

**MINUTES**  
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
Regular Meeting  
Board Room – Administration Building  
Victorville, California

December 14, 2004

5 p.m.

- CALL TO ORDER:** The Board of Trustees of Victor Valley Community College District met in regular session on December 14, 2004, in the Board Room of the Administration Building. Board President, Dr. Dorothy Franke, called the meeting to order at 5:02 p.m.
- PLEDGE OF ALLEGIANCE:** Mr. Jeff Cooper, Deputy Superintendent/Executive Vice President, Instruction, led the audience in the Pledge of Allegiance to the flag.
- MEMBERS PRESENT:** Dr. Dorothy Franke, President; Dennis Henderson, Vice President; Joe Range, Clerk; Thomas M. Elder, II, Trustee; and Dr. Bettye Underhill, Trustee. (ASB President and Student Trustee Eddie Miro arrived for Open Session at 5:45 p.m.)
- MEMBERS ABSENT:** None.
- STAFF/GUESTS PRESENT:** Dr. Patricia A. Spencer, Mr. Jeff Cooper, Dr. Willard Lewallen, Dr. Louis Zellers, Dr. Tom O'Neil, Mr. Henry Yong, Mr. Nick Parisi, Penelope Majeske, other staff, and members of the public.
- CLOSED SESSION** Dr. Franke recessed the Open Session at 5:03 p.m., and the Board met in Closed Session from 5:03 p.m. to 6:40 p.m. to discuss the following:
- 1. CLOSED SESSION**
    - (a) Government Code Section 54956.9:  
CONFERENCE WITH LEGAL COUNSEL —  
EXISTING LITIGATION: three (3) cases  
Gloria Henderson vs. Victor Valley Community College,  
Bettye Underhill, Nick Halisky, VCVVS 030263;  
Nicholas Halisky and Cathleen Halisky vs. Victor Valley  
Community College District, Dennis Henderson, et. al, VCVVS 026112;  
Laymon Jordan vs. Victor Valley Community College District, VCVVS 034629
    - (b) Government Code Section 54957.6:  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Bill Schmidt,  
Willard Lewallen, Jeff Cooper, Thomas O'Neil;  
Employee organizations: CSEA, CTA

- (c) Government Code Section 54956.9(b):  
CONFERENCE WITH LEGAL COUNSEL —  
POTENTIAL LITIGATION: one (1) case
- (d) Government Code Section 54957:  
DISCIPLINE/DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE: two (2) cases
- (e) Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION:  
Director of EOPS and CARE  
Director of Instructional Compliance

Break 6:40 p.m. to 6:50 p.m.

OPEN SESSION The Board reconvened to Open Session at 6:50 p.m.

**ACTION AS A RESULT  
OF CLOSED SESSION**

Dr. Franke reported that there were two actions taken by the Board in Closed Session.

(1) It was MSC (Henderson/Range, 5-0) to file a civil suit against Nick Halisky, Lynn Puckett, and Ronald Krimper in reference to the Halisky case.

(2) It was MSC (Elder, Range, 5-0) that the Board authorizes the Superintendent/President to provide notice to the Director of Instructional Compliance that her contract will be renewed for a period of one year, effective July 1, 2005, to June 30, 2006.

**GOVERNING BOARD**

It was MSC (Underhill/Elder, 5-0) to approve the minutes of the November 9, 2004, regular board meeting.

Dr. Franke announced that persons may speak to agenda items if the Agenda Discussion Form has been completed.

**AGENDA ADDITIONS,  
REVISIONS:**

Dr. Spencer reported that one agenda item had been revised:

5.f Administrative/Management/Confidential Appointments

**3.4 Election of Board Officers**

**a. President**

It was MSC (Henderson/Elder) to elect by acclamation Joe Range as President of the Board.

**b. Vice President**

It was MSC (Franke/Elder) to elect by acclamation Dennis Henderson as Vice President of the Board of Trustees.

c. Clerk

It was MC (Elder) to elect by acclamation Betty Underhill as Clerk to the Board of Trustees.

d. Representative to the County Committee on School District Organization

It was MC (Underhill) to elect by acclamation Dorothy Franke as Representative to the County Committee on School District Organization.

REPORTS:

Newly elected Board President Joe Range said he is looking forward to the exciting challenge of serving as President and thanked the Board for electing him.

Superintendent/President

Dr. Spencer announced that Victor Valley College was recently given the Chancellor's Office Diversity Award last month at the CCLC Conference. Also, Rita Jackson was appointed as a statewide representative on CSEA's Merit System Committee for the coming year. Dr. Spencer thanked all those who attended the Holiday Celebration Around the World event last week and announced the table winners and the dessert competition winners. In addition, she gave a special *thank you* to the 18 members of the Spirit Team: Annette McComas, Audrey Williams, Bill Greulich, Brent Wood, Carl Smith, Joe Estephan, Lori Ornelas, Margarita Barbosa, Patti Jennings, Robert Sewell, Sandy Mistretta, Sandy Visser, Sharon Wright, Sheree Caldwell, Shirley Gonzalez, Starla Underwood, Steve Toner, and Willie Pringle.

Instruction

Mr. Cooper acknowledged VVC's Theater Arts Department. Thirteen students will go on to the Kennedy Center/American College Theatre Festival competition in February in Phoenix, Arizona. Additionally, the Music Department's Choral Singers have been invited to perform in British Columbia. Mr. Cooper reported a very strong Winter Session enrollment with approximately 260 classes. The college has begun advertising on the radio and in newspapers, and the college's web site has a pop-up showing the enrollments in classes that are still open. He congratulated Joe Range on his election to the position of Board President and wished everyone a happy holiday.

Student Services

Dr. Lewallen reported that Ed Fund is the nation's second largest loan guarantee corporation. The competition to be included in their calendar has been intense, but VVC was one of the colleges selected for Ed Fund's new calendar.

Administrative Services

Dr. Zellers had no official report; however, he wanted the Board to be aware that the Governor's budget would be coming out soon.

- Foundation
- Ms. Diana O'Malley congratulated Joe Range on his election to Board President and expressed the Foundation's appreciation to him. She reported that the Foundation will be holding the Gala Hall of Fame on January 29 to honor several community members. Also, the Foundation received a grant from the Wellness Foundation to assist the college to achieve diversity in Health Science. In addition, the Foundation has submitted the first application of four Community Development Block Grant (CDBG) applications. She wished everyone a Merry Christmas.
- Board of Trustees
- Dr. Underhill reported that \$535 for *Toys for Tots* was raised by the Apple Valley Chamber. Board President Joe Range thanked everyone for the cards and flowers during his recent hospital stay.
- ASB
- ASB President Eddie Miro handed out copies of the *RamPage* and pointed out the articles on the Model UN and on Richard Saldana, Business Senator. He also recognized Jonathan Barbatoe, the new ASB Vice President. Further, he reminded everyone that the Akashikita High School Green Band from Japan will be providing a benefit concert at VVC on Tuesday, January 4. Blanca Gomez, the new ASACC representative, thanked the Board for allowing her the opportunity of attending the national conference in Tennessee and read aloud her report from the conference.
- CCA
- CCA President Debby Blanchard congratulated the new Board President Joe Range and thanked Dr. Franke for her work as Board President this year. She also recognized all of the deaf students and interpreters in attendance and encouraged the Board to hire an interpreter to attend every Board meeting. She regretted to inform the Board that CCA had reached an impasse and that the union had filed an unfair labor practice regarding the academic calendar.
- CSEA
- CSEA President Arlene Greene read aloud from a page (copy on file in the President's Office). She then turned the microphone over to Kevin Crowley who said the union objected to a few of the hires on this evening's agenda. Arlene Green also said CSEA objected to hiring the interpreter listed on tonight's agenda. CSEA believes there are inadequate conditions for interpreter services for the students. Lacy Gillespie, Labor Relations Representative of the CSEA, said CSEA is asking the Board to not violate paragraph 25 (of the MOU) by hiring these students tonight.

Dr. Schmidt said that the college is following the agreement. An issue is the timeliness in which CSEA completes the hiring checklists; in some instances that time limit was exceeded. Arlene Green responded that CSEA does not hold hiring checklists and that they return them to Human Resources the same day they are received.

Faculty Senate

Debby Blanchard said the college is missing nine full-time faculty positions and that they should be replaced. She read a list of names and vacant positions. Ms. Blanchard thanked all faculty, staff, and administration for working on the accreditation process.

AFT Part-Time Faculty United No Report.

Management

Robert Sewell congratulated the Board on their new officer elections. He also recognized two people in the Print Shop, Bev Huiner and Scott Mulligan, for their excellent work.

Public Comments

Noreen Jacquez spoke on behalf of several other Campus Police officers, who patrol 24/7 to ensure the safety of the VVC campus and for Excelsior High School.

Giovanni Miglia spoke about student success and said that if he does not have a certified interpreter for his classes, it would not be possible for him to reach his goals.

Joseph McCoy, a volunteer part-time interpreter at VVC in DSPS, spoke about the need for interpreters for deaf students. Dr. Spencer pointed out that the college has struggled in its effort to find interpreters. Jeffrey Holmes, Director of Disabled Student Services and ADA, said we have a very difficult time in delivering services to our deaf students. He encouraged the deaf community to remain active. Joe Range asked if there was a ratio. Jeffrey Holmes said there should be at least three interpreters for every 2-hour class. One of the students pointed out that some student interpreters do not understand the privacy issue when interpreting in class and during counseling sessions.

Break

8:24 p.m. – 8:37 p.m.

Public Comments  
(continued)

Several others spoke in strong support of interpreters for the deaf. They included Linda Hardy, Josephine Yopez, Susan Randolph, Nancy Turner, Richard Symmes, Jessica Haselroth, Misty Covington, Rhiannan Aragues, Ginnina Miglia, James-

Michael Yates, Lynn Crowley, Jeremy Failing, and Eli Miglia. Some of the suggestions included the following:

- Hire more interpreters for the deaf.
- Appoint an interpreter coordinator.
- Increase the salaries for well-qualified, certified interpreters.
- Hire note-takers for the deaf.
- Hire a team of interpreters that could relieve each other during long class sessions. Interpreters need to stay for the entire class session.
- The hearing-impaired person cannot function on half-time interpreters.
- Provide preparation time for interpreters.

Board President Range thanked the volunteer interpreter, Ginnina Miglia, for her services. Dennis Henderson thanked everyone for coming and invited them to come again. Board President Range thanked all of the speakers for coming this evening.

Dr. Spencer thanked everyone who had worked on the accreditation self-study. She thanked Dr. Fay Freeman for taking the college through the process. Dr. Spencer announced that we learned at the last College Assembly meeting that there was not enough time to go back and forth to the all of the constituency groups. There will be a special College Assembly meeting this Friday at 12:30 p.m. for all of the constituency groups to bring their recommendations and input. The Steering Committee will compile all of the information and finalize the document.

## 5. CONSENT AGENDA

**It was MSC (Elder/Underhill, 5-0) to approve the consent items, 5.a through 5.m, including amended agenda item 5.f.**

- a. Revised Department Chairpersons for 2004-2005  
Consider approval of the revised list of instructors as department chairpersons for the 2004-2005 academic year.
- b. Curriculum Changes  
Consider approval of the curriculum changes that have been recommended by the College Curriculum Committee.
- c. Agreement, Chino Valley Fire  
Consider approval of the clinical agreement with Chino Valley Fire for the purpose of contributing to the education for Emergency Medical Technician-Paramedic, Emergency Medical Technician, and other related Allied Health programs for the benefit of students and for community needs.
- d. Agreement, San Bernardino City Fire Department  
Consider approval of the clinical agreement with the San Bernardino City Fire Department for the purpose of contributing to the education for Emergency Medical Technician-Paramedic, Emergency Medical

Technician and other related Allied Health programs for the benefit of students and for community needs.

e. Classified Bargaining Unit Appointments, Promotions, and/or Transfers

1) Consider approval of the appointment of the following individuals:

- a) Rocio Chavez, Human Resources Technician, effective December 1, 2004;
- b) Debbie Chesser, Sign Language Services Interpreter (classified special), effective on or after December 15, 2004.

2) Consider approval of the promotion of the following individuals:

- a) Melina Rodriguez, Child Development Center technician from Office Assistant, Child Development Center, effective on or after December 15, 2004.
- b) Diana Sisk, Instructional Assistant II, Writing Center (50%) from Instructional Assistant I, Language Lab (50%), effective December 20, 2004.

3) *Recruitments for senior programmer/software developer and senior systems analyst are currently underway. A recommendation for appointments will be brought to the December 14 Board meeting as an amendment.*

f. Administrative/Management/Confidential Appointments/and Promotion

1) Consider approval of the appointments of the following individuals:

- a) Mary Marble, Director, Admissions & Records, effective January 4, 2005.
- b) Bruce Baron, Vice President, Administrative Services, effective on or after January 10, 2005.

2) *Recruitments for ~~Director of Facilities Construction and Director of Financial Aid~~ are currently underway. ~~Recommendations for appointment will be brought to the December 14 Board meeting as an amendment.~~*

**The superintendent/president has approved the promotion of the following individual and requests board approval:**

**Sharon Groom, Director, Financial Aid, effective January 3, 2005.**

g. Full-Time Academic Personnel/Winter 2004

Consider approval of the teaching and non-teaching staff for assignments as listed for Winter 2004.

h. Temporary Academic

Consider approval of the temporary academic appointments as listed.

Amended Agenda Item 5.f

- i. Academic Ratification of Equivalency Requests  
Consider ratification of the equivalency for Child Development as listed on the attachment.
- j. Academic Ratification of Eminence Requests  
Consider ratification of the eminence requests as listed on the attachment.
- k. Non-Classified Employees  
Consider approval of the non-classified employee appointments as listed.
- l. Board of Trustees Payment Report  
Consider approval of the payments as listed (see Exhibit 5.1).
- m. Agreements  
Consider ratification of the agreements as detailed below:

Vendor/Consultant	Service	Amount
Fors, Alex	Consulting for MIS State Reporting	\$500.00
Bradley, Julie	Consultation for Sign Language Interpreters	\$300.00
<b>TOTAL</b>		<b>\$800.00</b>

## **ACTION AGENDA**

### **6. BOARD OF TRUSTEES**

No items.

### **7. SUPERINTENDENT/PRESIDENT**

#### **7.1 First Reading: Proposed Board Policy No. 7103, Ethics Statement for Employees**

It was MSC (Elder/Underhill, 5-0) to accept for first reading the proposed Board Policy No. 7103, Ethics Statement for Employees.

### **8. INSTRUCTION**

#### **8.1 Agreement, Child Development Services #GPRES-4299**

It was MSC (Underhill/Henderson, 5-0) to approve the amended agreement with the California Department of Education for Child Development Services contract #GPRES-4299 for fiscal year 2004-2005. Fiscal Impact: Revenue to the District, \$218,534.

#### **8.2 Agreement, TANF-CDC Grant**

It was MSC (Franke/Henderson, 5-0), to approve the agreement with the Foundation for California Community Colleges to receive the grant award of \$20,385 for the 2004-2005 Temporary Assistance for Needy families-Child Development Centers (TANF-CDC) Project. Fiscal Impact: Revenue to the District, \$20,385.



## 9. STUDENT SERVICES

### 9.1 Annual Maintenance Agreement Renewal, HP

It was MSC (Underhill/Elder, 5-0) to approve the renewal of the HP maintenance agreement for 24-hour hardware and software support for the district's HP 9000 server, which are mission critical to the operation of the administrative information system (Datatel Colleague). Fiscal Impact: Budgeted item. \$1,671/month, \$20,052 annual.

### 9.2 Agreement, Strata Information Group (Amended)

It was MSC (Underhill/Elder, 5-0) to approve Amendment No. 2 to the original agreement made on June 10, 2004, with Strata Information Group (SIG), an independent consulting firm, to extend SIG's services through January 31, 2005. Fiscal Impact: One-time dollars available through Board Financial Assistance Program augmentation, no impact on the District budget. The amount of the agreement increased to \$235,735 from \$168,863 (an additional \$66,872 for fiscal year 2004-2005).

### 9.3 Student Equity Plan

It was MSC (Underhill/Elder, 5-0) to approve the Student Equity Plan. Subsequent to Board approval, the plan will be submitted to the Chancellor's Office. Fiscal Impact: Unknown, but is expected to be minimal. Strategies and goals of the plan will be accomplished primarily through existing campus resources.

## 10. ADMINISTRATIVE SERVICES

### 10.1 Agreement, Productive-WRQ Reflections

It was MSC (Elder/Underhill, 5-0) to approve the agreement with Productive-WRQ Reflections for annual maintenance for Reflections PITH NS/TV for the period from December 1, 2004, through November 30, 2005, for a total of 205 users for an amount not to exceed \$9,870. Fiscal Impact: Not to exceed \$9,870.

### 10.2 Agreement, Constellation NewEnergy

It was MSC (Henderson/Underhill, 5-0) to approve the amended agreement with Constellation NewEnergy to purchase electrical energy, which will extend our current agreement for the period of January 1, 2005, through June 30, 2005. Fiscal Impact: Reduced rates for electricity, guaranteed over the contract period.

### 10.3 Board Delegated Authority—Signatories

It was MSC (Elder/Underhill, 5-0) to acknowledge the new Vice President, Administrative Services, Bruce Barron, as authorized representative of the Board of Trustees to execute certain documents (as listed on agenda item 10.3) effective January 10, 2005.

## 11. HUMAN RESOURCES

### 11.1 Revised Job Description for Director of Child Development Center

It was MSC (Underhill/Elder, 5-0) to approve the revised job description for the director of Child Development Center with placement on the Management Salary Schedule at Range 27. Fiscal Impact: Budgeted.

11.2 Management Meet and Confer Proposal

It was MSC (Elder/Underhill, 5-0) to approve the proposal presented by the management team. Fiscal Impact: \$29,002 for 2004-2005; 2005-2006 and 2006-2007 to be budgeted.

11.3 Designate Additional Board Holiday

It was MSC (Franke/Underhill, 5-0) to approve Wednesday, December 29, 2004, as an additional holiday for classified and management personnel. This change is based upon an agreement with the classified bargaining unit.

**12. FOR INFORMATION ONLY**

12.1 Monthly Financial Statements

Financial reports are being presented for the period ending October 31, 2004, for the General Fund (01), Debt Service Payment Fund (29), Capital Outlay Projects Fund (71), Child Development Center Fund (72), Student Center Fee Fund (73), Health Trust Fund (75), Insurance Trust Fund (78), Bookstore, Auxiliary Services, and the ASB Fund.

12.2 Administrative/Management/Confidential Resignation

Dr. Leonard Crawford, dean of Student Services, has submitted his resignation effective December 21, 2004. Per board policy 7350, the resignation has been accepted by the superintendent/president.

Dr. Spencer thanked Dr. Crawford for his service to the students and to the college.

12.3 Institutional Self-Study for Reaffirmation of Accreditation 2005 Draft

This is an opportunity for the Board to read and review the Self-Study, which will be submitted to the Board of Trustees for approval on January 11, 2005.

12.4 Classified Memorandum of Understanding

The District and the California School Employees Association, Chapter 584, have reached agreement on the attached Memorandum of Understanding (MOU) concerning a one-year trial period for a 4-day per week, 10-hour per day schedule for the campus police. The MOU is included for the Board's information.

12.5 Administrative Procedure, AP 3910 (ADA – 504/508) Complaint Procedures

Administrative Procedure, AP 3910 (ADA – 504/508) Complaint Procedures, was approved by a unanimous vote in favor on October 19, 2004, by the College Assembly after two readings and is presented to the Board as an information item.

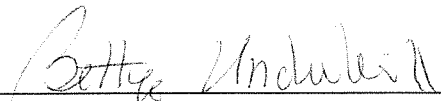
**13. ADJOURNMENT**

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,  
Patricia A. Spencer, Ph.D.  
Secretary

APPROVED:

  
\_\_\_\_\_  
Joe Range, President

  
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Bettye Underhill, Ph.D., Clerk

January 11, 2005  
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Date Approved