

MINUTES OF THE CALLED MEETING  
OF THE BOARD OF REGENTS  
OF THE DEL MAR COLLEGE DISTRICT

September 20, 2005

The Called Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Harvin Student Center, Del Mar College, East Campus, Baldwin and Ayers, Corpus Christi, Texas, at 11:35 a.m. on Tuesday, September 20, 2005, with the following present:

From the Board:

Mr. Gabriel Rivas III, Board President; Mrs. Chris Adler, Mrs. Minerva Arriaga, Mr. Bill Chriss, Dr. Haysam Dawod (11:45 a.m.); Mrs. Olga Gonzales, Mr. Bill Martin, and Mr. Trey McCampbell (11:45 a.m.) .

From the College:

Dr. Carlos A. Garcia, President; Mr. José Rivera, Vice President of Student Development; Dr. Blanca “Rosie” García, Interim Vice President of Instruction; Mr. Mike Westergren, In-house Counsel; Mrs. Susie Kaspar, Executive Assistant to the President; Ms. Vickie Natale, Dean of Administrative Services, and Mrs. Claudia Jackson, Assistant to the President for Community Relations.

From the Attorney’s Office:

Mr. Augustin Rivera, Jr.

Others:

Other interested individuals.

CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. Gabriel Rivas III, Board President, called the meeting to order. With a quorum present, he requested a moment of silence.

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS:

The Board convened in closed session at 11:34 a.m., as follows:

1. CLOSED SESSION pursuant to a.) **Tex. Gov’t Code** § 551.071 (Consultation with legal counsel), regarding pending or contemplated litigation, settlement offer, and/or student grievance appeal, with possible discussion and action in open session; b.) **Tex. Gov’t Code** §§ 551.082 and 551.0821 (Private student information), regarding student appeal of

expulsion, with possible discussion and action in open session; and, c.) **Tex. Gov't Code 551.074(a)(1)** (Personnel Matters) regarding the employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with possible discussion and action in open session.

2. CLOSED SESSION to consider Employee Appeal pursuant to a.) **Tex. Gov't Code § 551.071** (Consultation with legal counsel), with possible discussion and action in open session; b.) **Tex. Gov't Code § 551.074(a)(2)** (Personnel Matters), to hear a complaint or charge against a public officer or employee; and, c.) **Tex. Gov't Code 551.074(a)(1)** (Personnel Matters) regarding the employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with possible discussion and action in open session.
3. CLOSED SESSION to consider Student Appeal pursuant to a.) **Tex. Gov't Code § 551.071** (Consultation with legal counsel), with possible discussion and action in open session; b.) **Tex. Gov't Code §§ 551.082 and 551.0821** (Private information), regarding student appeal of expulsion, with possible discussion and action in open session; c.) **Tex. Gov't Code § 551.074(a)(2)** (Personnel Matters), to hear a complaint or charge against a public officer or employee; and, d.) **Tex. Gov't Code 551.074(a)(1)** (Personnel Matters) regarding the employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with possible discussion and action in open session.

The Board reconvened in open session at 1:10 p.m., at which time Mr. Rivas made the following statement:

In the matter of the appeals of A.B. and M.L. pending before the Board of Regents, the appellants, through their attorneys, appeared and expressed their opinion that this Board is without jurisdiction to hear these appeals. The appellants, through their attorneys, then refused to proceed with the appeals.

This Board of Regents disagrees with appellants' assertion that it lacks jurisdiction and believes that it does have jurisdiction to hear these appeals.

A quorum of this Board appeared today for the specific purposes of affording appellants an opportunity to be heard. In light of appellants' refusal to proceed with their appeals, this Board will take no action on either matter and now considers the appeals closed.

4. Calendar: None.

#### ADJOURNMENT

The meeting was adjourned at 1:12 p.m.