



SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

MINUTES OF THE REGULAR BOARD MEETING Tuesday, November 15, 2005

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, November 15, 2005, at 5:45 p.m. Closed Session and 6:30 p.m. Public Meeting, in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Janet Rivera, President; Ted Simas, Vice President; Maria Elena Serna, Clerk, Vice-President; Anthony E. Bugarin; Leo Burke; Greg McCreary; Dan S. Parises; Vincent Harper, Student Representative

<p>I. Called to Order The Board meeting was called to order at 5:45 p.m. by Board President Rivera.</p>	<p>Call to Order</p>
<p>II. Communications 1. Public Comments. No comments.</p>	<p>Public Comments</p>
<p>III. Recess to Closed Session Board President Rivera convened to Closed Session to discuss matters pursuant to Government Code Section 54957 and 54957.6. Vote: 7/0; motion carried.</p>	<p>Closed Session</p>
<p>IV. Reconvene Public Session The Board of Trustees returned from Closed Session with the following to report:</p> <p>The Board ratified the action taken by Dr. Rodriguez on November 4th in signing two agreements with PCCP California LLC concerning our site at Mountain House.</p> <p>The Board further authorized Dr. Rodriguez to work with legal counsel to complete negotiations with County counsel on certain waivers being requested by the County as a condition of approving our application for Specific Plan III next Tuesday. Closed Session was recessed to allow it to be reconvened later this week if needed.</p> <p>The roll call vote on these actions was 4/3 as follows:</p> <p>Vote: Bugarin – no, Burke – yes, McCreary – no, Parises- yes, Rivera – Yes, Serna –yes, Simas – no. Vote 4/3; motion carried.</p>	<p>Reconvene to Public Session</p>

<p>V. Pledge of Allegiance Trustee Serna led the Pledge of Allegiance. Trustee Rivera dedicated the pledge to veterans who have served in various arms of the military.</p>	<p>Pledge of Allegiance</p>
<p>VI. Communications</p> <p>1. Public Comments. Jonathan Thomas addressed the Board regarding his comments from the last board meeting in relation to the actions of the ASBG. Mr. Thomas handed out a packet of information from the September and October Interclub Council (ICC) meetings regarding the sanction of clubs.</p> <p>Arnold Sanchez, former Puente Club president and member addressed the Board on recent developments of the ASBG that have seriously affected the function of the Puente club. Mr. Sanchez informed the Board of the ICC's sanction of Puente, LULAC and Caudillos Fuerza Unida. Mr. Sanchez expressed concerns with the sanctions.</p> <p>Jose Torres, president of LULAC addressed the Board with concerns over the sanction proposal by the ICC. Mr. Torres questioned the authority of the ICC to call for these sanctions. Mr. Torres stated that another student club should not have the authority to sanction another student club and that decision should be the authority of the student activities director.</p> <p>Mr. Torres requested that the Board direct the administration to investigate the sanction decision and reverse the decision until the investigation was completed.</p> <p>Ishmael Lara, president of Puente addressed the Board regarding the club sanctions as well. Mr. Lara spoke of the mission and purpose of the Puente club and spoke on the issues between the Puente and MEChA. Mr. Lara stated that when they asked Mr. Ferrell (student activities director) to intervene they were told to work it out with MEChA.</p> <p>Maria Duarte, president of Caudillos Fuerza Unida addressed the Board regarding the club sanctions and stated the mission and goal of Caudillos Fuerza Unida and their belief that the club sanctions were improper and illegal. Ms. Duarte stated that her club was never given an opportunity to address the sanctions but instead her club was lumped in with Puente and LULAC when the sanctions were applied.</p> <p>Ms. Duarte spoke on several community events her club has been scheduled to sponsor to help the poor and needy and stated her concerns that the sanctions would not allow them to participate.</p> <p>Ms. Duarte questioned MEChA's apparent ownership of Cinco de Mayo and Mr. Ferrell's support of MEChA's ownership of the holiday.</p>	<p>Public Comments</p>

Board President Rivera thanked the students for voicing their concerns and instructed Dr. Rodriguez and Vice President Williams to investigate the sanctions and report to the Board at the next board meeting.

VII. Recognitions

1. Academic Senate Non-Teaching Award November 2005. Academic Senate President Janice Takahashi introduced Jose Luis Hurtado, Custodian, Facilities Management as the recipient of the November 2005 Non-Teaching Staff Award. Mr. Hurtado thanked the Board of Trustees for the award. Board President Rivera thanked Mr. Hurtado on behalf of the Board of Trustees.

2. Academic Senate Adjunct Faculty Award November 2005. Academic Senate President Janice Takahashi introduced Michele Foss, Adjunct Instructor for Communication Skills Division as the recipient of the November 2005 Adjunct Faculty Award. Ms. Foss introduced her husband and her mother counselor Dee Brown and spoke on the high caliber of students who make her job easy. Board President Rivera thanked Ms. Foss on behalf of the Board of Trustees.

VIII. Consent Agenda – Action Items

A. Governance Process

1. Approval of Minutes: October 18th, 2005 and November 1st, 2005 Regular Board Meetings. Approved the minutes of the October 18th, 2005 and November 1st, 2005 Regular Board meeting. See Exhibit CON A1.1- CON A 1.12 which is part of the November 15th, 2005 agenda.

2. Consideration of Absence of Board Member(s) Due to Illness. Approved the absence of Board of Trustees Ted Simas from the November 1st, 2005 Board of Trustees meeting.

B. Business/Fiscal Services

1. Consideration of the Yearly Report on Minority Vendor Program. Approved the Yearly Report on Minority Vendor Program See Con Exhibit B1.1 – B 2.9 which is made a part of the November 15th, 2005 agenda.

2. Consideration of Gateway Student Services Center Adoption of Design-Build Delivery Method. Approved to ratify bid award for Bid LA-9600, Horticulture Building Demolition and Temporary Storage, Per Resolution No. 08-23. See Con Exhibit B 3.1 – B 3.6 which is made a part of the November 15th, 2005 agenda.

C. Human Resources

1. Consideration of Personnel Action – Short-Term. Approved the employment of the short-term non-academic employees as presented. See Exhibit Con C 1.1 – C 1.2 which is made a part of the November 15th, 2005 agenda.

Recognitions

Non-Teaching Award
November 2005

Adjunct Faculty Award
November 2005

Consent Agenda

Governance Process
Approval of the Minutes of
the October 18th and
November 1st, 2005 Regular
Board Meeting

Consideration of Absence
of Board Member(s)

Business/Fiscal Services
Consideration of Yearly
Report on Minority Vendor
Program

Consideration of Gateway
Student Services Center
Adoption of Design-Build
Delivery Method

Human Resources
Short-Term

<p>2. Consideration Personnel Action – Adjunct Approved the employment of the following adjunct faculty subject to sufficient enrollment in the classes to which they will be assigned: Thomas Ahearn, Communication Skills; Sheli Ayers, Communication Skills; Jennifer Cassel, Communication Skills; Jeanna Fox, Communication Skills; Jerald Hernandez, Communication Skills; Marvin Mitchell, Social Science; Linda Nunez, Communication Skills; Denny Peterson, Physical Education, Recreation & Athletics; Catherine Posey, Communication Skills; Karen Ruzak, Communication Skills; Julie Thompson, Communication Skills.</p> <p>Trustee Bugarin moved and Trustee Simas seconded the motion to approve the Consent Agenda as presented. Vote: 7/0; motion carried.</p>	<p>Adjunct</p>
<p>IX. NonConsent Agenda</p> <p>A. Consideration of Personnel Action – Classified Trustee Burke moved and Trustee Serna seconded the motion to approve the classified hiring of the following to be effective November 16th, 2005 or thereafter: Jennifer Tristano, Public Information & Marketing; Sarah Foster, Information Services; Donna Montanez, Accounting Assistant; Christopher Fisher, Sr., Maintenance & Operation; Anthony Orosco, Grounds; Rodney Alvarez, Grounds.</p> <p>Approved the transfer of Kathleen Bean, Food Services to be effective November 16th, 2005 or thereafter. Vote 7/0; motion carried.</p> <p>B. Consideration of Personnel Action – Management Trustee Burke motioned and Trustee Serna seconded to approve the resignation of Debra Phillips, Employment and Employee Relations Manager effective October 24th, 2005. Vote: 7/0, motion carried.</p> <p>C. Consideration of Tenured Faculty Member Retreat Right from Administrator Position. Vice President of Human Resources Kim Myers explained Non Con C .1.1 as a request by Math and Science Division Dean Theresa McRae to use her retreat rights as outlined in Education Code to move back into the faculty ranks effective Spring of 2006. Trustee Simas asked how the move back to the faculty ranks would affect the entitlement process. More specifically Trustee Simas asked if anyone would be bumped out of a position due to Dr. McRae’s retreat back to faculty. Vice President Myers responded that no one would be bumped by this action. Vice President Myers brought to the Boards attention the action of the Board to approve 6 faculty entitlements back in August. The position Dr. McRae would be retreating to not one of these positions, but it is a supplemental position specifically for retreat purposes.</p>	<p>NonConsent Agenda Consideration of Personnel Action - Classified Hirings</p> <p>Management - Resignation</p> <p>Consideration of Tenured Faculty Member Retreat Right from Administrator Position.</p>

Trustee Simas asked if this position would fill one of the faculty entitlement voids that were not part of the 6 positions previously approved. Vice President Myers responded this position is in addition to and separate from the action of the Board in August.

Trustee Simas motioned and Trustee Bugarin seconded to approve the request. Vote 7/0; motion carried.

D. Consideration of College Calendar for the 2006-2007 Academic Year and Summer Intercession 2007.

Trustee Serna motioned and Trustee Parises seconded to approve the College Calendar for the 2006-2007 Academic Year and Summer Intercession 2007. See Non Con D 1.1 – D 1.6, which is made part of the November 15th, 2005 board agenda. Vote: 7/0, motion carried.

Trustee Bugarin inquired about instructional days for faculty on Saturdays. Pointing to the calendar in the month of November Trustee Bugarin noted that November 11th and 25th are coded as non-instructional days. Trustee Bugarin asked for clarification stating that if there are no instructional days for faculty on Saturdays why the need to specify non-instructional days on Saturdays. Response to the question was referred to the CTA President and the Academic Senate President by Board President Rivera.

CTA President Joe Gonzalez responded that there is faculty instruction days on Saturdays however the two Saturdays in November in question follow district holidays. Since the district holidays fall on the Friday no class would be held on the following Saturday.

Trustee Bugarin asked why it is essential to indicate non-instructional days on those days after a holiday. CTA President Gonzalez responded that because the campus is closed if it is not indicated than students could come for class on the Saturday following a holiday. Mr. Gonzalez pointed out that the calendar is essentially a contract with the students and non-instructional days on Saturdays are indicated to avoid any confusion.

E. Consideration of New, Revised, and Deleted Courses for the 2005-2006 and 2006-2007 Academic Years.

Trustee Burke motioned and Trustee Paries seconded to approve the New, Revised, and Deleted Courses for the 2005-2006 and 2006-2007 Academic Years. Vote: 7/0, motion carried. See Non Con E 1.1 – 1.2, which is made a part of the November 15th, 2005 board agenda.

F. Consideration of Resolution No. 05-31 in Support of California Community College Initiative.

Vice President of Business Services Andy Dunn explained that

Consideration of College Calendar for the 2006-2007 Academic Year and Summer Intercession 2007.

Consideration of New, Revised, and Deleted Courses for the 2005-2006 and 2006-2007 Academic Years

there is a proposed ballot being sponsored by three groups, the Community College faculty association, the CEO wing of the CCLC and the Los Angeles Community College faculty guild. The measure would be proposed for the 2006 ballot measure. The three most significant components of the measure have to do with Proposition 98 funding, bilateral governance, and limiting increases in student fees. The final element of the measure has to do with the System Office and their ability to hire their own staff. The resolution before the Board of Trustees is in favor of the ballot measure.

Trustee McCreary inquired about the student fees component.

Trustee Serna motioned and Trustee Bugarin seconded to adopt Resolution No. 05-31 In Support of California Community College Initiative. See Non Con F 1.1 – 1.4 which is part of the November 15th, 2005 agenda. Vote: 7/0, motion carried.

Trustee Serna commented that the second paragraph of the resolution tells what community colleges have been fighting for so long and that is to stabilize funding and have predictability.

Trustee Simas questioned why the legislation did not pass the resolution themselves since it makes perfect sense.

X. Communications

Dr. Rodriguez informed the Board that documents were finalized on the Mountain House property issue. Dr. Rodriguez thanked Board President Rivera for her tenacity and leadership in getting the documents signed.

Dr. Rodriguez commended the Women's Volleyball Team for their tremendous streak and outstanding record. After 27 consecutive victories in the league the team lost last Friday to Sacramento City College. Dr. Rodriguez stated that the team deserves a lot of praise and credit for their long-standing success and representation of Delta College as champions.

Dr. Rodriguez informed the Board that he was fortunate to be invited by the San Joaquin Medical Society to be invited to participate in a mini-internship program. Dr. Rodriguez described his experience job-shadowing medical professionals. Dr. Rodriguez informed the Board that his internship involved shadowing an ophthalmologist on routine procedures and sitting in on a hip replacement surgery. The experience was a fascinating opportunity and stated that he was asked to solicit other participants for next year. Board President Rivera stated that she would be interested in participating in next year's program.

Student Trustee Vince Harper commented concerning the student issues that were raised earlier and explained the position of the ASBG. Trustee Harper stated that the ASBG is considering the issue and asked that the ASBG have the opportunity to further

Communications

Superintendent/President
Dr. Rodriguez

Board of Trustees

investigate the situation before the administration gets involved.

Board President Rivera asked who the ASBG advisor was and Trustee Harper responded David Ferrell.

Board President Rivera stated that she preferred that the ASBG work with the administration to resolve the issues because at this point the conflict is out of hand. Trustee Rivera reminded Trustee Harper that the students are here to get an education and that is first and foremost.

Board President Rivera thanked Dr. Rodriguez for his comments regarding her role in getting the Mountain House documents signed. Trustee Serna stated that she was acting on behalf of the Board of Trustees in her role as president and thanked the Board members for their support of her leadership.

Academic Senate President Janice Takahashi reminded the Board of the Student Recognition Reception to take place on November 30, 2005 and stated that she is looking forward to recognizing the students.

Academic Senate President Takahashi stated that she is disappointed about the negativity surrounding student activities and club advisors and that she would hate to see anything that might deter faculty from wanting to be advisors. Ms. Takahashi stated that although the administration may not agree with what the students who spoke had to say, she is proud of the students for exercising their right to speak. Ms. Takahashi offered her assistance as Academic Senate President in the matter if needed.

Board President Rivera thanked Ms. Takahashi for her comments.

Classified Senate President Amal Elayyan congratulated the non-teaching and adjunct faculty recognition recipients.

Management Senate President Marc Brommé updated the Board on the results of the management senates appreciative inquiry survey stating that the overriding outcome was more communication was needed. The group has restructured their meetings and adopted a communication model on the lines of the model Vice President Williams uses in student services. The model is extremely effective in promoting and facilitating communication and accountability.

CTA President Joe Gonzalez informed that Board that the CTA was successful in defeating the Governors propositions and that many of our instructors worked the phone banks and walked precincts. Faculty members were very active in getting the Governors measures defeated.

No comments.

Constituent Groups
Academic Senate
Janice Takahashi

Classified Senate
Amal Elayyan

Management Senate
Marc Brommé

California Teachers
Association Al Ortiz for
Joe Gonzales

Classified Staff Employees
Association

No comments.

Pat Putman

No comments.

Student Government
Pierre Tapia

No comments.

Police Officers Association
Mario Vasquez

Board President Rivera adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Dr. Raúl Rodríguez
Superintendent/President and
Secretary to the Board of Trustees