

**PALO VERDE COMMUNITY COLLEGE DISTRICT**  
**SPECIAL MEETING**  
**BOARD OF TRUSTEES**  
**Tuesday, November 19, 2013**  
**4:30 p.m.**  
**One College Drive in Blythe – CL 101**  
*(ITV held at Palo Verde College Needles Center – 725 W. Broadway, Needles, CA)*

**Meeting 13-19**

**MINUTES**

**I. OPENING OF MEETING**

1. Call to Order

The Special Meeting of the Board of Trustees was called to order by the President of the Board, Ms. Rodriguez, at 4:34 p.m.

2. Flag Salute

The Salute to the American Flag was led by Mr. Hyduke, Trustee.

3. Roll Call

Trustees Present:

Millie Rodriguez, President  
George Thomas, Vice President  
Ted Arneson, Clerk of the Board  
Lincoln Edmond, Trustee  
Ed Gonzales, Trustee  
Ned Hyduke, Trustee  
Jerry Lewis, Trustee

Administrators Present:

Donald G. Wallace, Ph.D., Superintendent/President  
Sharon Jones, Interim Vice President of Instructional  
and Student Services

Absent:

Russi Egan, Chief Business Officer  
Alex Munoz, Student Trustee

Recorder:

Carrie Mullion, Administrative Assistant to  
Superintendent/President and Board of Trustees

Visitors:

On file in the Superintendent/President's Office.

4. Approval of the Agenda for this meeting.

It was moved by Mr. Gonzales, seconded by Dr. Thomas, and unanimously carried that the Agenda for this meeting be approved.

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(These minutes are a concise summary of reports, discussion and actions taken at this meeting. For detailed comments and discussion, a tape is available to the public for 30 days after the date of this meeting.)

## I. OPENING OF MEETING (continued)

Ms. Rodriguez, President of the Board, welcomed the guests in attendance and read an introductory statement regarding the Closed Session item; Public Employee Discipline/Dismissal/Release. Ms. Rodriguez stated that Rorie Nelson, Financial Aid Technician I at Palo Verde College, has requested that the Closed Session matter on this meeting agenda be heard in open session. Ms. Nelson, who was present for this meeting, confirmed the request. Ms. Rodriguez then explained the process that would be used to conduct this matter in open session.

Debbie Mitchell, Director of Human Resources, read the causes for dismissal under Article 11 of the Classified Collective Bargaining Agreement. The causes for the dismissal under Article 11 of the Classified Collective Bargaining Agreement are:

- 1) Incompetency or inefficiency in the performance of the duties of a position. (Article 11.1.H.1);
- 2) Carelessness or negligence in the performance of duties or in the care or use of District property. (Article 11.1.H.4);
- 3) Dishonesty (including but not limited to the handling of District funds or property, falsifying District records, or reporting time on and off the job). (Article 11.1.H.6);
- 4) Violation of the Education Code, rules and regulations of the District, or safety rules made applicable to the District. (Article 11.1.H.13);
- 5) Falsifying any information supplied to the District (including but not limited to information on application forms, employment records or other District records). (Article 11.1.H.14); and
- 6) Willful conduct unbecoming an employee of the District, indicative of an unfitness to perform. (Article 11.1.H.15).

As a Financial Aid Technician, Ms. Nelson was responsible for, among other things, disbursement of student funds and determining financial aid eligibility through the application of state and federal guidelines.

Ms. Nelson submitted FAFSAs for herself in the 2012-2013 and 2013-2014 financial aid years. Ms. Nelson's son, a student at Palo Verde Community College, also submitted FAFSAs in the 2012-2013 and 2013-2014 aid years that contained information that was inconsistent with Ms. Nelson's FAFSAs.

Ms. Nelson's son's FAFSA was selected for verification by the Department of Education for both financial aid years, requiring Ms. Nelson, as his parent, to complete a Verification Worksheet. On both occasions, Ms. Nelson verified her son's FAFSA, signing a document verifying that the information was correct, even though it contained inaccurate and false information. Ms. Nelson failed to declare income as part of the verification of her son's FAFSA. As a result, her son received a larger financial aid award than he was entitled to.

The Verification Checklist, for Ms. Nelson's son, which was required to be completed by the District, was also filled out in Ms. Nelson's handwriting, which constituted, at the very least, a conflict of interest.

As a result of these actions, the District's ability to continue to offer all its students financial aid is in danger.

Based on the above actions and omissions, the Superintendent/President recommends that Ms. Nelson be dismissed from her position as a Financial Aid Technician with the District.

Ms. Rodriguez asked if Ms. Nelson, or a representative, would like to address the Board of Trustees. Ms. Nelson stated that Dale Wissman, Labor Relations Representative for CSEA, will speak on her behalf.

Mr. Wissman stated that CSEA has provided documents to Dr. Wallace, Superintendent/President, that exonerate Ms. Nelson, and Mr. Wissman does not think the Board of Trustees was given these documents. Mr. Wissman explained good personnel and labor relations, and how a fair discipline process should work. A rebuttal of the stated causes for dismissal was given by Mr. Wissman. Mr. Wissman provided the Trustees with documents regarding Ms. Nelson's cause for dismissal matter, and urged the Governing Board not to terminate Ms. Nelson, but to table the issue until the Board has reviewed the packet of information provided. Mr. Wissman stated this is not a fraud issue, just a misunderstanding.

Ms. Rodriguez asked each member of the Governing Board if they had any clarifying questions. There were none.

## **II. HEARING OF CITIZENS (AGENDA ITEMS)**

*Members of the public have this opportunity to directly address the Board on agenda items, subject to a five (5) minute time limitation per individual. Pursuant to the Brown Act Government Code Section 54954.2(a): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."*

Dale Wissman, Labor Relations Representative for CSEA, spoke in regards to the documents he provided the Governing Board during the open session hearing. Mr. Wissman stated the Trustees should have received these documents through Dr. Wallace, and that there should have been discussion some time ago about why the evidence in the termination packet for Ms. Nelson is not correct. Mr. Wissman stated that the discipline process in this matter is incorrect. Mr. Wissman urged the Governing Board to table the issue until such time that everyone can see all the information and ask questions.

## **III. ANNOUNCEMENT OF RECUSAL FROM AGENDA ITEMS**

*The Superintendent/President respectfully asks if any of the Governing Board members need to recuse themselves from any item where there might be a potential conflict of interest.*

None.

## **IV. RECESS TO CLOSED SESSION**

The Board of Trustees, Dr. Wallace, Superintendent/President, and Ms. Jones, Interim Vice President of Instructional and Student Services, recessed to Closed Session at 5:00 p.m. to discuss the following:

1. Public Employee Discipline/Dismissal/Release pursuant to Government Code section 54957.

**V. RECONVENE TO OPEN SESSION**

The Board of Trustees, Dr. Wallace Superintendent/President, and Ms. Jones, Interim Vice President of Instructional and Student Services, reconvened to Open Session at 5:59 p.m. Ms. Rodriguez, President of the Board, read the following statement:

Pursuant to Government Code Section 54957.1 Subdivision (a)(5), we have nothing to report.

**VI. HEARING OF CITIZENS (NON-AGENDA ITEMS)**

*Members of the public have this opportunity to directly address the Board on items of interest to the public, subject to a five (5) minute time limitation per individual.*

None.

**VII. ADJOURNMENT**

The meeting was adjourned at 6:00 p.m.