



Victor Valley Community College District Board of Trustees Special Meeting

Minutes

Board Room, Victor Valley College
18422 Bear Valley Road, Victorville, California

October 11, 2005

4:30 p.m.

CALL TO ORDER: The Board of Trustees of Victor Valley Community College District met in Open Session on October 11, 2005, in the Board Room of the Administration Building. Mr. Range, Board President, called the meeting to order at 4:30 p.m.

PLEDGE OF ALLEGIANCE: Mr. O'Neil led the audience in the Pledge of Allegiance to the flag.

MEMBERS PRESENT: Mr. Range, Board President; Mr. Dennis Henderson, Vice President; Dr. Bettye Underhill, Dorothy Franke, Trustee, (ASB President and Student Trustee Kimberlee Kelly arrived for Open Session at 5:50 p.m.)

MEMBERS ABSENT: Clerk Thomas M. Elder II

STAFF/GUESTS PRESENT: Dr. Patricia A. Spencer, Dr. Willard Lewallen, Dr. William Schmidt, Mr. Bill Greulich, Dr. Tom O'Neil, Mr. Nick Parisi, Mr. Jack Thomas, Dr. John Rude, Robert Sewell, Mrs. Mary Pringle, Mrs. Lael Willingham, Mr. Dave Chip, Ms. Heena Mehra, Ms. Jessika Guaran other staff, and members of the public.

CLOSED SESSION Mr. Range recessed the Open Session at 4:31 p.m., and the Board met in Closed Session from 4:31 p.m. to 6:00 p.m. to discuss the following:

1. CLOSED SESSION

(a) Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL —

EXISTING LITIGATION: eight (8) cases

(1)Gloria Henderson vs. Victor Valley Community College,
Bettye Underhill, Nick Halisky, VCVVS 030263;

(2)Nicholas Halisky and Cathleen Halisky vs. Victor Valley
Community College District, Dennis Henderson, et. al, VCVVS 026112; consultation
with legal counsel per Government Code Section 54956.9(a)

(3)Laymon Jordan vs. Victor Valley Community College District, VCVVS 034629;

(4)Chris Wagenseller vs. Victor Valley Community College District, VCVVS 035285

(5)Carissa M. Warren, Gaye L. Giarmo, and Karen E. Salazar v. Victor Valley
Community College District, Larry Boucher and Does 1 through 100,
VCVVS 027382

- (6)Lynn Puckett vs. Victor Valley Community College District, Ron Krimper
Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore,
and Does 1-1000;VCVVS 037295
- (7)Lynn Puckett vs. Victor Valley Community College District, Ron Krimper
Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore, and Does 1-
1000; VCVVS 036483
- (8)Victor Valley Community College District vs. Nicholas Louis Halisky, Lynn Puckett,
and Does 1 through 100, VCVVS 036483
- (b) Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Bill Schmidt, Willard Lewallen, Jeff Cooper, Thomas
O’Neil; Willie Davis Pringle, Bruce Baron. Employee organizations: CSEA, CTA
- (c) Government Code Section 54957:
DISCIPLINE/DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE:
Four (4) positions
- (d) Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
- (e) Government Code Section 54956.9
POTENTIAL LITIGATION: Student Complaint

2. RECONVENE TO OPEN SESSION

6 p.m.

2.1 Action as a result of Closed Session

Mr. Range reported that there were no actions taken by the Board in Closed Session.

3. GOVERNING BOARD

3.1 It was MSC (Underhill/Henderson, 4-0, Elder absent) to approve the minutes of the September 20, regular Board meeting.

3.2 Announcement that persons may speak to agenda items if the Agenda Discussion Form has been completed.

3.3 Agenda Additions/Revisions

Dr. Spencer announced that on the docket, agenda item 5.s the second line should be deleted. An amended report for item 7.1, writing team 3 was submitted as an amendment. Due to the work the auditors are doing, it was necessary to amend item 10.6 (Annual Fiscal Report) to include the recommended changes.

4. REPORTS

4.1 Superintendent/President

Dr. Spencer reported that the ACCJC (Accrediting Commission for Community and Junior Colleges) site team consisting of two individuals, Dr. O’Hearn and Dr. Bobbitt will be on campus November 9 for a follow-up visit. The progress report was submitted for second read to College Assembly with all

constituents being asked to participate. Recommendations were forwarded to the writing teams to incorporate all or part as they felt appropriate. The final versions of the seven writing teams were submitted to her office for duplication. Upon approval tonight, the final report will be mailed to ACCJC no later than October 14.

4.2 Instruction

Mr. Parisi reported on behalf of Jeff Cooper and said that they were planning for winter and spring. The winter offerings will be up from last winter a little over 30% with spring the offerings being up 12-13% right at this time.

4.3 Student Services

Dr. Lewallen announced that registration for the winter/spring will begin simultaneously on November 17th. Congratulations are in order to the entire institution for being awarded another Hispanic Institution Serving grant. This cooperative grant, partnered with Copper Mountain and Taft, will be \$3.5M over a 5-year period. University of LaVerne is listed as the informal partner of a four-year college.

4.4 Administrative Services

Mr. Range announced that Mr. Baron was out ill and that Mrs. Pringle, director of Fiscal Services, was available for any questions.

4.5 Human Resources

Dr. Schmidt reported that the maintenance staff has done an exceptional job on the Human Resources office remodel and expansion which is at near completion. Recruitment has begun for four faculty positions, two dean positions and 16 classified positions.

4.6 Governmental Relations

Mr. Greulich reported on a number of bills that were before the governor. He said that a rush bill AB 1646 passed allowing community colleges forego out of state tuition fees for students that were victims of hurricane Katrina.

4.6 Foundation

Mrs. O'Malley reported on the NCCCF conference that she recently attended. The President's Circle luncheon is scheduled this week with a presentation by Dr. Spencer showcasing the educational facilities planning process. The Alumni Hall of Fame and Distinguished Service Awards Ceremony will be held January 28, 2006. The Hall of Fame award winners have been selected and to watch for the prize patrol as they honor the honorees publicly.

4.7 Board of Trustees

Mr. Range was pleased to see Dr. Spencer along with Bill Greulich, Ginger Ontiveros, Deedee Orta and Diana O'Malley attend the recent NCCCCF conference that was held in San Francisco

4.8 Constituency Representatives

a) ASB

Ms. Kelley distributed a student health and wellness magazine. The Board of Trustees candidates forum hosted by the Associated Student Body and moderated by Dave Dupree is scheduled October 18 at 6:30 p.m. in the SAC.

b) CCA

Ms. Blanchard had no report

c) CSEA

Mrs. Greene distributed the negotiations notes from the last negotiations meeting. She raised concern regarding the classification study proposal. She feels the salary proposal is less than what they make now. She pointed out that all 16 positions that are in recruitment have grievances filed against them.

Dr. Schmidt responded that it is the district's position that in order to implement the provisions of Title V (section 53021) that in-house recruitment is not permitted unless it is for a short-term position which is not going to be permanent. It is the district's position that We are proceeding in the correct course in opening all positions to recruit both within and outside the district.

b) Faculty Senate

Ms. Blanchard felt the minutes for item 4.9 b) and d) from the September 20th board meeting were sketchy and changed the tone of her statement. Dr. Spencer responded that the minutes are not taken verbatim. It must be specifically requested by the individual in writing that the statement should be entered into the minutes. Ms. Blanchard requested that district and the board preserve the vacant Senate secretary position. The following statement, presented by Ms. Blanchard, was read and requested to be entered into the minutes:

“At the request of the College President, the Faculty Senate brought changes to College Assembly regarding the Accreditation Progress Report. These changes are not reflected in the document presented to the Board of Trustees tonight for approval. The Academic Senate President will not be able to sign off on this report until the issues presented to the College President and College Assembly are properly resolved.”

Ms. Blanchard asked whether the amended progress report included the faculty statements that were presented to College Assembly. Dr. Spencer responded that all of the input that went into College Assembly was given to the writing teams and the writing teams took those recommendations and considered them. It was up to each individual writing team to take all of the input that came through the College Assembly process and the team members considered how to incorporate them.

“We have been instructed that any faculty hires are dependent on 9% growth this fall, while hires in other areas, management, classified, etc. are not dependent on growth. We believe this is short-sighted and unfair. It is not prudent, and in fact, it is counterproductive to reduce faculty or refuse to replace faculty during a time when growth is so important.”

c) AFT Part-Time Faculty United
No report

d) Management
Mr. Sewell reported that the leadership management recently attended a disaster preparedness presentation. Emergency poster and procedures have been posted throughout the campus.

4.10 Public Comments

This is the time for the general public to address the Board. State law prohibits the Board from addressing any issue not included on the agenda. Please limit comments to three minutes per individual and a total of 15 minutes per topic. Discussion of personnel matters is inappropriate for open session. The Board is committed to protecting the privacy interests of District personnel. Should any member of the public wish to discuss a personnel matter, it must first be brought to the attention of the director of human resources. Speakers are cautioned that under California law, no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those comments are made at a public meeting.

5. CONSENT AGENDA

Public Comment Item 5.1, Approval of Eminence Status): Ms. Blanchard reported that the eminence committee did not feel this agenda item is correct. The reason the committee turned it down is because they do not believe this persons meets the standard for eminence. If there is someone else available to teach the class eminence is only considered as a last resort. The eminence committee felt that there is a teacher who is currently teaching HVAC and has the academic senate minimum qualifications. The committee feels that the recommended instructor does not have the qualifications. The committee requests that this item be withdrawn and to ask the Dean to recruit further or to put an existing instructor, with minimum qualifications in this position.

Mr. Range announced that there was no reason for the board to pull this item.

Consider approval of the following consent items to be approved in one motion. It was MSC (Underhill/Franke, 3-1, Henderson voted No, Elder absent) to approve consent items 5.a through 5.t

a. Agreement – Student Services

Consider approval of the agreement as listed. Fiscal Impact: \$500.00

Vendor/Consultant	Service	Amount
James A. Christiansen	Provide 100 pre-participation medical screenings for Athletics	\$500.00
	Total	\$500.00

- b. Revised Department Chairpersons for 2005-06
Consider approval of the attached revised list of instructors as department chairpersons for the 2005-06 academic year. Fiscal Impact: Budgeted
- c. Agreement – Bear Valley Paramedics
Consider approval of the clinical agreement with Bear Valley Paramedics as attached. Fiscal Impact: None
- d. Renewal – Clinical Facilities Agreement – Loma Linda University Medical Center
Consider approval of renewal agreement with Loma Linda University Medical Center for clinical education facilities usage. Fiscal Impact: None
- e. Renewal Agreement – Child Development Training Consortium 2005-2006 Instructional Agreement #05-4536
Consider approval of the Yosemite Community College District Child Development Training Consortium 2005-06 Instructional Agreement #05-4536 per the terms and conditions contained therein. Fiscal Impact: to the District \$12,178.
- f. Addendum to the Educational Affiliation Agreement, St. Bernardine’s Hospital
Consider approval of the addendum (Exhibits E and F) to the Educational Affiliation Agreement with St. Bernardine’s Hospital. Fiscal Impact: None
- g. Addendum to the Educational Agreement, Community Hospital of San Bernardino
Consider approval of the addendum (Exhibits E and F) to the Educational Affiliation Agreement with Community Hospital of San Bernardino. Fiscal Impact: None
- h. Curriculum Changes
Consider approval of the curriculum changes that have been recommended by the College Curriculum Committee. Fiscal Impact: None
- i. Agreement – Supplemental Support Funding San Francisco Community College District
Consider approval of the Supplemental Support funding agreement with San Francisco Community College District per the terms and conditions contained therein. Fiscal Impact: \$1330.00 to the district.
- j. Agreements – Contract Education Services
Consider approval of the agreements for Contract Education Services courses with the contractor(s) as attached. Fiscal Impact: see attached listing.
- k. Administrative/Management/Confidential Appointments
Consider approval of the appointment as listed.
- l. Approval of Eminence Status

Consider granting the eminence request as presented.

- m. Board of Trustees Payments Report
Consider approval of the Board of Trustees Transfers and Payment Reports.
- n. Temporary Academic
Consider approval of the appointments as listed. Fiscal Impact: Budgeted
- o. Academic Appointments
Consider approval of the appointments as listed. Fiscal Impact: Budgeted
- p. Non-Classified Employees
Consider approval of the appointments as listed. Fiscal Impact: Budgeted.
- q. Classified Bargaining Unit Appointments, Promotions, and/or Transfers
Consider approval of the transfers/appointments as listed. Fiscal Impact: Budgeted
- r. Payments for Consultant Services
Consider approval of the payments as listed. Fiscal Impact: Budgeted
- s. Agreement – Hydrologue, Inc.
Consider approval of the agreement as detailed below. Fiscal Impact: \$2,675
Consider approval of the agreement as listed. Fiscal Impact: \$500.00

Vendor/Consultant	Service	Amount
Hydrologue, Inc.	Phase I Environmental Assessment for the new Gym construction as required by the State	\$2,675.00
	Total	\$2,675.00

- t. Renewal Agreement – American Heart Association
Consider approval of the renewal agreement with the American Heart Association.
Fiscal Impact: None

ACTION AGENDA

6. BOARD OF TRUSTEES

6.1 Excused Absence of Trustee

It was MSC (Underhill/Henderson, 4-0, Elder absent) to adopt the resolution, excusing the absence of Trustee Dorothy M. Franke, Ph.D., from the September 20, 2005 regular board.

7. SUPERINTENDENT/PRESIDENT

7.1 Accreditation Progress Report

It was MSC (Franke/Underhill, 4-0, Elder absent) to approve the final progress report as amended. Following discussion, the motion to accept the final progress report carried unanimously.

7.2 United We Stand Fund Designer's Challenge Monument

Dr. Spencer explained the scholarship opportunity that was established by the Board of Directors of the Desert Valley Charitable Foundation. Once chosen, the architect will have the responsibility of working it into a professional design.

It was MSC (Henderson/Underhill, 4-0, Elder absent) to choose the Liberty Bell design for the Desert Valley Charitable Foundation scholarship opportunity.

8. INSTRUCTION

8.1 2005-2006 Academic Calendar Revision

It was MSC (Henderson/Underhill, 4-0, Elder absent) to approve the revision of the 2005-2006 Academic Calendar revision.

8.2 Student Travel – SERCAL Conference

It was MSC (Underhill/Henderson, 4-0, Elder absent) to approve the travel for three students, Neville Slade and Steve Hoskinson to attend the SERCAL Annual Conference from October 19, 2005 – October 22, 2005 in Yosemite, California. Fiscal Impact: None to the District. Paid for by VVC Foundation funds.

8.3 Amended Agreement – Federal Bureau of Prisons

It was MSC (Henderson/Underhill, 4-0, Elder absent) to accept the amended agreement, Contract Number DJP61603006 for the ASE, Motor Vehicle Repair Program at the Federal Correctional Institutions in Victorville, CA, per the terms and conditions contained therein. Fiscal Impact: \$143,060 to the District.

9. STUDENT SERVICES

9.1 Student and Staff Travel

It was MSC (Franke/Henderson, 4-0, Elder absent) to approve the staff and student travel and expenses to attend the men's wrestling championships on November 11-12, 2005, in Prescott, AZ Fiscal Impact: Budgeted Item. Not to exceed \$1,500.

9.2 Out of State Travel

It was MSC (Henderson/Underhill, 4-0, Elder absent) to approve the out of state travel for employees Delia Snead and Starla Underwood. Fiscal Impact: None. Expenses to be reimbursed by the Department of the Army

9.3 Out of State Travel

It was MSC (Franke/Underhill, 4-0, Elder absent) to approve travel and expenses for employee Douglas Foxworthy to attend the NAVPA Conference held October 12-16, 2005. Fiscal Impact: Budgeted Item. Not to exceed \$1,700.

10. ADMINISTRATIVE SERVICES

10.1 Agreement – Microsoft Licensing

It was MSC (Henderson/Underhill, 4-0, Elder absent) to approve the agreement with Microsoft Licensing for October 1, 2005 through September 30, 2006 per the terms of the agreement as submitted. Fiscal impact: \$25,714.50

10.2 Agreement – Chevron Energy Solutions Company

It was MSC (Underhill/Franke, 4-0, Elder absent) to approve the agreement with Chevron Energy Solutions Company per the terms of the agreement as submitted. Fiscal Impact: The cost will be paid for from energy savings from the implemented energy improvement projects. No cost will be incurred by the district if identified savings do not exceed the expense of the audit.

10.3 Recalculation of Gann Appropriation Limit

It was MSC (Underhill/Franke, 4-0, Elder absent) to approve the Gann appropriation limit for 2005-2006 in the amount of \$75,972,609.00. Following discussion, the motion to accept the annual fiscal report carried unanimously.

10.4 Agreement – Claims Administration

It was MSC (Franke/Underhill, 4-0, Elder absent) to approve the agreement with Keenan and Associates to provide claims administration services for the district for July 1, 2005 through June 30, 2008 per the terms of the agreement as submitted.

Fiscal Impact: Annual \$2,000 to \$12,000 for 2005-06

Annual \$3,000 to \$13,000 for 2006-07

Annual \$4,000 to \$14,000 for 2007-08

10.5 Agreement – Foundation for California Community Colleges

It was MSC (Henderson/Franke, 4-0, Elder absent) to approve the agreement with the Foundation for California Community Colleges for the use of college facilities in support of the BAR Smog Referee program; for 05-06, with options to renew annually for up to three years. Fiscal Impact: 2005-06 income to the district \$12,000

10.6 Annual Fiscal Status Report

It was MSC (Underhill/Franke, 4-0, Elder absent) that the annual fiscal report was received, discussed, and entered into the minutes of the meeting as amended. Following discussion, the motion to accept the annual fiscal report carried unanimously.

10.7 Leadership Team Fund

It was MSC (Franke/Underhill, 4-0, Elder absent) to approve the establishment of the Leadership Team Fund for the purpose of purchasing door prizes and miscellaneous items for college-related functions. Following discussion, the motion to accept the annual fiscal report carried unanimously.

10.8 Agreement – Foundation Brick Campaign

It was MSC (Underhill/Henderson, 4-0, Elder absent) to approve the agreement with the Victor Valley College Foundation regarding the “Donor Class of 2005: Brick Campaign”. Fiscal Impact: Cost of bricks, installation, and maintenance to be addressed by the Foundation per the agreement.

10.9 Donations

It was MSC (Underhill/Henderson, 4-0, Elder absent) to accept the donations as college property as listed.

11. HUMAN RESOURCES

12. FOR INFORMATION ONLY

- 12.1 Substitutes Provided through Contract
Provided as an informational item. Information only
- 12.2 Monthly Financial Statements
Provided as an informational item. Information only
- 12.3 Classified Resignations
Provided as an informational item. Information only

13. ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

APPROVED:

Joe Range, President

Bettye Underhill, Ph.D., Clerk

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

Date Approved