsor of the Motion	Kevin White

Whereas, the Title V ACCESO grant provided Imperial Valley College with the resources to develop a full-fledged distance education program;

Whereas, the ACCESO grant has succeeded in its goals to train faculty to develop and to teach distance education classes across all disciplines and to provide full support for faculty and students alike;

Whereas, over the course of the grant, the distance education program has been managed and directed by the ACCESO team, which includes the Project Director, the Distance Education Coordinator, the Academic Coordinators, the Instructional Media Designer, the Learning Support Specialist, the Technology Support Technician, and the ACCESO staff secretary;

Whereas, the ACCESO grant will end in September 2009, and the District will assume all costs associated with the distance education program;

Therefore,

1. The Academic Senate shall establish the Distance Education Committee, which will be a standing committee of Imperial Valley College and a sub-committee of the Academic Senate;
2. The goal of the Distance Education Committee will be to advise the Senate on designs, implementation strategies, and policies for distance education; to provide a faculty overview

- of all distance education and distributed activities conducted at Imperial Valley College; and to work with all relevant faculty and administrators to foster innovation while maintaining and enhancing high standards of academic quality, at a level appropriate to the students for which the content is developed;
3. The Committee should be a sounding board and help the College develop a clear strategy designed to build and sustain an imaginative and effective long-term program for distance education and distributed learning;
 4. The Committee should work in collaboration with the Dean of Instruction and the Distance Education Coordinator to further develop and refine IVC's standards and procedures for reviewing, approving and evaluating distance education courses and initiatives;
 5. The Committee shall be comprised of the following:
 - a. Dean of Instruction or Designee (Co-Chair)
 - b. Distance Education Coordinator (Co-Chair)
 - c. Five Faculty Representatives (including at least one non-teaching)
 - d. Classified Representative
 - e. Technology Representative
 - f. DSPS Representative
 6. All committee members need to have taken or taught an online class using the Etudes course management system;
 7. The Academic Senate will approve all faculty positions; the remaining positions will be appointed by the bargaining unit representative or division head in consultation with the Co-Chairs and the Vice President of Academic Services.

VIII.2. Resolution No. 14268: Division Chair Appointment

BE IT RESOLVED that Jose Lopez has been appointed to act as Industrial Technology Division Chairperson for the remainder of the 2008 – 2009 academic year, and this assignment shall be effective October 27, 2008.

IX. CLOSED SESSION

- IX.1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (One potential case)
- IX.2. PUBLIC EMPLOYEE(S) DISCIPLINE/DISMISSAL/RELEASE

X. OPEN SESSION

- X.1. Announcement of final action taken

XI. CONSENT AGENDA – HUMAN RESOURCES

XI.1. Resolution No. 14269: Memorandum of Understanding 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, 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);

THEREFORE, BE IT RESOLVED that the Board approves the following MOU:

Tentative Agreement Memorandum of Understanding

The following changes to the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association for the Academic Years 2008-09 are hereby agreed to by the Association and the District:

1. Workload: Effective beginning with the 2008-09 Academic Year and extending for the remainder of the life of the existing agreement:
 - a. The following words [in bold] shall be added to Article 15.1 Primary Workload Function:
15.1 Primary Workload Function

The workload for members of the bargaining unit shall include the primary functions of teaching, counseling, or serving as a librarian. In addition, the workload may include, but not be limited to, **a reasonable amount** of these allied professional responsibilities: preparation for classroom activities; evaluating student performance including test and/or paper correcting and grading; **developing, assessing, and evaluating student learning outcomes**, holding office ~~and appointment~~ hours; serving on college standing, **planning, and/or** advisory committees; developing new courses or programs; maintenance and revision of existing course outlines and materials, participating in college, departmental, or division meetings; **participating in program review, accreditation and any assessment and planning activities required for the successful continuing operation of the college**; sponsoring student clubs and activities; helping to plan and approve students' programs; and the timely and accurate submission of all required college registration documentation and final grades.

- b. The following paragraphs [in bold] are to be added to Article 15.3 Normal Work Load – Teaching Faculty:
15.3.1 Contract Load
The normal contract load of a teaching faculty member shall be fifteen (15) lecture units, or the equivalent, per semester, which may be spread over a four (4) or five (5) day per week schedule.
All schedules must meet the educational needs of the students of Imperial Valley College, and are subject to the approval of the Superintendent/President. The District and unit members agree that they shall work collegially, using policies and procedures established within their departments and divisions, to establish schedules which best

meet the needs of the District, the students, and the unit members and in accordance with the provisions of section 15.5 below.

Teaching faculty members are expected to complete the allied professional duties as expressed in article 15.1 during the times when they are not teaching. As professional employees the expectation is that these duties will be completed in a timely manner using the amount of time required for their successful completion rather than by following a strict hourly work schedule, and at times and locations necessary for or conducive to the duties' successful completion.

During the Fall and Spring semesters of the academic year, allied professional duties may be completed at any time during the calendar week without expectation of additional compensation, with the exception that no faculty member shall be required by the District to work more than five days in any given calendar week without additional compensation for a required sixth workday.

This does not preclude any faculty member from voluntarily participating in activities, or working independently on allied professional duties, during the sixth or seventh day of the calendar week with no expectation of additional compensation.

- c. Article 15.4 Office and Appointment Hours is modified as follows, deleting the requirement for office by appointment hours:

During the fall and spring semesters, members of the unit who are teaching faculty are required to establish five (5) hours per week, where each hour consists of sixty (60) minutes, that shall be set aside as scheduled, maintained, office hours at which times the instructor is available to students for consultation on a walk-in basis. Scheduled office hours must be spread over at least four (4) days per week.

~~Teaching faculty are required to establish an additional ten (10) hours per week as office by appointment hours, where each hour consists of 60 minutes, that will be made available for student appointments. Students should be informed that appointments must be scheduled with a minimum of twenty four (24) hours notice, exclusive of weekends and holidays. Scheduled appointment hours must be spread over at least four (4) days per week. Faculty members are not required to be on campus or in their offices for appointment hours during which no appointments have been scheduled. Unit members may utilize appointment hours during which no student meetings are scheduled to complete allied professional duties.~~

The unit member should establish office and appointment hours no later than the start of the second week of instruction during the fall and spring semesters. A copy of the teaching faculty member's schedule, including course times and locations and office and appointment hours should be posted on or near his/her office door. In addition, a copy of the schedule should be forwarded to the appropriate dean or division chairperson, and to the office of the Vice President of Academic Services.

In the event it is necessary to make long-term or permanent changes in scheduled office or appointment hours at any time during the semester, the instructor shall make corrections on the posted schedule and notify in writing the appropriate division chairperson and the Vice President for Academic Services. The instructor shall post temporary changes of short duration on the posted schedule, and the division secretary shall be notified.

Any other references to appointment hours that exist within the agreement shall also be assumed by this memorandum to be stricken.

XI.2. Resolution No. 14270: Memorandum of Understanding 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 and the Association agree that for the 2008-09 Academic Year the Industrial Technology Division will have a unit member designated as Division Chair; and

WHEREAS, the District and the Association agree that the Industrial Technology Division Chair will have the same rights, duties, and obligations as all other faculty members designated as Division Chairs; and

WHEREAS, Article 15.3.3 of the Agreement identifies the workload for Division Chairs; and

WHEREAS, Article 17.13.1 of the Agreement identifies the Lecture Reassigned Time for Division Chairs; and

WHEREAS, as per the above referenced articles, the Division Chair serves as a 199 day faculty member, rather than as a 177 day faculty member;

NOW, THEREFORE, it is agreed as follows:

1. Unit member Jose Lopez shall serve as the Division Chair for the Industrial Technology division commencing on October 27, 2008 and ending on June 30, 2009; and
2. Jose Lopez shall be granted the full 12 hours of contract reassigned time for the above named period, and shall be compensated for overload teaching hours, if any, recalculated based upon the new level of contract reassigned time beginning on October 27, 2008 and as per the above reference articles; and
3. As Jose Lopez will be serving as Division Chair for 8 months rather than for the full 12 months as is standard, he shall be required to provide an additional 15 days of service beyond the fall and spring semesters rather than the full 22 days.

NOW, THEREFORE, BE IT RESOLVED that the Superintendent/President recommends approval of an MOU entered into between CTA and the District reclassifying Jose Lopez as the Industrial Technology Division Chair for the 2008-09 Academic Year.

XI.3. Resolution No. 14271: Academic Winter Intersession Employment

BE IT RESOLVED that the following instructors be employed for the 2009 Winter Intersession at a salary computed in accordance with Resolution No. 13829. Employment is contingent upon sufficient enrollment.

<u>Name</u>	<u>Assignment</u>
Abrams, Robert	English
Agee, John	Sociology
Alvarado, Sotero	Mathematics
Aye, Tyson	Physical Education

Baukholt, Robert	English
Bemis, Roberta	English
Biley, Patti	English
Blek, Craig	Economics
Byrd, Krista	Psychology
Carlson, Marylynn	Nursing
Carnes, Dennis	Biology
Castrapel, Rick	Mathematics
Cozzani, Alejandro	Mathematics
Craven, Julie	English as a Second Language
David, Samuel	Biology
Davis, Hope	Music
Decker, Van	Music
Deyo, Jeffrey	Health Education/Physical Education
Dorantes, Kathleen	English
Drury, David	Health Education/Physical Education
Edwards, Aaron	Philosophy
Finnell, Gaylla	Political Science
Fisher, James	Chemistry
Gage-Mosher, Ronald	Psychology
Garza, Alejandro	English as a Second Language
Gilbertson, Thomas	Art
Gilison, Daniel	Biology
Goldsberry, Rick	Emergency Medical Technologies
Gretz, Suzanne	History
Guzman, Cesar	Spanish
Hansink, Todd	Business/Economics
Harris, Diane	English
Hegarty, Carol	Art
Hernandez, Oscar	Mathematics
Horton, Sidne	Physical Education
Jacobson, Eric	Political Science
Kareva, Kseniya	English as a Second Language
Kelly, Nannette	Art
Knapp, Leslie	Administration of Justice
Lavery, Russell	Astronomy
Lay, Nancy	English
Lehtonen, Eric	Mathematics
Leon, Allyn	Mathematics
Lofgren, Mary	Psychology
Lopez, Jose	Auto Technology
McClain, John	English
McNeece, Brian	English
Marcuson, Bruce	Administration of Justice
Martini, Donald	English as a Second Language
Marty, Kevin	Geology
Mason, Charles	American Sign Language
Mecate, James	Health Education/Physical Education
Meek, Alfred	Nursing
Miller, Fonda	Child, Family & Consumer Science

Miranda, Frank	Air Conditioning & Refrigeration
Morales, Marco	Welding
Morrell, Thomas	Biology
Mosier, Laura	Speech
Moss, Susan	Biology
Page, Bruce	Speech
Pastrana, Leticia	English as a Second Language
Pauley, Patrick	Agriculture
Pfister, Toni	Health Education
Pollock, Diedre	Nursing
Pradis, Ricardo	Auto Technology
Rangel, Javier	Spanish
Rice, Sydney	English as a Second Language
Ruiz, Angelica	Business/Computer Information Systems
Ruiz, Jose	Spanish
Sanchez-Dominguez, Romano	Spanish
Santistevan, Judy	Business
Scheuerell, Edward	English
Seivertson, Bruce	Geography
Sheppard, David	Child, Family & Consumer Science
Shokoufi, Mardjan	Mathematics
Simpson, Scott	English as a Second Language
Staton, Mary	Psychology
Stroud, Vivian	Nursing
Thoresen, Josefina	English as a Second Language
Tucker, Jill	Health Education/Physical Education
Velasquez, Jose	Building Construction
Voldman, Aleksandr	Mathematics
Wainwright, Mary-Jo	History
White, Kevin	Political Science
Wright, Bradford	History
Zhao, Lianna	Biology
Zielinski, David	English

XI.4. Resolution No. 14272: Full-Time Temporary Faculty Employment

BE IT RESOLVED that the following full-time temporary academic personnel (replacement for John "Mike" McCormick) be employed for the Spring 2009 Semester, pending medical and background clearance:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Xochitl Tirado	Appropriate Classification and Step Contingent Upon Verification of Records	English (Reading) Instructor

XI.5. Resolution No. 14273: Adjunct Instructor Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel during the Winter 2009 Session, at the hourly rate provided for in Resolution No. 14166 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>
Agundez, Rebecca	Nursing
Benton, Michael	Health Education
Berker, Enola	Allied Health Profession
Canez, Carlos	Math
Castaneda, Nicole	Nursing
Castillo, Kelly	Math
Cervantes, Carole	Nursing
Duarte, Carlos	Math
Fisher, Raenelle	History
Gaddis, David	Building/Construction
Garay, Jeronimo	Math
Hansink, Pamela	Nursing
Hernandez, Jesus	Electrical Wiring
Hernandez, Porfirio	Math
Jimenez, Javier	Electronics
Jimenez, Ricardo	Electronics
Juarez, Arturo	Electrical Wiring
Lerno, Jill	Physical Education
Lewenstein, Jay	English
Moran, Santos	Math
Palacio, John	Physical Education
Perez, Jose	Automotive
Rivera, Alfred	Welding
Robinson, Andrew	Health Education
Rodriguez, Kathy	Admin of Justice
Scott, Robert	Fire Science
Sullivan, Terrie	Allied Health Profession
Thompson, Arelys	Theatre
Tirado, Xochitl	English/Reading
Varela, Ruben	Math
Viloria, Vicki	Computer Information Systems

XI.6. Resolution No. 14274: Classified Short-Term Employment

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

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Agatep, Virginia	Staff Secretary III	ACCESO/ Title V	Federal	16-1	12/02/2008 - 12/18/2008

XI.7. Resolution No. 14275: Faculty Retirement

BE IT RESOLVED that the Board accepts, with sincere regret, the retirement of John "Mike" McCormick, Professor of English, effective December 31, 2008.

BE IT RESOLVED that sincere appreciation be expressed for his 36 years of devoted service to Imperial Valley College.

XI.8. Resolution No. 14276: Revision of Sexual Harassment Policy

WHEREAS, the District's policy regarding *Handling Complaints of Unlawful Discrimination under Title 5, Section 59300 et seq.* was revised to incorporate changes recommended by the Chancellor's Office.

WHEREAS, the revised policy incorporates revisions to the legal principles contained in nondiscrimination provisions of the California Code of Regulations, Title 5, Sections 59300 et seq. as well as other state and federal procedural requirements.

WHEREAS, the District's revised policy outlines a consistent procedure for the handling of sexual and discrimination complaints. The policy also encourages an educational and employment environment free discrimination and sexual harassment.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the recommendation of the Policy and Procedures Committee October 8, 2008 with the consent of the Superintendent/President, to revise the *District Policy and Procedures for Handling Complaints of Unlawful Discrimination Under Title 5 Sections 59300 et seq.* effective December 17, 2008, as follows in Exhibit A.

XII. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, JANUARY 21, 2009, AT 6 P.M.** in the Administration Building Board Room.