

**ALVIN COMMUNITY COLLEGE
BOARD HEARING of APRIL 27, 2017
OFFICIAL MINUTES**

The Board of Regents of Alvin Community College met in a Board Hearing session on the 27th day of April, 2017 at 5:00 p.m., with the following members, administrative personnel, and guests present:

Mike Pyburn	Chair		
James B. DeWitt	Vice-Chair		
Jody Droege	Secretary		
Patty Hertenberger	Regent		
Cheryl Knape	Regent		
'Bel Sanchez	Regent		
Doyle Swindell	Regent		
Andy Tacquard	Regent		
Christal M. Albrecht	President, Alvin Community College		
Wendy Del Bello	Alvin Community College		
Sarah Langlois	Richard Hightower	Debbi Fontenot	Tammy Giffrow

Student Hearing

The hearing was opened by Mr. Richard Hightower, Board counsel and presiding officer, at 5:42 p.m.

Mr. Richard Hightower, the attorney retained to represent the ACC Board of Regents and presiding officer of the hearing, took role of Regents by having each say "present" as name was called. Regent Roger Stuksa was not present for the hearing. Mr. Hightower stated that a quorum was present and the hearing could proceed.

The hearing was requested by J.L., a student at Alvin Community College who had been dismissed from the ACC ADN nursing program. The student was notified via email and certified letter that the hearing would be held on Thursday, April 27, 2017 at 5:30 p.m. at the Nolan Ryan Center, however by 5:45 p.m. the student had not appeared for the hearing.

Mr. Hightower adjourned the hearing into closed executive session at 5:45 p.m. at which time Dr. Albrecht, Wendy Del Bello, Dr. Debbi Fontenot, Sarah Langlois and Tammy Giffrow exited the room.

Mr. Hightower reopened the hearing into open session at 6:00 p.m. at which time Dr. Albrecht, Wendy Del Bello, Dr. Debbi Fontenot, Sarah Langlois and Tammy Giffrow reentered the room.

Mr. Hightower disclosed that legal advice was given in the closed session and that no action was taken. Mr. Hightower noted that, although the student was not present, the hearing would proceed as scheduled since the student was notified of the date, time, and location of the hearing a reasonable time in advance of the hearing and the student had not communicated prior to the start of the hearing that she was unable to attend. He stated that the hearing will be held in closed session under Texas Government Code Section 551.0821 since personally identifiable information would be revealed about the student and that the student had not made an open session hearing

request in writing. For the record, it was stated that the student sent an email to Dr. Albrecht at approximately 6:00 p.m. stating that she could not attend the hearing and requested to reschedule.

Mr. Hightower adjourned the hearing into closed session at 6:01 p.m. at which time Dr. Albrecht, Wendy Del Bello, Dr. Debbi Fontenot, Sarah Langlois and Tammy Giffrow remained present. At that time, had the student been present, she would have been given fifteen minutes to state reasons why she should be readmitted to the nursing program. Ms. Sarah Langlois, attorney for Alvin Community College, stated the sequence of events leading up to the student's dismissal and recommended that the Board of Regents uphold Dr. Albrecht's decision to dismiss the student from the program.

Mr. Hightower then adjourned into executive closed session for Regent's deliberation at 6:20 p.m. at which time Dr. Albrecht, Wendy Del Bello, Dr. Debbi Fontenot, Sarah Langlois and Tammy Giffrow exited the room.

The hearing reconvened in open session at 6:30 p.m. at which time Dr. Albrecht, Wendy Del Bello, Dr. Debbi Fontenot, Sarah Langlois and Tammy Giffrow reentered the room and the closed sessions were concluded.

Mr. Hightower stated that no action was taken in closed session and then turned the hearing back over to Chairman Mike Pyburn for voting and then proceeded with the action concerning the student appeal under policy FMA (Local). Regent Andy Tacquard made the motion that the Board of Regents deny the appeal presented and uphold Dr. Albrecht's decision. Motion was seconded by Regent Patty Hertenberger. The motion passed unanimously, 8-0.

The Board reconvened into executive session at 6:33 p.m. for a report on Dr. Albrecht's goals as related to her evaluation.

Jody Droege, Secretary

Mike Pyburn, Chair