

CONSENT AGENDA NO. 5

Approval of Minutes of the April 3, 2012 Regular Meeting

It is recommended that the Board approve the minutes of the April 3, 2012 Board of Trustees Regular Meeting

**Board Members and Officers Present:**

Mr. Jerry Prater (Chair)  
Charletta Rogers Compton (Vice-Chair)  
Mr. Bob Ferguson  
Ms. Diana Flores  
Mr. Wesley Jameson  
Dr. Wright Lassiter (board secretary and chancellor)  
Mr. Bill Metzger  
JL Sonny Williams

Absent: None

Vice Chair Compton convened the meeting at 5:04 p.m.

**CERTIFICATION OF NOTICE POSTED  
FOR THE APRIL 3, 2012  
REGULAR MEETING OF THE  
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 30<sup>th</sup> day of March 2012, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 30<sup>th</sup> day of March 2012, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the George Allen Sr. Courts Building, all as required by the Texas Government Code, §551.054.



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Wright L. Lassiter, Jr., Secretary

### **Pledges of Allegiance to U.S. and Texas Flags**

Pledges of allegiance to the flags were recited.

### **Richland Collegiate High School status report presented by Superintendent Donna Walker**

Supt. Walker presented the monthly status report as summarized in Informative Report #23. Trustee Compton offered the congratulations of the Board on continued success of current students and graduates.

### **Special presentation about El Centro College Quality Enhancement Plan (QEP)**

President Paul McCarthy, with staff members Karen Stills and Dr. Norm Howden, Faculty Cassandra Bowell and Student Paige Blue Jacket, presented information about El Centro's QEP, entitled "CT3: Critically Thinking Things Through."

### **Special presentation of Board of Trustees' nominee for ACCT's annual Faculty Member Award, and 2012 Faculty Excellence in Teaching/Miles Production Award Winner**

President Felix Zamora introduced long-time faculty member, Dr. Paul Benson to the Board, in celebration of his winning the DCCCD 2012 Faculty Excellence in Teaching award and in being recommended by the Board as a nominee for the Association of Community College Trustees' national faculty award as well.

### **Citizens Desiring to Address the Board Regarding Agenda Items**

There were none.

### **Opportunity for Chancellor and Board Members to Declare Conflicts of Interest Specific to this Agenda**

There were none.

### **Consideration of Bids**

Trustee Compton moved and Trustee Ferguson seconded a motion to approve Items 1-7. Motion passed. (See April 3, 2012, Board Meeting, Consideration of Bids, 1-7, which is made part of and incorporated into the approved minutes as though fully set out in the minutes.)

With some discussion related to previously conducted disparity studies, Trustee Williams requested a review of that work as a part of a future work session in lieu of a written reference only.

Related to Bid 6, Chair Prater indicated that he had been contacted by an unsuccessful bidder, and requested that Executive Vice Chancellor Ed DesPlas comment. Mr. DesPlas responded that he had full confidence in the staff

recommendation as a result of his review of the process and documentation, including evaluation criteria applied by the broad-based bid evaluation team.

### **Consent Agenda**

Trustee Compton requested that Item 11 be voted on separately.

Trustee Ferguson moved and Trustee Jameson seconded a motion to approve Items 8-10 and 12-14. Motion passed.

Trustee Compton moved and Trustee Ferguson seconded a motion to approve Item 11, Election Cancellation, confirming Trustee Williams as the winner of the uncontested District 1 seat previously scheduled for May election.

(See April 3, 2012, Board Meeting, Consent Agenda, Items 8-14, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Individual Items**

Trustee Metzger moved and Trustee Jameson seconded a motion to approve Item #15. Motion passed.

Trustee Compton moved and Trustee Metzger seconded a motion to approve Item #16. Motion passed.

Item #17 was removed from consideration by the Chancellor as noted in the earlier Work Session.

Trustee Compton moved and Trustee Flores seconded a motion to approve Items #18-20. Motion passed.

(See April 3, 2012, Board Meeting Individual Items, Items 15-20, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Informative Reports**

Trustees reviewed the informative reports. (See April 3, 2012 Board Meeting, Agenda Items #21-31, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Question/Comments from the Board and Chancellor**

In answer to a question from Trustee Flores, the Chancellor confirmed that a \$500 sponsorship had been purchased in support of the Native American Youth Alliance.

Related to Item #32, statement of concern regarding diversity in DCCCD employment and procurement, Trustee Flores apologized to those individual interims referenced in her remarks, citing policy compliance concerns and not personal attacks, and requested that her statement be added to the minutes verbatim. She read from a prepared text which is now incorporated here:

“As a member of this Board, I have continuing concern about staff commitment to and implementation of DCCCD Board policy concerning diversity of students, staff and procurement.

The information I requested regarding the Chancellor’s appointment of Interim Presidents during his tenure reflects that he has appointed 6 interim presidents. Of the 6, only one was from a racial/ethnic group.

Of the 3 college presidents he has hired thus far, 2 are Anglo males and 1 is an Anglo female. As stated in my remarks for the record at the March Board meeting, the Chancellor chose to disregard HR Operating Guidelines for Presidential searches and approved the Presidential Search Committee’s request to send only two finalists to him – the HROG requires that 3-5 finalists be sent to him for consideration. The third finalist by ranking was Hispanic.

The Chancellor, in the area of diversity for those he directly hires, receives an “F” from me for failure to demonstrate commitment and implementation of Board policy regarding diversity.

My question still remains, if we cannot expect the leader of this institution to comply with and fully implement this Board policy, how can we expect the colleges and all its departments that hire employees to have full commitment and implementation of this Board policy?

The policy on interim positions as established in May 1, 1995, required that the person serving in the interim position must vacate the position if they were going to apply for the full-time position.

The policy was revised on February 13, 2008, and for administrators it stated: “Employees opting to fill an interim position that is slotted in Bands IV, V or the unbanded ranges of the administrative salary schedule are not eligible to apply for the position in which they are filling the interim role.” This change did not allow them to vacate the position if they were going to apply for the full-time position – it stated that interims in the upper administrative echelons could not apply for the full-time position.

In February 2010, the interim policy was again revised. It stated: "In order to ensure that the affairs of the District/College are managed without interruption, individuals serving in interim roles are eligible to apply for permanent position once it is advertised. It will not be necessary for the person in the interim role to abandon the interim position in order to apply for the permanent position. There are no guarantees that this individual service in the interim role will be selected for the permanent position, however, everyone is encouraged to apply."

From when an interim policy was first adopted in May 1995 until the most current revision in February 2010, the Board, to my recollection, was never informed that the interim policies we had in place prior to the February 2010 revision negatively impacted the affairs of the District/College being managed without interruption.

I find it no coincidence that the Chancellor asked the Board to approve this revision AFTER he had appointed interim presidents for Eastfield College (appointed 2-2-09) and Richland College (appointed 10-60-09). The Eastfield College presidency is now filled permanently by the interim appointment. I think no one will be surprised when the same happens on his decision for the full-time Richland College President appointment. I will have more to say on that matter when it is placed on the agenda for approval, together with documents to add to the record as a part of my statement for the record.

Please make no mistake about my commitment to allow our employees to be able to go up the career ladder through additional education, training, internships, interim positions, etc. But when you change an interim policy midcourse and end up hiring the interim in the full-time position, how is that equal opportunity? Individuals have an equal opportunity to apply but, in my opinion, they do not have an equal opportunity to be hired because it is a forgone conclusion as to who will be hired. That has been proven in one instance; I believe it will soon be proved again when the Chancellor makes his decision for Richland College. In these instances, true equal opportunity does not exist. There have been additional presidential vacancies in our system. There was additional opportunity and will continue to be opportunity when vacancies arise for interims to apply for those positions in which they are not serving in the interim. That, to me, does afford an improved probability of equal opportunity than what this Chancellor has done.

Again, as an elected member of this Board, as a Board member who has advocated for increased diversity at all levels in the interest of fairness and justice for our taxpayers, constituents and students, I am greatly disturbed by actions of the Chancellor that do not appear to support the Board's diversity policy. I will continue to speak on this issue and vote accordingly until I have strong proof that my assumptions are false and that we are truly adhering to this policy at all levels of the organization as is legally allowable."

Chancellor Lassiter briefly summarized the current search process and requested that his response statement be added to the minutes verbatim and he read from a prepared text which is now incorporated here:

“In the Human Resources Operational Guidelines (HROG) on the Presidential Search Process – Procedure #9 stipulates that the LST (local search team) will narrow the finalists to a total of three individuals to be recommended to the Chancellor, unranked.

This was observed in the presidential search for El Centro College, Brookhaven College and Eastfield College.

The LST never gave the Chancellor a report from the search committee with two finalists. This incorrect statement was made by a senior official who is no longer employed by the District.

As a further matter of information, all aspects of the search process were verified as a result of a legal review occasioned by the incorrect statement, and other actions, by the former senior official. This report was presented to the board of trustees.

Finally, all three finalists appeared in individual campus visits that included a community forum.”

Chair Prater reminded the Board that an outside attorney was engaged to review the Eastfield presidential search process and no wrong-doing on the part of the Chancellor was noted. He added that the Board had previously admonished Trustee Flores for her actions related to this search. Trustee Flores confirmed that her error was in contacting a senior District official, other than the Chancellor, and thanked the Board for the opportunity to engage in the discussion.

In answer to a question regarding the possibility of the Board looking at the diversity of search pools, Chair Prater reminded trustees that there are checks-and-balances in the current policy and process, and that a review of such detail was beyond the scope of the Board.

On the topic of fund balance, Trustee Ferguson requested current status. Mr. DesPlas confirmed that it was equivalent to 5.2 months of operating expenses on 08/31/2011, dropping to 4.7 months after the Fall 2011 revision. Trustee Metzger asked about the target, and it was confirmed by the Executive Vice Chancellor as 4-6 months per Board policy.

Trustee Flores commended Mountain View on its recent national high school award, with Trustee Jameson adding his congratulations and providing details about his attendance at the “I Commit” ceremony as part of the formal celebration.

The Chancellor recognized Betheny Reid, President of the DCCCD Foundation, congratulating her as the 2012 recipient of the Council for the Advancement and Support of Education’s (CASE) Commonfund Institutionally Related Foundation Award.

The Chancellor read a letter from Mrs. Margaret McDemott as follows: “It gives Trustees of The Eugene McDermott Foundation pleasure to enclose \$25,000 to the Dallas County Community College District Foundation for scholarships. At my one hundredth birthday party, which you attended, I expressed my thirty years of pride for my association and involvement in DCCCD programs. One of its greatest achievements is the scholarships available to your fine young scholars. It gives us special satisfaction to contribute again to this fund...”

**Citizens desiring to appear before the Board**

Citizen Dorothy Zimmerman addressed the Board regarding the January 2012 policy revision on gender identity and expression.

**Executive Session**

The Board adjourned to executive session at 6:52 p.m. for the purpose of discussing the chancellor’s contract.

The regular meeting was reconvened at 7:39 p.m.

**Adjournment**

Chairman Prater adjourned the regular meeting at 7:40 p.m.

Approved:

A handwritten signature in blue ink, appearing to read "Wright L. Lassiter, Jr.", is written over a horizontal line.

Wright L. Lassiter, Jr., Secretary