

**MEETING OF THE
BOARD GOVERNANCE COMMITTEE
OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

August 11, 2016

Minutes

The Board Governance Committee of the Board of Trustees of Houston Community College held a meeting on Thursday, August 11, 2016 at the HCC Administration Building, Second Floor Auditorium, 3100 Main, Houston, Texas.

MEMBERS PRESENT

Zeph Capo, Committee Chair
Robert Glaser, Committee Member
John P. Hansen, Alternate Committee Member
Carolyn Evans-Shabazz
Adriana Tamez
Dave Wilson

ADMINISTRATION

Cesar Maldonado, Chancellor
Melissa Gonzalez, Chief of Staff
Valerie Simpson for Ashley Smith, General Counsel
Teri Zamora, Senior Vice Chancellor, Finance and Administration
Kimberly Beatty, Vice Chancellor, Instructional Services, Chief Academic Officer
Athos Brewer, Vice Chancellor, Student Services
William Carter, Associate Vice Chancellor, Information Technology
Madeline Burillo, President, Southwest College
Margaret Ford Fisher, President, Northeast College
William Harmon, President, Central College
Zachary Hodges, President, Northwest College
Phillip Nicotera, President, Coleman College
Irene Porcarello, President, Southeast College
Janet May, Chief Human Resources Officer
Remmele Young, Associate Vice Chancellor, Governmental and External Affairs
Terrance Corrigan, Director, Internal Audit

OTHERS PRESENT

Melissa Mihalick, Board Counsel, Bracewell LLP
David White, President, Faculty Senate
Other administrators, citizens, and representatives from the news media

Mr. Capo, Committee Chair, called the meeting to order at 10:07 a.m. and declared the Board convened to consider matters pertaining to Houston Community College as listed on the duly posted Meeting Notice.

(The following Trustees were present: Capo, Evans-Shabazz, Hansen, Glaser, Tamez and Wilson)

TOPICS FOR DISCUSSION AND/OR ACTION

APPROVE REVISIONS TO DGBA (LOCAL): EMPLOYEE GRIEVANCES

Motion – Mr. Glaser moved and Mr. Capo seconded.

Dr. Maldonado noted administration has been working on the revision of policies. He noted Mrs. Janet May would provide an overview of the modification regarding DGBA (Local).

Mrs. May noted the modifications previously requested were made in the following areas:

- Level 4 - ability for Board members to ask clarifying questions
- Level 3 - reducing the timeline from 145 days to 103 days, with additional language clarification allowing for extension of deadlines for extenuating circumstances
- Level 4 - days shorten from 20 days to 15 days for decision by the next regular board meeting after notice of appeal
- Hotline option has been added effective December 1, 2016
- Level 1 – extension on the deadline for adding additional documentation at the conference, if not submitted prior to the conference
- Level 1 - clarifying language added to complaints filed against the Chancellor, Board Chair, individual Trustee and/or administrator

Mr. Capo noted language correction on page 3, to include the word “to” in the statement. He added to reconsider the use of the term “complaint” and use “formal grievance or dispute” for a line of delineation. Dr. Maldonado acknowledged it could be removed and replaced with the word “grievance” which is the intent of the policy.

Dr. Evans-Shabazz asked if the hotline is an anonymous process and how it is maintained. Mrs. May noted the caller can choose to remain anonymous or provide their name and apprised that the information is given to a designated office. Dr. Maldonado noted the 800 number is handled by a 3rd party and noted if the department is named, the information is passed on.

Dr. Tamez inquired who tracks the concerns and resolutions with the third party. Mrs. May noted reports are provided through the third party online to the office of General Counsel for monitoring.

Dr. Hansen noted there are some spelling and grammar issues within the document. He noted he would forward the list of corrections. Mr. Capo requested the list be forwarded to him with a copy to Board Services.

Mr. Glaser recommended caution in keeping the perspective of the Board's role in the grievance process and expressed that he does not feel the Board should be involved in the process.

Dr. Hansen noted an option utilized during his previous board experience was that the Board could determine if they desired to hear the complaint. Mr. Capo noted that every opportunity has been implemented to resolve the issue at the lowest level before getting to the Board level. He noted historically, there was no other recourse other than seeking relief through the court system. He noted there could be a vote afterwards to take no action but the complaint should be heard by the elected body.

Dr. Tamez noted constant monitoring is important. She apprised there had been situations where the Board is being contacted directly but this process provides an avenue for the complainant to be heard by the Board. She noted it is important to be reminded of the role the Board plays in the process.

Dr. Hansen noted employees represented by legal counsel or an organization would have a well prepared document. He apprised most employees prepare their own documentation and noted at least a reasonable answer should be provided to employees on how to follow the process because the potential of having a grievance process will be largely unrealized.

Dr. Tamez apprised there is a culture of respect and trust being developed and individuals using the process in resolving an issue should not be viewed negatively.

Mr. Wilson noted it is important to have a policy, but the policy should be in place to ensure fairness and justice for the student and employee.

Vote: Motion passed with a vote of 3-0.

APPROVE REVISIONS TO FLD (LOCAL): STUDENT COMPLAINTS

Motion – Mr. Glaser moved and Dr. Hansen seconded.

Dr. Maldonado apprised the approval is regarding the student complaint process and noted Dr. Brewer will provide an overview of the previously presented policy.

Dr. Brewer provided an illustration of the Student Complaint Resolution Process. He noted the policy is compliant with SACS and other peer institutions. He noted the following changes:

- Days for resolution have been shorten from 120 to 110
- Added an Ethics and Complaint Hotline

Houston Community College
Board Governance Committee – August 11, 2016 – Page 4

- Added a section for complaints against the Board, Chancellor, and/or other administrators
- Level 4 - the Chancellor will brief the Board, and the Board can provide feedback
- Student can continue to bring concerns before the Board at any time

Dr. Tamez inquired how students will be educated about the policy. Dr. Brewer noted the students will be informed during new student orientation and the website, and make the Deans aware along with training. He apprised the deans will also be trained regarding the policy.

Mr. Capo inquired how the process is different to what was already in place. Dr. Brewer noted that usually there is an informal process and informed the effort is to make certain the frontline person has an opportunity to address and/or resolve the issue first.

Mr. Capo inquired if there is any way to exhaust with an internal remedy on the front end. Melissa Mihalick noted the litigation defense is provided to inform there is a process but it does not prevent from filing in court.

Mr. Capo inquired if the process is robust enough to stand in court. Ms. Mihalick noted the policy has been reviewed, and the opinion is that it is robust enough to resolve concerns.

Dr. Hansen noted there is no language to prevent the process from being used to appeal grades. Dr. Maldonado noted the process does not apply to grades. He noted there are exclusions for which the policy does not apply.

Vote: Motion passed with a vote of 3-0.

ADJOURNMENT

With no further business coming before the Board, the meeting adjourned at 10:47 a.m.

Minutes submitted by Sharon Wright, Director, Board Services

Minutes Approved: September 22, 2016