



Victor Valley Community College District REGULAR MEETING OF THE BOARD OF TRUSTEES MINUTES

Date: September 12, 2006

Place: Board Room, Victor Valley College
18422 Bear Valley Road, Victorville, CA 92395

CALL TO ORDER/ROLL CALL:

2 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on September 12, 2006 in the Board Room of the Administration building. Mr. Range, Board President, called the meeting to order at 2 p.m.

TRUSTEE ROLL CALL: Present: Joe Range, Board President; Dennis Henderson, Vice President; Donald Nelson, Clerk; Thomas M. Elder II, Trustee, Dr. Bettye Underhill, Trustee

Sara Sgarlata arrived at 6 p.m. and substituted for Michael Koenig, Student Trustee.

Absent: Michael Koenig

MANAGEMENT PRESENT: Dr. Louis E. Zellers, Interim, Superintendent/President; Dr. Lewallen, Vice President, Student Services; Bruce Baron, Vice President, Administrative Services; Dr. Marion Boenheim, Vice President, Human Resources; Dr. Jack Lipton, General Counsel; and Annette McComas (Recorder)

PLEDGE OF ALLEGIANCE: Dr. Louis Zellers led the Pledge of Allegiance to the Flag.

DELECTIONS/CORRECTIONS TO AGENDA:

Item 5.10 is corrected to add the following sentence: "This signatory authority is subject to Board Policies pertaining to the delegation of authority to the Superintendent/President." Also, the citation to Section 72282 of the *Education Code* is corrected to Section 70902(d) of the *Education Code*.

Regarding Item 5.20, after legal review by the District's General Counsel, the Agreement with Patton Hospital has been revised. Copies of the revised Agreement were made available to the public.

Regarding Item 5.25, the salary increase should read 5.92% and not 59.2%

1. CLOSED SESSION

Mr. Range, Board President, announced the agenda items that the Board would consider in Closed Session.

- (a) CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION under Government Code Section 54956.9(a):
- (1) G. Henderson vs. Victor Valley Community College, San Bernardino County Superior Court Case No. VCVVS 030263
 - (2) N. Halisky and C. Halisky vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 026112
 - (3) Warren vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 037382
 - (4) Victor Valley Community College District vs. Puckett, San Bernardino County Superior Court Case No. VCVVS 036483
 - (5) CTA vs. Victor Valley Community College District, Public Employment Relations Board Case No. LA-CE-4852-E
 - (6) G. Olin vs. Spencer, San Bernardino County Superior Court Case No. VCVVS 040360
 - (7) CSEA v. Victor Valley Community College District, CSMCS Case No. ARB-06-0032
 - (8) CSEA v. Victor Valley Community College District, CSMCS Case No. ARB-05-0305
 - (9) F. Freeman v. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 042951
- (b) CONFERENCE WITH LABOR NEGOTIATORS
- (1) Employee organization CSEA
District's representatives: Dr. Marion Boenheim, Bruce Baron, and Willie Davis Pringle
 - (2) Employee organization PTFU
District's representatives: Drs. Marion Boenheim, Willard Lewallen, Marianne Tortorici, and John Rude
- (d) PUBLIC EMPLOYEE APPOINTMENT
- Accounting Technician I
 - Administrative Secretary I
 - Administrator on Special Assignment
 - Bookstore Operations Assistant
 - Director, Admissions & Records
 - DSPS Assistant/Interpreter
 - Instructional Assistant I
 - Instructional Assistant III
 - Instructor
 - Interim Superintendent/President
 - Library Technical Assistant
 - Office Assistant
 - Professional Expert
 - Short Term Employee:

Accompanist
 Assistant Coach
 Board Assistant
 Bookstore Cashier
 Bookstore Stocker
 Community Fee Base
 Equipment Manager
 Events Worker
 Life Drawing Model
 Office Worker
 Operations Worker
 PAC House Manager
 PAC Worker
 Van Driver
 Sign Language Services Interpreter
 Student Worker, including work study/work experience, CalWORKS, and tutor
 Substitute Employee:
 Administrative Secretary I
 Admissions & Records Assistant
 Associate Teacher (CDC)
 Bookstore Operations Assistant
 Campus Police & Public Safety Officer
 Campus Police Reserve Officer
 Clerical Technician II
 Custodian
 DSPS Assistant/Interpreter
 Instructional Assistant I
 Instructional Assistant III
 Instructional Network Computer Maintenance Technician
 Library Technical Assistant
 M & O Clerical Technician
 Media Services Specialist
 Office Assistant
 Reserve Police Officer
 Sign Language Services Interpreter
 Switchboard Operator
 Webmaster
 Temporary Academic
 Volunteer

(e) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS:

At 2:06 p.m., Board President, Joe Range recessed to closed session.

2. RECONVENE TO OPEN SESSION

6 p.m.

At 6:06 p.m., Board President, Joe Range reconvened the meeting in open session and made the following closed session report:

In the case of CTA vs. Victor Valley Community College District, PERB Case No. LA-CE-4852, the

Board voted unanimously to approve a settlement agreement. Copies of the agreement are available through Dr. Zeller's office.

In the case of Freeman vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 042951, the Board voted as follows:

The Board voted unanimously to defend the District in the litigation.

The Board voted unanimously to provide a legal defense for Dr. Underhill, Tom Elder, and Joe Range as defendants, with individual Board members recusing themselves from the vote on themselves.

The Board voted 4-1, with Mr. Henderson voting No, to provide a legal defense to the other defendants, Patricia Spencer, William Schmidt, Jeffrey Cooper, and Dorothy Franke.

The Board voted unanimously to approve the public employee appointments as noted on the handout provided to the public.

Director, Admissions & Records

Greta Moon, 9/13/06

Instructional Assistant III

Susana Jimenez (ESL), 9/13/06

Troy Kuhns (Welding), 9/12/06

Library Technical Assistant

Dennis Hartmann, 9/13/06

Office Assistant

Laura Katnic (Nursing, 75%), 10/2/06

Professional Expert

Close, Katie 08/28/06-12/16/06

Fenley, Michelle 08/28/06-12/16/06

Krumsiek, Kristy 09/13/06-12/15/06

Melbihess, Misty 08/28/06-12/16/06

Pasqua, Lisa 08/28/06-12/16/06

White, Adam 08/28/06-12/16/06

Short Term Employee

Assistant Coach

Humphrey, Rocky 08/15/06-12/15/06

Community Fee Base

Shaner, Keith 10/16/06-01/29/07

Kiss, Christopher 09/12/06-12/16/06

Magana, Melissa 09/14/06-12/16/06

Student Worker, including work study/work experience, CalWORKS, and tutor

Aispuro, Gloria 09/13/06-12/30/06

Alford, Hannah 09/13/06-12/30/06

Angulo, Sonia 09/13/06-12/30/06

Bantug, Hoisze 08/28/06-12/31/06

Beltran, Stephanie 09/13/06-12/30/06

Bratulin, Aleksandr 07/01/06-12/30/06

Brown, Tammy 09/13/06-12/31/06

Chavez, Laurie 09/12/06-12/15/06

Crawford, Krystal	08/28/06-12/15/06
Deards, Erin	08/28/06-12/15/06
Dunkerley, Erika	08/28/06-12/31/06
Glisson, Roger	09/13/06-12/31/06
Guinn, Mandi	08/28/06-12/22/06
Gutierrez, David	07/19/06-12/30/06
Hodgkins, Melanie	09/14/06-12/31/06

Student Worker, including work study/work experience, CalWORKS, and tutor, cont'd

Jeter, Quaniesha	09/13/06-12/30/06
Keith, Marlene	09/13/06-12/18/06
Lopez, Noel	09/14/06-12/31/06
Montgomery, William	09/14/06-12/31/06
Morgan, Dale	09/12/06-12/16/06
Morgan, Dale	01/08/07-06/09/07
Pimentel, Tricia	08/16/06-12/30/06
Ponce, Jamie	09/13/06-12/30/06
Ramirez, Arthur	09/05/06-12/15/06
Rosas, Rosario	08/28/06-12/31/06
Taylor, Tawny	08/23/06-12/20/06
Vaccari, Michelle	08/28/06-12/31/06
Voltz, Pamela	08/23/06-12/20/06
Willaims, Clyde	08/28/06-12/15/06
Williams, Michelle	09/13/06-12/31/06
Yun, Ok-Kyong	09/14/06-12/31/06
Zamora, Maria	08/28/06-12/15/06

Substitute Employee

Associate Teacher (CDC)	
Baker, Amy	08/28/06-06/30/07
Clerical Technician II	
Select Personnel	09/13/06-02/28/06
M & O Clerical Technician	
Select Personnel	08/21/06-12/30/06
Media Services Specialist	
Majeske-Lozada, Elizabeth	09/12/06-03/31/07
Office Assistant	
Thornhill, Elizabeth	09/13/06-10/31/06
Sign Language Services Interpreter	
Herd, Brandy	09/13/06-12/15/06
Webmaster	
Gullet, Andrew	09/13/06-01/13/07

Temporary Academic

FALL 2006--MATH AND SCIENCE

Box, Jeffrey
Brown, William
Butros, Michael
Carlson, Robert
Garcia, Antonia
Kulasxa, Robert
Malone, James P.

Paine, John
Ridge, Jeff

FALL 2006--HUMANITIES, ARTS & SOCIAL SCIENCES

Davis, Tracy

Golder, Patricia

Mellado, Lisa 08/28/06-12/16/06

FALL 2006--HUMANITIES, ARTS & SOCIAL SCIENCES

Moss, Yvonne

Peloza, Susan

Reed, Annalisa 08/28/06-12/16/06

Selden, Emily

Spotts, Dave

Wagner, Pat

Wilson, Nancy 08/28/06-12/16/06

FALL 2006--TEMPORARY ACADEMIC VOCATIONAL PROGRAMS

Ayers, Jennifer

Bennett, Lee

Cescolini, Diana 08/28/06-12/16/06

Coon, Greg

Eisenbrey, Jennifer

Emarine, Tracey

Garza, Al

Jones, Jimmie J

McCullough, John

Modlin, Jerry

Murchmore, Darin

Peak, Gloria

Ramsey, Robert

Rankin, Timothy

Smith, Gerald

Stewart, Bobbie

Thibeault, Sally

Weygandt, William 08/28/06-12/16/06

Williams, Chantae

FALL 2006--STUDENT SERVICES

James, Pamela

Johnson, Eartha

Mayer, Peggy

Volunteer

Carpenter, Sharon 09/13/06-12/22/06

Cline, Chao 10/12/06-12/16/06

Cline, Diane 08/26/06-02/01/07

Cline, Theresa 09/12/06-06/30/06

Ferreira, Julie 09/13/06-12/31/06

Gonzalez, Krystal 10/11/06-12/15/06

Kirkendoll, Ryan	09/13/06-06/01/06
Murphy, Beth	07/29/06-12/31/06
O'Harra, Natalia	10/12/06-12/15/06
Riding, Thomas Kirk	09/12/06-12/30/06
Sternfeld, Barbara	10/28/06-12/11/06

PUBLIC COMMENTS RELATED TO AGENDA ITEMS ONLY: The following individuals made comments and spoke with respect to the noted agenda items:

Neal Kelsey (4.3 and 5.26) and Debra Blanchard (5.24 and 5.26)

3. GOVERNING BOARD

4. SUPERINTENDENT/PRESIDENT'S REPORT

For the Superintendent/President's report, Dr. Zellers announced that he was honored to be selected as interim Superintendent/President. In addition, he pointed out that all faculty, full-time and part-time are equally appreciated.

- 4.1 Deputy Superintendent/Executive Vice President/Instruction
No report
- 4.2 Vice President, Student Services
Dr. Lewallen
- 4.3 Vice President, Administrative Services – 2006/07 Budget Update
Mr. Baron
- 4.4 Vice President, Human Resources
No report

5. CONSENT AGENDA

It was MSC (Underhill/Elder, 5-0) to approve the consent items as corrected.

- 5.1 Approval of the minutes of the August 18, 2006 special Board meeting
- 5.2 Approval of the minutes of the August 22, 2006 special Board meeting
- 5.3 Renewal Software Licensing – Computerland of Silicon Valley
Approval of renewal of the annual software licensing with Computerland of Silicon Valley. This renewal will provide site license for the product and the server for Microsoft Campus Agreement for 517 faculty and staff FTES. This renewal will be effective for the period of October 1, 2006 through September 30, 2007. Fiscal Impact: Budgeted item, not to exceed \$28,347.25.00
- 5.4 Agreement – Public Economics, Inc.
Approval of the funding for Phase II of it's original agreement with Public Economics. Fiscal Impact: \$25,000.00 reimbursable from proceeds of the redevelopment funds.
- 5.5 Property Disposal
Approval of the disposal of surplus equipment on the attached list through the auctioneer services of the Liquidation Company. Fiscal Impact: None

- 5.6 Board of Trustees Transfers and Payments Report
Approval of the Board of Trustees Transfers and Payments Reports.
- 5.7 Donations
Acceptance of the donations as college property from the Victor Valley District Foundation for a total amount of \$98,005.21)
- 5.8 Training Proposal – Tier Technologies, Inc.
Approval of the proposal with Tier Technologies, Inc. to provide on-site Basic Script Express Training for the Tier software program. Fiscal Impact: Budgeted item, not to exceed \$9,000.00
- 5.9 Rescind – Board Delegated Authorized Signatory
Approval to rescind all previous signatory authority for Dr. Patricia Spencer, Superintendent/President, effective August 31, 2006. Fiscal Impact: None
- 5.10 **CORRECTED** Authorized Signatory – Dr. Louis E. Zellers
Approval of the signature of Dr. Louis E. Zellers, Interim Superintendent/President to represent the board in the cases as listed for fiscal year 2006-07 per Education Code 72282. Fiscal Impact: None
- 5.11 Out-of-State Travel – Lael Willingham
Approval of the out-of-state travel for Lael Willingham to attend the California Association of Joint Powers Authorities Fall Conference in South Lake Tahoe, Nevada September 19-22, 2006. Fiscal Impact: Budgeted item, not to exceed \$2,075.00
- 5.12 Agreement for Personal Services – Luis Pena
Approval of the agreement with Luis Pena for Personal Services to conduct maintenance and repair on all weight room equipment as listed. Fiscal Impact: Not to exceed \$3,700.00
- 5.13 Out-of-State Travel – Barbra Louis
Approval of the out-of-state travel for Barbra Louis to attend a Leadership Conference at Rutgers University, New Brunswick, NJ held September 8-17, 2006. Fiscal Impact: None to the District
- 5.14 Agreement – Big Bear Lake Fire Department
Approval of the clinical agreement with the Big Bear Lake Fire Department as attached. Fiscal Impact: None
- 5.15 Agreement – Contract Education Services
Approval of the agreement with Archangel for the course offered in Contract Education department. Fiscal Impact: \$2,000.00 to the District.
- 5.16 Academic Reduced Workload Request
Approval of Juanita Chou's request for a reduced workload of 80% for the 2006-07 academic year which is permissible according to Article 25 of the CTA agreement. Fiscal Impact: Budgeted.

- 5.17 Appointment of Search Consultant Firm for Superintendent/President
Approval of the appointment of Community College Search Services to assist the District in the recruitment and selection of a Superintendent/President. Fiscal Impact: to be determined.
- 5.18 Out-of-State Travel – Renay Butler and Rocio Chavez
Approval of the out-of-state travel and related expenses for Renay Butler and Rocio Chavez to attend the ACHRO/EEO EEO Model Plan Workshop and Fall Training Institute in South Lake Tahoe, Nevada, from October 17-20, 2006. Fiscal Impact: Budgeted item, \$1,163.00
- 5.19 Classified Additional Position
Approval of the additional position of Webmaster, categorically funded through Title V HSI cooperative grant, effective September 13, 2006. Fiscal Impact: Funded through Title V HIS cooperative grant.
- 5.20 **CORRECTED** Renewal Agreement – Patton State Hospital
Approval of the renewal agreement with Patton State Hospital from September 1, 2006 through June 30, 2011. Fiscal Impact: None to the District.
- 5.21 Agreement – Six Ten & Associates
Approval of the agreement with Six Ten and Associates for State Mandate claim preparation for the 2006-2007 fiscal year. Fiscal Impact: Budgeted item, not to exceed \$24,000.00
- 5.22 Management Resignation – Phyllis Seifert
Acceptance of the resignation of Phyllis A. Seifert, CDC Director, effective September 8, 2006.
- 5.23 Ratification of Tentative Agreement – CSEA
Ratification of the tentative agreement reached with CSEA on Article VIII, Salary and Article IX, Health and Welfare Benefits.
- 5.24 CTA Tentative Agreement – Salary Increase
Pending ratification by the faculty, ratification by the Board of Trustees on the tentative agreement reached with CTA for a 5.92% cost of living adjustment to be distributed on the salary schedule by the Association and approved by the District, effective with the academic year 2006-2007. Fiscal Impact: Budgeted item.
- 5.25 **CORRECTED** Management Meet and Confer Agreement
Approval of a salary increase of ~~5.2%~~ 5.92%, fund the benefit package, and make changes to retiree benefits. Fiscal Impact #1 and #2 budgeted, #3 no cost.
- 5.26 Faculty Minimum Qualifications under Equivalency Process
Approval of the equivalencies for minimum qualifications for faculty. Fiscal Impact: Budgeted
- 5.27 Classified Temporary Increase in Assignment
Approval of the position of Office Assistant in the Teacher Learning Center, currently held by Esperanza Aragon, to be temporarily increased from 20 hours/week to 40/hours week, effective September 1, 2006. Fiscal Impact: Additional 20 hours/week from credit matriculation.

- 5.28 Cancellation of the October 24, 2006 Board meeting
Approval of the cancellation of the October 24, 2006 Board meeting. Fiscal Impact: None
- 5.29 Administrative/Management/Confidential Payment of Accrued Vacation Days – Patricia Spencer
Approval of the payment of accrued vacation hours for Patricia Spencer, Superintendent/President, not to exceed 31.61 days, \$24,194.93
- 5.30 Classified Resignation – Bonifacio Solis
Acceptance of the resignation of Bonifacio Solis, Admission and Records technician, bilingual, effective August 30, 2006.
- 5.31 Revised Classified Salary Schedule
Approval of the revised Classified Salary Schedule which includes the classification of Student Development Center Specialist II on Range 12 of the salary schedule and include Anna Garcia, Patricia Montgomery, Gabriella Quesda, and Beth Roberts. Fiscal Impact: Budgeted.
- 5.32 Agreement – Louis E. Zellers
Approval of the agreement with Dr. Louis E. Zellers to serve as the Interim Superintendent/President for one year, effective August 21, 2006. Fiscal Impact: \$13,400 salary plus \$400 stipend and \$1500 housing allowance in lieu of health and welfare benefits per month.

ACTION AGENDA

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda
None

7. SUPERINTENDENT/PRESIDENT

None

8. INSTRUCTION

None

9. STUDENT SERVICES

None

10. ADMINISTRATIVE SERVICES

10.1 Public Hearing and Adoption of the 2006-2007 Budget

Adoption of the 2006-2007 budget as presented. Fiscal Impact: Formally establishes budget.

The Board president declared the hearing open. Hearing no comments, the Board President declared the public hearing closed.

It was MSC (Underhill/Elder, 5-0) to adopt the 2006-2007 budget as presented.

11. HUMAN RESOURCES

11.1 Appointment of a Search Committee for Superintendent/President

It was MSC (Elder/Underhill, 5-0) to approve the formation of the search committee for the position of Superintendent/ President. Fiscal Impact: Budgeted

12. INFORMATION/DISCUSSION

None

13. REPORTS

13.1 Governmental Relations
Bill Greulich

13.2 Foundation
None

13.3 Constituency Representatives

- a) ASB
Sara Sgarlata
- b) CCA
Debra Blanchard
- c) CSEA
Margaret Kagy
- d) Faculty Senate
Debra Blanchard
- e) AFT Part-Time Faculty United
Neal Kelsey
- f) Management
Robert Sewell

14. TRUSTEE COMMENTS

Don Nelson, Bettye Underhill and Joe Range.

PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS: None

15. ADJOURNMENT

It was MSC (Underhill/Elder, 5-0) to adjourn the meeting at 7:01 p.m. The motion approved unanimously.


Donald Nelson, Clerk

10-10-06
Date Approved