

MINUTES
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED SEVENTIETH REGULAR MEETING
APRIL 14, 2004

The meeting was called to order by Vice Chair Linda Flores in the Dogwood Forum, Columbia College, at 3:35 p.m. The Board of Trustees then recessed to closed session in the Manzanita Conference Room for the purpose of discussion pursuant to:

1. G. C. Section 54956.9 – Litigation
Case: ACE v. YCCD, No. F042272
Case: Hearing concerning intended faculty termination
Case: Hearing concerning intended faculty termination
2. G. C. Section 54957.6 – Conference with Labor Negotiations
District representatives: P. Fisher, T. Scott, R. Peralta
Employee organization: CSEA and YFA
3. G. C. Section 54957
Appointment of Public Employee: Interim Chancellor

At 5:45 p.m. the Board of Trustees reconvened to open session in the Dogwood Forum. The Pledge of Allegiance to the Flag preceded formal Board action.

Board Members Present Pat Dean
 Anne DeMartini
 Linda Flores
 Tom Hallinan
 Paul Neumann
 Abe Rojas

Board Members Absent Delsie Schrimp

Others Present M. Baker, L. R. Caralez, C. Chavez, M. Christopherson, D. Clark, K. Clark, M. Crotty, L. Dauster, R. Epstein, B. Feigen, L. Feigen, R. Feigen, P. Fisher, D. Foletti, F. Grolle, L. Hallmeyer, C. Hanks, A. Kolstad, D. Jamison, C. Larkin, D. Lau, P. Lockman, K. Lucas, L. Martin, L. Mayhew, G. Mendenhall, C. Mical, M. Miles, L. Ordway, F. Osnaya, R. Peralta, I. Ponder, J. Redwine, J. Riggs, T. Scott, K. Smith, N. Stavrianoudakis, J. Stroud, S. Stroud, J. Swank, H. Tout, J. Walker, J. Williams, two signatures not legible, E. Osnaya (recorder)

14,867
Report out from Closed Vice Chair Linda Flores reported that there was no action taken
Session (if any) during closed session. Therefore, there was nothing to report.

14,868
Approval of the Minutes Elisa Osnaya, stenographer to the Board of Trustees, pointed out a typographical error on the minutes from the March 10, 2004 Board meeting. On pages 1 of 14 and 7 of 14, the time indicating when Trustee DeMartini left the meeting should read “at approximately 6:55 p.m.” not 6:25 p.m. Ms. Osnaya informed the Board that the formal minutes had been changed to reflect the correct time.

A motion was made by Trustee Neumann, seconded by Trustee Dean, that the Board of Trustees approve the minutes of the regular meeting of March 10, 2004, first adjourned meeting of March 17, and special meeting of March 31, as corrected.

The motion carried with a vote of 6-0.

REPORTS AND INFORMATION ITEMS

14,869
Student Activity Reports

Dr. Jim Williams, MJC President, read the students' report. He reported that students held a student leaders' political forum for student body candidates, hosted a two-day new student leaders' orientation with Columbia College, prepared for a commencement flower and t-shirt sale, and hosted a club appreciation dinner.

Mary Miles, ASCC President, reported that this would be her last report to the Board as AS President. She summarized the students' many accomplishments this year, including the student elections. She announced that the newly elected ASCC President is Sue Griffith. Ms. Miles added that she will return as ASCC vice president for the upcoming academic year. She thanked the Board of Trustees for their efforts in meeting the needs of students.

14,870
Academic Senate Activity
Reports

Michelle Christopherson, MJC Academic Senate President, reported that the Senate recently approved the move to online grading with the new Datatel system, as opposed to the old bubble sheet method. She said the move had been facilitated by President Williams' transition plan which offered training sessions for faculty and one-on-one help as needed. Ms. Christopherson said the Senate also finished discussions about the FMP and had submitted their recommendations to the College Council and President Williams. She said discussions also have started regarding a recent compressed calendar survey conducted by faculty.

Ida Ponder, Columbia College Academic Senate President, mentioned that Columbia College has been working on a reorganization plan, and she found that the cross-training proposed in the plan is a positive move. She informed the Board that this would be her last Board meeting as Senate President. She introduced Alicia Kolstad, incoming Senate President. Trustees thanked her for her report and for her leadership as Senate President.

14,871
Activities/Announcements
College Graduations

Columbia College's and MJC's commencement ceremonies will be held on Friday, April 30, 2004. Chancellor Fisher reminded trustees of their planned participation at each college. She encouraged all staff to attend.

As both graduations are on the same day, Trustee Rojas asked what the possibility was of holding future ceremonies on different days so trustees can attend both ceremonies. Chancellor Fisher responded that the academic calendar makes it difficult because semesters at both colleges must start on the same day and end on the same day. She explained that there may be other options, i.e., holding graduations at different times of the day. She asked college presidents to explore the possibilities for the future.

Women of Distinction

President Williams reported that as part of Women's History Month, the MJC Chapter of the American Association of Women in Community Colleges hosted a special luncheon on March 26. At that time six colleagues and one student were honored for their outstanding contribution to MJC. Dr. Williams added that there also was a special recognition of Chancellor Fisher in honor of her many years of dedication and service to AAWCC. Dr. Williams extended commendations to the planning committee for an outstanding event and congratulated the following honorees:

Classified: Diane Mowery, Mary Tillery
Faculty: Janell Glance, Kathleen Ennis
Management: Linda Butterfield
Student: Nicole Jansen
Mentor of Women Award: Ron Tingley

17th Annual Big Band Jazz Festival

President Jim Riggs stated that as part of their ongoing outreach program and featuring their jazz department, more than 150 students from Northern California high schools and community colleges participated in Columbia College's Big Band Jazz Festival on March 19 and 20. During the day, clinics were taught by some of the area's top jazz players, who also performed in the evenings for audiences in the Dogwood Forum. Dr. Riggs said the clinics were conducted by composers Tim Price, Marvin McFadden of Huey Lewis and the News, and Mic Gillette of Tower of Power fame. The event was organized by music professor Rod Harris.

New Hall of Fame Members Named

Dr. Riggs reported that at the 14th Annual Hall of Fame Dinner on April 7, the Columbia College Foundation named Patte Coombes-Baldwin, V. Peter Sullivan and Ron Roberson as the newest recipients of this prestigious honor. In addition, former YCCD Board Trustee Joseph K. Mitchell, Patricia Pantaleoni and Norine Holmes were inducted to the Hall of Fame in memoriam for their outstanding past service to the college.

Columbia College Wins Three Statewide Awards

President Riggs reported that Doug Lau and his staff do an excellent job at keeping the face of Columbia College out in the community and the state. He said that Columbia College was recognized for excellence in print publications at the 27th Annual Community College Public Relations Organization's (CCPRO) Annual Conference in March. Over 220 entries from community colleges throughout the state competed in 28

categories with awards given to the top three finishers in each category. The college received two second place awards for college catalogs and color brochures, and a third place for class schedules. Entries were produced by staff members Andy Maurer, Doryene Rapini and Doug Lau.

AACC 2004 Outstanding
Alumni Award

Dr. Williams explained that the American Association of Community Colleges (AACC) annually presents this award to former students from community colleges who are making outstanding contributions to their chosen career fields and to their communities. Last fall, Dr. Williams nominated Modesto's own George Lucas for the award. Dr. Williams was proud to announce that Mr. Lucas was selected as a 2004 Outstanding Alumni. The award will be formally presented at the AACC Convention in Minneapolis, Minnesota, on April 26. Dr. Williams will be receiving the award on Mr. Lucas' behalf, as Mr. Lucas is unable to attend the conference because of his filming schedule.

14,872

Presentations/Updates

Tennis Court Restoration
Project

Dr. Riggs reported that Columbia College's tennis courts are in a state of disrepair, and the College's Foundation has been working with local community members and organizations to raise funds to restore them. The courts are used for health and human performance classes and by the general public. Several individuals have donated toward this project, along with the Sonora Area Foundation, California Tennis Association, Koret Foundation of San Francisco in memory of the late Jack Curley, Tuolumne County Community Tennis Association, and a group of local seniors, led by Frank Diggle who used the courts regularly. Dr. Riggs said that the donations have exceeded their goal, and funds are now available to go beyond the original plans of refurbishing only. Dr. Riggs introduced Bob Feigen, President of the Tuolumne County Community Tennis Association, who has been one of the driving forces behind this effort. Mr. Feigen stated that many wonderful individuals and corporations have donated money in a collective effort to maintain and preserve the Columbia College tennis court facility. He acknowledged the Tennis Association Board, in particular Mr. Herb Tout and Mr. Ralph Epstein, who were in the audience. Mr. Feigen stated that the Tennis Association has pledged to continue to support the Columbia College tennis courts and presented a check for \$2,500 to Dr. Riggs. Mr. Feigen also acknowledged Trustees Dean and Neumann for their support. Mr. Charles Hanks, from the U. S. Tennis Association, also addressed the Board and encouraged people to get involved in tennis. He presented Trustee Dean with a tennis racquet. Trustee Dean thanked Mr. Feigen for the partnership and support of Columbia College. Dr. Riggs provided an update on the repair schedule. He said a firm had been identified and the only thing holding them back is the weather. He said the project would be moving forward soon.

Donation from the Mary Eichoff Estate

President Williams reported that Modesto Junior College recently received a generous donation of \$1.4 million from the Mary Eichoff Estate. Mr. George Retamoza, MJC Foundation Director, provided background information on Mrs. Eichoff. He said she had made many anonymous donations to various needy areas at MJC. Prior to this donation, Mrs. Eichoff had contributed over \$153,000 to the college. Mr. Retamoza stated that this donation is an endowed account to be used by Allied Health and the Criminal Justice Training Center. The funds will provide scholarships and facilitate the purchase of equipment and supplies to maintain the operation of these programs.

State Budget and Legislative Update

Teresa Scott, Vice Chancellor for Fiscal Services, reported that there has been little new significant information about the State budget since the March 10, 2004 Board meeting. She said that it is possible that the Governor's May Budget Revise may adjust the COLA from 1.84% to 2.3%. However, a \$2 billion suspension to Proposition 98 for 2004-2005 may make the COLA increase fiscally impossible.

Vice Chancellor Scott said that locally, staff continue to address a \$3,000,000 General Fund budget deficit. She said we are facing cost overruns on construction projects, increased health benefits costs, and increased property, liability, and workers' compensation insurance costs. She also pointed out that the district has not contributed to the future retiree medical benefits account. Vice Chancellor Scott plans to bring preliminary budget information to the Board in May, and hopes to bring forward a balanced budget in June.

CJTC Update

President Williams reported that in 1997 the YCCD joined a Joint Powers Agency (JPA) with the City of Modesto (on behalf of the Modesto Police Department) and the County of Stanislaus (on behalf of the Sheriff's Office) to support and operate the Ray Simon Criminal Justice Training Center. Although the students were served well in that Center, for a variety of fiscal and administrative reasons, the members of the JPA determined about a year and a half ago that the JPA should consider dissolution. At that time discussion began regarding administrative methods for continuing a partnership without a formal JPA. On March 24, 2004, the CJTC JPA Commission met and reaffirmed an earlier dissolution vote and also voted unanimously to adopt the termination plan.

President Williams stated that intra-jurisdictional agreements between YCCD (on behalf of MJC) and the City of Modesto (on behalf of the Police Department) and between YCCD and the County of Stanislaus (on behalf of the Sheriff's Office) had been signed to guide the new partnership. Criminal justice instruction will continue to be offered at the Ray Simon Criminal Justice Training Center. He added that payment would soon be made for the first three quarters of the fiscal year (through June 30, 2005) for the services of Lt. Kevin Finnerty, RSCJTC Director, and Sgt. Larry Johnson, RSCJTC Coordinator. The

training center serves the needs of 38 law enforcement agencies in an eight-county area. All parties are optimistic that the new agreement and the clarification of roles will lead to an expanded, successful program.

Janice Walker, member of the audience, asked if a formal agreement between these agencies had been signed. Dr. Williams informed her that there are signed agreements. It was clarified that since the JPA had been legally dissolved, there would be no further meetings of that agency. Chancellor Fisher explained that there are now two different agreements. One between YCCD and the County and another between YCCD and the City. Ms. Walker said she would request copies of those contracts. Chancellor Fisher responded that she was welcome to do so by using the regular procedures.

Columbia College
Scholarships Program

President Riggs reported that as the cost of attending college continues to be a barrier for a number of YCCD residents, scholarships and other financial support often make the difference that leads to successful completion for some students. Cass Larkin, Columbia College Financial Aid Coordinator, made a presentation to the Board of Trustees highlighting Columbia College's scholarship program, which is supported by generous donors through the Columbia College Foundation. Ms. Larkin's presentation included information about the scholarship application process, the selection process, and the donor base. She said that scholarship awards this year totaled approximately \$75,000. Two exemplary scholarship recipients, Laura Ordway and Michael Crotty, addressed the Board and shared how scholarships have assisted them.

Vice Chair Flores commended the students and wished them well in their future endeavors.

ACTION ITEMS

Consent Agenda
14,873
Purchase Orders

A motion was made by Trustee DeMartini, seconded by Trustee Dean, that the Board of Trustees approve the purchase orders issued from February 1, 2004 through February 29, 2004.

Ms. Janice Walker inquired about purchase orders B0002210 and B0002298. Vice Chancellor Scott and Chancellor Fisher explained that those purchase orders involve restricted funds for state projects for which the district is a fiscal agent. Ms. Walker stated that she had asked last month for a copy of the list of all purchase orders. Vice Chancellor Scott said that, as had been indicated last month, the list of purchase orders is available at the Purchasing Office.

The motion carried with a vote of 5 ayes (Dean, DeMartini, Flores, Hallinan, Rojas) and 1 abstention (Neumann).

Acceptance of Gifts

A motion was made by Trustee Dean, seconded by Trustee Hallinan, that the Board of Trustees take the following action on the remaining items of the Consent Agenda:

Accept with appreciation the following gifts:

- a. An FMC Model 1100 alignment machine with printer from Big O Tires to be used in the Automotive Technology and Auto Body programs at Modesto Junior College.
- b. Five hundred dollars from the Mother Lode Association for the Education of Young Children to purchase children's books for the children's literature collection in the Learning Resources and Media/Technology Center at Columbia College.
- c. A railcar ID-GATX 316559 from Jim Dobbas Inc., to be used for training Fire Science students in the Regional Fire Training Center at Modesto Junior College.
- d. Forty assorted trees from Dave Wilson Nursery to be used for the Ornamental Horticulture program and the EHS Club in the Ag & Environmental Sciences Division at Modesto Junior College.
- e. A wether buck from John Nicewonger to be used for breeding purposes in the sheep unit in the Ag & Environmental Sciences Division at Modesto Junior College.
- f. Seventy-five fruit trees from Dave Wilson Nursery to be used for the Beckwith Instructional Lab in the Ag & Environmental Sciences & Technical Education Division at Modesto Junior College.
- g. A Hunter Engineering wheel balancer and a Sun Electric Corporation engine analyzer from Heritage Ford to be used in the Automotive Technology and Auto Body programs at Modesto Junior College.
- h. A Xerox copier toner cartridge from Chana Vanorden for use in the Columbia College Biology Department.
- i. Six (6) animal skulls from Frank Helm for use in the Columbia College Biology Department.
- j. A dictaphone desktop voice processor, front pedal supply, from Ray and Linda Thibault, for use in the office technology program at Columbia College.
- k. A number of laboratory supplies (latex gloves, clothespins, plastic bags, plastic containers, a glue gun, aluminum foil, wax paper, clear storage boxes, and various soaps and cleaners) from Joe Bass for use in the Columbia College Biology Department.

Project
Applications/Amendments

Authorize the Yosemite Community College District to submit the following project applications/amendments and to enter into a contract with the appropriate donor agencies when the projects are selected for funding: **(Report #2119)**

- a. Enrollment Fee Deferment Services – MJC
Submitted to Stanislaus County Department of E Agency
Share: \$6,000; Proposer share: \$0
- b. Pathways to MJC for Parents of Young Children – MJC
Submitted to Modesto City Schools
Agency share: \$3,135; Proposer share: \$0

The motion carried with a vote of 6-0.

14,875
Personnel Items

Richard Peralta, Vice Chancellor for Human Resources, presented 36 personnel items, including a seven-item addendum, for the Board's approval. He acknowledged the 18 district staff retirements listed on the agenda.

A motion was made by Trustee Neumann, seconded by Trustee Dean, that the Board of Trustees take the following action on the personnel items:

- Blaine Rogers Grant retirement emeritus status to Blaine Rogers, Professor of Biology, Columbia College, effective April 30, 2004, and officially commend him for 32 years of valuable service to the District (STRS Golden Handshake).
- Don Lenkeit Grant retirement emeritus status to Don Lenkeit, Professor of Anthropology, Business, Behavioral & Social Sciences, Modesto Junior College, effective April 30, 2004, and officially commend him for 32 years of valuable service to the District (STRS Golden Handshake).
- Roberta Lenkeit Grant retirement emeritus status to Roberta Lenkeit, Professor of Anthropology, Business, Behavioral & Social Sciences, Modesto Junior College, effective April 30, 2004, and officially commend her for 28 years of valuable service to the District (STRS Golden Handshake).
- Sue Pehl Grant retirement emeritus status to Sue Pehl, Professor of Office Technologies, Business, Behavioral & Social Sciences, Modesto Junior College, effective April 30, 2004, and officially commend her for 27 years of valuable service to the District (STRS Golden Handshake).
- Sharon Watson Grant retirement emeritus status to Sharon Watson, Professor of Office Technologies, Business, Behavioral & Social Sciences, Modesto Junior College, effective April 30, 2004, and officially commend her for 31 years of valuable service to the District (STRS Golden Handshake).
- Almetta Shannon Grant retirement emeritus status to Almetta Shannon, Nursing Professor, Allied Health, Modesto Junior College, effective April 30, 2004, and officially commend her for 15 years of valuable service to the District (STRS Golden Handshake).
- Wayne Wightman Grant retirement emeritus status to Wayne Wightman, Professor of English, Literature & Language Arts, Modesto

Junior College, effective July 31, 2004, and officially commend him for 33 years of valuable service to the District (STRS Golden Handshake).

Peter Shkabara Grant retirement emeritus status to Peter Shkabara, Computer Science Professor, Columbia College, effective April 30, 2004, and officially commend him for 5 years of valuable service to the District (STRS Golden Handshake).

Alan Cover Grant retirement emeritus status to Alan Cover, Interim Dean, Ag & Environmental Sciences, Technical Education, Modesto Junior College, effective June 30, 2004, and officially commend him for 28 years of valuable service to the District (STRS Golden Handshake).

Kathy Goman Grant retirement status to Kathy Goman, Executive Secretary, Instruction, Modesto Junior College, effective June 30, 2004 and officially commend her for 22 years of valuable service to the District (PERS Golden Handshake).

Ruth Anne Lemos Grant retirement status to Ruth Anne Lemos, Admissions and Records Tech III, Admissions & Records, Modesto Junior College, effective May 24, 2004, and officially commend her for 36 years of valuable service to the District (PERS Golden Handshake).

Cheryl Smith Grant retirement status to Cheryl Smith, Human Resources Supervisor, Human Resources, YCCD, effective June 1, 2004, and officially commend her for 30.5 years of valuable service to the District (PERS Golden Handshake).

Preciliano (Romy) Robles Grant retirement status to Preciliano (Romy) Robles, Farm Manager, Ag & Environmental Sciences, Modesto Junior College, effective June 30, 2004, and officially commend him for 16 years of valuable service to the District (PERS Golden Handshake).

David Steffy Grant retirement status to David Steffy, Systems/Operations Manager, YCCD, effective August 19, 2004, and officially commend him for 11 years of valuable service to the District (PERS Golden Handshake).

Alex Noriega Grant disability retirement to Alex Noriega, Custodian, YCCD Facilities Operations, effective March 2, 2004, and officially commend him for 11 years of valuable service to the District.

Miguel Hernandez Accept the resignation of Miguel Hernandez, Campus Security Officer I, Columbia College, effective March 11, 2004.

Patricia Kinley Accept the resignation of Patricia Kinley, Library Media Technician II, Columbia College, effective April 9, 2004.

Regina Amador Accept the resignation of Regina Amador, Administrative Secretary, Ray Simon Criminal Justice Training Center,

Modesto Junior College, effective April 16, 2004.

- Viengkham Champa Approve the probationary appointment of Viengkham Champa, Job Coach Technician CalWORKS, Financial Aid, Modesto Junior College, effective March 19, 2004, contingent upon funding.
- Deepa Pawan Rekha Approve the probationary appointment of Deepa Pawan Rekha to Financial Aid Technician I, Financial Aid, Modesto Junior College, effective April 1, 2004, contingent upon funding.
- Doralyn Foletti Approve the probationary appointment of Doralyn Foletti to the position of Program Representative II, Columbia College, effective April 5, 2004.
- Mary Carmen Garnica Baez Approve the probationary appointment of Mary Carmen Garnica Baez to Support Staff I, Child Development Training Consortium, Allied Health/Family & Consumer Sciences, Modesto Junior College, effective April 12, 2004, contingent upon funding.
- Glen Hulse Approve the re-instatement of Glen Hulse, Custodian, YCCD Facilities Operations, effective April 1, 2004.
- Jeanette Thompson Approve the promotional appointment of Jeanette Thompson to Admissions & Records Technician III, Admissions & Records, Modesto Junior College, effective May 1, 2004, contingent upon funding.
- Rebecca "Noel" Langley Approve the promotional appointment of Rebecca "Noel" Langley to Admissions & Records Technician III, Admissions & Records, Modesto Junior College, effective May 1, 2004, contingent upon funding.
- Rita Perez Approve an increase in assignment from 11 months to 12 months for Rita Perez, Support Staff III, Arts, Humanities & Communications, Modesto Junior College, effective July 1, 2004.
- Reduction in Force—
Classified Management Confirm termination of employment of Donald Borges, Director of Ag Education and Tech Prep, Modesto Junior College, effective April 30, 2004.
- Margo Elliott Grant an unpaid leave of absence (medical) to Margo Elliott, Instructor of Psychology at Columbia College, effective March 10, 2004 to end on or before December 31, 2004.
- Short-Term Appointee List Approve the list of short-term appointees in compliance with state law (AB500-Goldberg).
- David Willson Grant retirement emeritus status to David Willson, Columbia College Interim Dean of Instructional Services, effective August 19, 2004, and officially commend him for 29 years of valuable service to the District (STRS Golden Handshake).

Lew Mayhew Grant retirement emeritus status to Lew Mayhew, Counselor, Modesto Junior College, effective April 30, 2004, and officially commend him for 31 years of valuable services to the District (STRS Golden Handshake).

Alex Beattie Grant retirement emeritus status to Alex Beattie, Professor of Engineering, Science, Mathematics & Engineering, Modesto Junior College, effective April 30, 2004, and officially commend him for 27 year of valuable service to the District (STRS Golden Handshake).

Gloria Plasencia Grant retirement status to Gloria Plasencia, Administrative Secretary, Allied Health/Family & Consumer Sciences, Modesto Junior College, effective May 1, 2004, and officially commend her for 15 years of valuable service to the District (PERS Golden Handshake).

Mark Anglin Approve the appointment of Mark Anglin to the position of Dean of Agriculture and Environmental Sciences, Modesto Junior College, effective July 1, 2004.

Lori Dangerfield Approve the probationary appointment of Lori Dangerfield to Outreach Recruiter, Admissions & Records, Modesto Junior College, effective April 19, 2004.

Gregory Johnson Approve the probationary appointment of Gregory Johnson to the position of Campus Security Officer, YCCD Campus Security, effective April 23, 2004.

Trustee Neumann acknowledged the retirement of Mr. Lew Mayhew who has been a counselor, served as YFA representative, and a principal negotiator of the contract under which faculty currently work. He thanked Mr. Mayhew for all of his work.

Dr. Jim Riggs commended long-term faculty member, dean, vice president, and the heart of Columbia College, Mr. Dave Willson, who will be retiring in August.

The motion approving the personnel items carried with a vote of 6-0.

Discussion Items

14,876

Board Policies Update –
First Reading

A master set of new board policy recommendations (sections 1000-6000) developed by five internal committees was provided to the Board as a first reading in March. Not included in that master set were seven proposed policies that needed further refinement. Nick Stavrianoudakis, Director of External Affairs, reported that these seven policies were condensed into three (2710, 3345, and 6500). These and previously submitted draft recommended policies are available for review online in the Chancellor/Board of Trustees section of the YCCD website (at <http://yccd.yosemite.cc.ca.us/Trustees/>). He also mentioned that the inclusion of these policies brings the total to 174

policies that have been presented for a first reading. He added that these policies and any suggested revisions for which there is consensus, will be brought back to the Board at a future Board meeting for a second reading and possible adoption.

Michelle Christopherson commented about policy 2710 (Property and Copyrights). She expressed her appreciation of the work by Nick Stavrianoudakis and the subcommittee. She said this is an important matter for faculty and they want the policy to be clear. She asked that the Board provide them with more time so the subcommittee can discuss the changes that the Senate would like to recommend and develop the procedures at the same time. Chancellor Fisher assured Ms. Christopherson that the intent is that between the first and second reading the Board will not take any action until all suggestions have been considered. Dr. Fisher pointed out that policy procedures are addressed administratively and are not brought to the Board.

Lew Mayhew, YFA President, said that YFA does not have a problem with the policy. Their concern is with the policy procedures. Mr. Mayhew noted that YFA has a placeholder in their contract on this issue. He indicated that the procedures are fine as they are, and if they remain the same, faculty would drop the placeholder in the contract. On behalf of YFA, Mr. Mayhew, requested more time so that an informal, internal process can be conducted to look at the procedures.

Chancellor Fisher said that it would not be a problem to delay the second reading from May to June to allow more time for faculty to review this item. She also pointed out that since this policy review was now in its fourth year, it would please everyone if it could be completed by June.

Stephen Stroud, Faculty Consultant to the Board, echoed Ms. Christopherson's and Mr. Mayhew's request and thanked the Board and administration for their consideration.

The Board of Trustees conducted a first reading of proposed policies 2710 – Intellectual Property and Copyright, 3345-Disposal of Surplus Property, and 6500–Emergency Preparedness/Hazard Mitigation.

14,877
CSEA Negotiations

Vice Chancellor Peralta reported that representatives of the California School Employees Association (CSEA), Chapter 420, and the District had reached an agreement for 2003-2004. The agreement provides for continuation of the 2002-2003 classified salary schedule in 2003-2004. In addition, it includes changes in eligibility criteria for retiree medical benefits and a "golden handshake" retirement incentive program in 2004. **(Report #2120)** Vice Chancellor Peralta said that he was pleased with the negotiation's process which provided a good opportunity for dialog with CSEA. He reported that the contract had been ratified. He thanked Amy Bethel, Chief Negotiator,

and Jeff Swank, CSEA Chapter 420 President, for their continuing cooperation. He added that he also is pleased because this will be the last agreement that he will participate in as a district representative.

Jeff Swank, on behalf of Ms. Bethel, said that they were honored to be a part of the final negotiation involving Mr. Peralta as a district representative. He wished Mr. Peralta well in whatever he pursues upon his retirement.

A motion was made by Trustee Rojas, seconded by Trustee Neumann, that the Board of Trustees approve a 2003-2004 negotiated agreement with CSEA, Chapter 420.

The motion carried with a vote of 6-0.

14,878
PERS Golden Handshake

Vice Chancellor Richard Peralta reported that one component of the YCCD/CSEA, Chapter 420, negotiated agreement is a Golden Handshake retirement incentive program to eligible Public Employees Retirement System (PERS) members which provides them an additional two years of PERS service credit upon retirement within a specified "window period." Vice Chancellor Peralta advised the Board of Trustees that the district had identified 109 classified employees who meet retirement eligibility criteria under PERS. He further explained that a cost analysis of the projected cost of purchasing the two additional years of service credit from PERS is required. He said that calculations indicate the cost of these two additional years of service for these 109 staff is \$2,015,432.18. Vice Chancellor Peralta pointed out that this cost is then offset by the salary savings resulting from the differential between the retirees' salary and the anticipated salary of the replacements. Vice Chancellor Peralta stated that cost projections indicate that the offering of this incentive program will result in an aggregate savings of approximately \$211,000 to the district. Based on these cost saving calculations, he said that the district's decision to offer the Golden Handshake Program meets PERS requirements that the district demonstrate a cost savings in offering the program.

A public hearing was held regarding the projected cost of the Golden Handshake Program. There were no comments from the public, and the hearing was closed.

A motion was made by Trustee Neumann, seconded by Trustee DeMartini, that the Board of Trustees approve **Resolution No. 03-04/19** to establish a PERS Golden Handshake Program and identify a designated "window period" for retirements with two years of additional service credit.

The motion carried with a vote of 6-0.

Chancellor Fisher explained that offering the Golden Handshake program to staff had involved a tremendous

amount of work in order to meet all the legal requirements. She thanked Vice Chancellor Peralta for facilitating a very complicated process. Chancellor Fisher also acknowledged the many staff that helped in this effort, particularly Jane Chawinga, YCCD Internal Auditor, and Sandy Mesenhimer, Payroll Supervisor. Trustees also thanked Mr. Peralta and staff for their hard work.

14,879
Yosemite Faculty
Association (YFA) –
Bargaining Proposal

Vice Chancellor Peralta reported that the current YCCD/YFA negotiated agreement expires June 30, 2004. The agreement provides that either party may reopen negotiations for a subsequent term. He stated that YFA has presented the Association's bargaining proposal to the District which is the first step in a four-step process. **(Report #2021)**

Mr. Mayhew said he hoped that this year's proposal conveys that this is their initial proposal and that they understand that the state funding situation is continuously changing and the implications to the district will not be known for several months. Mr. Mayhew underscored that this is an initial proposal and that YFA will be flexible as events unfold in Sacramento and locally.

The Board of Trustees received YFA's bargaining proposal, scheduled a public hearing on the proposal on May 12, and referred the proposal to administrative staff for review.

14,880
Partnership for Excellence

Vice Chancellor Scott reported that each year, as part of the statewide budget process to secure ongoing support for the Partnership for Excellence (PFE) funding, local districts have been asked to provide information to the State Chancellor's Office about the investment of PFE dollars. At the July 2000 Board of Governors (BOG) meeting, the BOG adopted additional conditions for PFE dollars. These conditions require that expenditure budgets be reported by object code and activity code to the State Chancellor's Office. The conditions also require that the PFE expenditure/budget report be discussed at a District Board meeting.

Vice Chancellor Scott provided a summarized version of the 2003-2004 Partnership for Excellence report. **(Report #2022)** This report reflects the planned expenditures which have been developed using Board policy for participation and consultation with appropriate governance entities. College presidents gave a brief synopsis of how PFE funds have been utilized at their respective campuses.

The Board of Trustees held a public hearing on the Partnership for Excellence 2003-2004 report. As there were no comments from the public, the hearing was closed.

A motion was made by Trustee Neumann, seconded by Trustee Dean, that the Board of Trustees review and accept the Partnership for Excellence 2003-2004 Report and direct staff to certify the report and submit it to the California

Community Colleges Chancellor's Office.

The motion carried with a vote of 6-0.

14,881
Health Services Fee

Vice Chancellor Scott reported that Education Code Section 76355 authorizes a community college district to charge a fee for health services. The fee is now set at \$12 per semester and \$9 for summer sessions. Legislation was recently passed authorizing a \$1 increase to the student health fee. Ms. Scott indicated that the governing board may increase the health fee by the same amount authorized by legislation. It should be noted that the health services budgets at both colleges constantly struggle to break even financially.

Generally speaking, the fee may be charged of all students, whether or not they choose to use the health services. However, districts must by law exempt apprentices, low-income students (those eligible for a Board of Governors Enrollment Fee Waiver), students who depend exclusively on prayer for healing, and dependent children and surviving spouses of members of the California National Guard who were killed or permanently disabled while in the active service of the state.

Vice Chancellor Scott said that campus constituencies have reviewed this proposal and recommend its acceptance.

A motion was made by Trustee Rojas, seconded by Trustee DeMartini, that the Board of Trustees authorize the health fee increase of \$1 and charge the state approved maximum health fee, \$13 per semester and \$10 for summer sessions, effective with the 2004 summer session.

The motion carried with a vote of 6-0.

COMMENTS

14,882
Comments from the Public

Ms. Janice Walker stated that she noticed a litigation item on the Closed Session Agenda and asked if an attorney had been present. She was informed that an attorney had been present during the closed session. Ms. Walker inquired if any action was taken on any other item from Closed Session. Chancellor Fisher pointed out that upon the Board's return to open session earlier in this meeting, Vice Chair Flores had reported out that the Board of Trustees had not taken any action during closed session, and therefore, there was nothing to report.

Ms. Walker said she had planned to read a statement at the March Board meeting but was unable to do that because she had to leave the meeting early. Thus, she read a statement regarding the lawsuit of ACE v. YCCD (originally filed by the Association for Cleaner Environment and Don Clark). She said a Petition for Writ of Mandate was filed by Don Clark to compel YCCD to comply with guidelines of the California Environment Quality Act (CEQA) with regard to the closure of the firing range on the MJC West Campus. Ms. Walker stated that a

Stanislaus County judge ruled in favor of YCCD almost a year ago. An appeal was filed with the Fifth District Court of Appeals who then reversed the Stanislaus Court decision. Ms. Walker stated that the Court of Appeals stated that YCCD could not avoid CEQA guidelines by relying on individual exemption of the law because the action as a whole needed to be considered. Ms. Walker said that the Court of Appeals further modified its decision, ordering that the case be published in the official records. Consequently, she said that the ACE v. YCCD case can be cited as a precedence setting case. Ms. Walker said she shared this information so that no one can second guess the outcome of the case.

14,883
Comments from the Board of Trustees

Trustee DeMartini reported that she attended MJC's SpringFling and the faculty tenure celebration. She said she was impressed with the tenure celebration and thanked President Williams, Chancellor Fisher and everyone involved with the planning of this successful event. Mrs. DeMartini also attended the Columbia College Hall of Fame Dinner, the dinner for the Tibetan Monks, and the Ag Field Day.

Trustee Neumann attended the Scrabble tournament that was hosted by MJC's Alpha Gamma Sigma honor society.

Trustee Rojas attended the graduation ceremony for the visiting Japanese students studying cherry blossom ornamentation at the MJC.

Pat Dean attended the Occupational Olympics and the Hall of Fame Dinner at Columbia College, as well as the dinner for the Tibetan Monks at MJC.

Trustee Rojas commented that he was glad that trustees took the time to attend college events because staff appreciate their presence. Chancellor Fisher echoed Mr. Rojas' comments and said that trustees are always welcome.

Chancellor Fisher reminded trustees of the upcoming fundraising dinner sponsored by the Stanislaus County Office of Education Foundation. She encouraged trustees to attend. The event will be held on May 22 at the home of Bob and Marie Gallo.

14,884
ANNOUNCEMENTS

The meeting adjourned at 7:35 p.m. The next regular meeting of the Board of Trustees will be held on Wednesday, May 12. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. at YCCD Board Room, 2201 Blue Gum Avenue, Modesto.

Linda Flores, Vice Chair
YCCD Board of Trustees

Pamila J. Fisher, Secretary
YCCD Board of Trustees