

MINUTES OF THE POLICY REVIEW COMMITTEE MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
February 8, 2005

The Policy Review Committee 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 1:35 p.m. on Tuesday, February 8, 2005, with the following present:

From the Committee:

Mrs. Minnie Arriaga, Chairperson; Mr. Bill Chriss, and Mrs. Olga Gonzales.

From the Board:

Mrs. Chris Adler, Dr. Haysam Dawod, Mr. Bill Martin, Mr. Trey McCampbell (2:00 p.m.), Mr. Gabe Rivas, and Mr. Guy Watts (1:40 p.m.)

From the College:

Dr. Carlos Garcia, College President; Mr. Jose Alaniz, Vice President, Business and Finance; Dr. Rosie Garcia, Interim Vice President of Instruction and Staff Facilitator; Mr. Jose Rivera, Vice President of Student Development and Community Learning and Staff Facilitator; Mrs. Vickie Natale, Staff Facilitator; Ms. Barbara Kimball, Assistant to the Vice President for Business Services; and other administrators, faculty, and staff.

From the Attorney's Office:

Mr. Augustine Rivera.

Others:

Other interested citizens.

CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE

Mrs. Minnie Arriaga, chairperson of the Committee, called the meeting to order. With quorum present, she requested a moment of silence.

PUBLIC COMMENTS

Mr. Jay Knioum, representing the APT Advisory Committee, reported that the APT voted at their November 2004 meeting to support the proposed employee grievance policy which designates the College president as the final reviewer.

Mrs. Linda Ard, representing the Chairs' Council, reported that the Council had offered suggestions on the proposed employee grievance policy, and voted to recommend implementation of the policy.

Mr. Rowland Andrade addressed the proposed student grievance policy. He asked that the Board not approve the proposed policy until they had reviewed the policies and procedures in their entirety. He pointed out that the document is supposed to provide for equitable treatment, but does not cover EEOC. Mr. Andrade expressed his disagreement with the Vice President being designated as the final reviewer.

Mr. John Crisp, English faculty and Chair of the Faculty Council, reported that after review of the proposed employee grievance policy, the Council made recommendations as to what parts should be deemed administrative policies and

which ones Board policy. He stated that the Council endorses the policy with reservations on what parts should be administrative/Board, and that the designation of the College president as the last reviewer was considered healthy Board governance.

BOARD POLICY B 5.44, GRIEVANCE RESOLUTION POLICY FOR EMPLOYEES. (#1)

Mr. Jose Rivera, Vice President of Student Development and Community Learning, reported that a committee was formed to review the existing policy in order to outline a clear process for employees. The proposed policy was reviewed by the different College constituency groups and some of their comments and suggestions were incorporated into the proposed policy. He noted that the proposed policy was accessible by Website to provide all employees an opportunity to submit their input. Mr. Rivera pointed out the major changes: Board policy was separated from administrative; College president will develop administrative procedures in support of those policies; exceptions to the policies include issues on sexual harassment and salary classifications; divided the office of Human Resources and defined their role in the process; and clarified the role of the supervisor whereby the supervisor will have a more responsive role in attempting to resolve the issue. If the issue cannot be resolved, the proposed policy allows continuation of the formal process. The process includes meeting with the immediate supervisor, meeting with the second level reviewer, President makes final decision if the grievant and respondent do not resolve their issues earlier; and the Board is only involved in the process if the grievance is against the College president. Mr. Rivera emphasized that grievances are considered administrative decisions and not Board decisions. He stated that the committee recommends that the proposed policy be approved and sent forward to the full Board for action.

Mrs. Olga Gonzales asked for assurance that all employees could access the Website, and wanted to know how the responses were tabulated. Dr. Haysam Dawod expressed his concern that when the policy review began, he stressed the role of the Board in setting policy and pointed out that Board policy had been changed to administrative policy in the proposed document, and that the Board no longer had a role in the process. Dr. Dawod reminded the Committee that in earlier conversations, the number of steps in the process was to be streamlined to three. He also expressed concern with the equity in the steps, and that there was no recourse for employees should someone become “power hungry.” Dr. Dawod felt that a problem exists when the Board is excluded from the process. Mr. Bill Chriss told the Committee that the Board should not be involved in the grievance process, and if a step is needed after the College president’s final decision, there are ways to address that issue.

Mr. Chriss then made a motion that the Committee’s recommendation to the full Board be the adoption of the committee’s recommendation as presented. Mrs. Gonzales seconded.

Mrs. Arriaga pointed out that the policy was in need of fine-tuning:

- Time periods for the appeal process were not adhered to and dates were not specified.
- Exceptions listed did not include where an employee would go to address such an issue.
- Role of Human Resources needed to be defined—ways in which they will act in an advisory capacity and to whom, grievant or respondent?
- Designate where the proper forms can be obtained; what offices?
- Although the Board would not want to review all policies, a mechanism should be in place to determine which ones the Board should review.
- The Board should approve the administrative policies to ensure they are in conformity with the Board’s policies, and a notation could be made that the procedures can be found on the Website or as determined by the College president.

College President Garcia told the Committee that since some of these were administrative policies, he could make the changes as requested. Dr. Dawod questioned how the process would be handled if one of the administrators did not follow up in a timely manner. He commented that as Board policy is now administrative policy, nothing would

prevent administration from making changes without the Board's review and cautioned the omission of the Board in the process. Dr. Garcia stated that the role of the Board is to set policy, and the illegitimate role for them would be to administer procedure. He emphasized that the day-to-day activities of the College do not belong to the Board and they would be risking the accrediting agencies' sanctions otherwise. Dr. Garcia stressed that the policy, procedures, and steps are clearly written. Mr. Bill Martin expressed his agreement and pointed out that the Board can change policy at any time, and if complaints arise, the Board can review the situation at that time.

With no further discussion, the motion carried by unanimous vote.

BOARD POLICY B7.12, STUDENT GRIEVANCE AND APPEALS POLICY. (#2)

Mr. Rivera reported that a committee reviewed the policy in October 2004 and met every other week. He reminded the Committee that at their last meeting, he had requested no action be taken until all College constituency groups could review and provide input on the proposed policy. The deadline for comments is February 15, 2005, to submit comments on the policy which addresses non-academic, academic non-grade, and grade grievances. Mr. Rivera pointed out that students had requested the word "grievance" be changed to "complaint." As such, the title would be "Student Complaint Policy." Mr. Rivera requested that the Committee not take any action until a full review has been completed.

CALENDARING DATES (#3)

Buildings and Grounds Committee meeting, April 12, 2005; 9:30 a.m.

Policy Review Committee meeting, April 12, 2005; 11:00 a.m.

Regular Board meeting, April 12, 2005; 1:00 p.m.

With no further business, the meeting adjourned at 2:15 p.m.