

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED NINETY-FIRST REGULAR MEETING
January 11, 2006

3:30 P.M. Open Session - Call meeting to order in the YCCD Board Room, adjourn to closed session in YCCD Conference Room B

CLOSED SESSION AGENDA:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointment
Presidential Searches
 2. Pursuant to G.C. Section 54956.9(a) – Pending Litigation
Case: ACE v. YCCD, Case #306771
Case: Hutson v. YCCD, Case #376624
 3. Pursuant to G.C. Section 54956.8 – Property Negotiator
Conference with real property negotiators
 4. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: J. Williams, T. Scott, D. Wirth
Employee Organizations: CSEA

5:30 P.M. - Reconvene to open session – YCCD Board Room

Public Comment on Agenda Action Items: Persons who want to address the Board of Trustees on an agenda action item (Section II) may do so after being recognized by the Chair of the Board and before Board discussion. All speakers should complete a Speaker Request form in advance and give it to the Board stenographer. Individuals will be allowed a maximum of five (5) minutes per topic.

Comments from the Public: Persons who want to comment on an Agenda Information Item (Section I) or Board business issues not included on the agenda can do so as part of agenda item **III.A.** All speakers should complete a Speaker Request form in advance and give it to the Board stenographer. Individuals will be allowed a maximum of five (5) minutes per topic.

Other guidelines may apply. See Board Policies #7345 and #7346.

Televised Meetings: Board Meetings are televised on the Tuesday immediately following the Board meeting on Modesto Public Access channels 2 and 26, from 12:30-3:30 p.m.

Video Streams: Video streams occur on the first and second Friday following the Board meeting and will broadcast from 2:00 – 5:00 p.m. The video stream can be accessed by logging on to: www.gomjc.org/mjcvideo.

Pledge of Allegiance to the Flag

Report out from Closed Session (if any)

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting on December 14, 2005.

I. REPORTS AND INFORMATION ITEMS

- A. Student Activity Reports
- B. Academic Senate Activity Reports
- C. Activities and Announcements

1. TRIO/ETS Programs

Modesto Junior College proudly announces the 2004-05 graduate statistics for the TRIO/Educational Talent Search programs. The programs, which are funded through a federal grant, served 125 high school seniors and 123 of these students graduated from their high schools, with the remaining two earning their diploma or GED. Out of the 125, 111 enrolled in a program of post-secondary education: 87 are MJC students and 16 went to four-year universities. Overall, the program had an 88.8% post-secondary enrollment rate for participating high school seniors. This data was collected through student contact, National Student Clearinghouse, and Datatel. Congratulations to the TRIO students and staff members on their hard work and success.

2. MJC's Martin Luther King, Jr. Commemoration

Russell Means, a life-long indigenous rights and constitutional rights activist, actor, artist and author, will be the keynote speaker at the 2006 Martin Luther King, Jr. Commemoration on Saturday, January 14 at 7:00 p.m. in the Mary Stuart Rogers Student Learning Center on MJC's West Campus. Means will speak on "*The Value of Yesterday for Today and Tomorrow*". In 1969, Means joined an Indian rights group called the American Indian Movement and became the first national director of AIM. He has remained active in this organization, continuing to work for the rights of his people for over thirty years. He has also traveled world-wide while working for over twelve years with the United Nations. Means has starred in numerous feature films, wrote an autobiography "*Where White Men Fear to Tread*," recorded two albums and started his own production company. Means is a magnetic speaker that continues to address the civil rights issues of today. This annual event is open to the public and free of charge.

3. MJC Annual Black History Month Luncheon

The American Association for Women in Community Colleges (AAWCC) has scheduled the annual Black History Month Luncheon for February 2, at noon, in the Mary Stuart Rogers Student Learning Center. The event is open to the public and more detailed information will be available soon.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

4. MJC Financial Aid Workshop

Modesto Junior College will hold a Financial Aid Night on Tuesday, January 17, 7:00 - 8:30 p.m. in Sierra Hall, Room 132, on the West Campus. The workshop will target current college students or college-bound students who need help meeting college expenses at MJC or another institution. Most high school students will report parental information on their Financial Aid application. Parents may also wish to attend. The workshop will offer an overview of the application process and the types of financial aid available, including a step-by-step review of the Free Application for Federal Student Aid (FAFSA). Financial Aid staff will be available to answer questions following the presentation. There is no cost for the workshop and no advance registration is necessary.

5. Art Exhibit in Columbia College Rotunda

A three-person art exhibit will be open to the public in Columbia College's Rotunda through January 25. Painter William Fontana, ceramist Harry Nakamoto, and photographer Laurie Sylwester will have their works on display.

6. Alaskan Oil Drilling Documentary at Columbia College

The award-winning documentary "Oil on Ice" will be presented free of charge and open to the public on Friday, January 13 at 6:00 p.m. in the Columbia College Dogwood Forum. Narrated by actor Peter Coyote, the film connects the fate of the Arctic National Wildlife Refuge in Alaska and the conflict over drilling for oil there. The event is sponsored by the Columbia College Ecology and Outdoor Adventure Club.

7. Oakdale Survey

As part of Columbia College's ongoing program to provide the types of college courses to help Oakdale area residents reach their educational and vocational goals, a short community survey was placed online and publicized in the Oakdale, Riverbank, Escalon, and Knights Ferry areas. Through the survey, residents will be able to indicate their personal educational goals and interests. This data will be collected and used in determining future class offerings in Oakdale.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. Classification Study

The classification study selection committee has reviewed the five applications received in response to the District's RFP (request for proposals) and conducted interviews of all five firms on January 10, 2006. Vice Chancellor of Human Resources Diane Wirth will provide an update to the Board on the results of the interview.

2. Grant Development Update

YCCD's grant development and management activities continued to expand during the 2004-2005 academic year. Competitively funded programs increased at both Modesto Junior College and Columbia College. Ms. Beccie Michael, Director of Grants, will present a summary of grants obtained and sources of funds for 2004-2005, as well as projected amounts for 2005-2006.

3. Strategic Planning Presentation

The District has retained Mr. Bill Davis of WR Davis Collaboratives to assist with the strategic planning process. Mr. Davis is a process consultant and facilitator who focuses on broad-based strategic planning methods and implementation. Mr. Davis will provide an overview of the YCCD Strategic planning process and give an update on the progress of the committee.

4. Bond Update

Staff will provide monthly updates on the following topics related to the General Obligation Bond, as necessary. The Bond Measure E website is located at <http://www.yosemite.edu/bond/>.

- Citizens' Oversight Committee – The Citizens' Oversight Committee met on January 4, 2006 and toured MJC's East Campus. Unapproved minutes of this meeting can be viewed at the web address above. The next meeting is scheduled for April 5.
- Project List – Recommended changes to the priority project list will be presented to the Board at the February 2006 meeting.
- Construction – Construction is anticipated to begin this Spring for the Columbia College Secondary (Emergency) Access Road, and one of the parking lots; with other infrastructure projects to follow. The MJC Auditorium project is expected to bid the Spring.
- Outreach Centers – Progress is continuing to be made relative to property acquisition in Patterson for the West Side Center and in Angels Camp for the Calaveras Center.

Kitchell representative Mark Newton will provide an update.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from November 1, 2005 through November 30, 2005.

2. Acceptance of Gifts

RECOMMENDATION: That the Board of Trustees accept with appreciation the following gift(s):

- a. That the Board of Trustees accept with appreciation a piece of artwork titled "The L's" from Mark DiPasquale for possible periodic display at Columbia College.

3. ☆Project Applications/Amendments

RECOMMENDATION: That the Board of Trustees 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:

- a. California Children & Families Commission –MJC
Agency share: \$2,999,988 (four years)
Proposer share: -0-
- b. California Department of Education – MJC & CC
Agency share: \$3,690 (\$1,845 per college)
Proposer share: -0-

4. Nonresident Tuition Fee

The Board of Trustees is required to establish annually a nonresident student tuition fee for the succeeding year. The 2005-2006 nonresident student tuition fee is \$151 per unit. The 2006-2007 nonresident student tuition fee must be at or between the statewide average expense per unit and the Yosemite Community College District's expense per unit. Historically, the Board has adopted the statewide average rate for the following reasons: 1) The District rate is usually more than the statewide average rate, and 2) our neighboring districts normally charge the statewide average.

RECOMMENDATION: That the Board of Trustees adopt a 2006-2007 nonresident student tuition fee of \$160 per unit, consistent with the statewide average.

II. ACTION ITEMS

B. Personnel Items

1. Retirement – Classified

RECOMMENDATION: That the Board of Trustees accept the retirement of **Ross Aldrich**, Performing Arts Production Specialist, Arts, Humanities & Communications, Modesto Junior College, effective December 30, 2005, and officially commend him for 30 years of valuable service to the District.

2. Retirement – Classified

RECOMMENDATION: That the Board of Trustees accept the retirement of **Doris Carper**, Library Media Technician III, Learning Resources, Modesto Junior College, effective December 6, 2005, and officially commend her for 9 years of valuable service to the District.

3. Retirement – Classified

RECOMMENDATION: That the Board of Trustees accept the retirement of **Janet Newsom**, Library Media Technician II, Learning Resources, Modesto Junior College, effective February 3, 2006, and officially commend her for 6 years of valuable service to the District.

4. Temporary Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the temporary appointment of **Lynn Richardson** to the position of Instructor of English, Literature & Language Arts, Modesto Junior College, effective for the Spring semester 2006 only.

5. Temporary Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the temporary appointment of **Gladys Schmitt** to the position of Instructor of Nursing, Nursing Consortium, Modesto Junior College, effective for the Spring semester 2006 only.

6. Temporary Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the temporary appointment of **Dawn Stout-Fernandez** to the position of Instructor of Nursing, Nursing Consortium, Modesto Junior College, effective for the Spring semester 2006 only.

II. ACTION ITEMS

B. Personnel Items

7. Temporary Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the temporary appointment of **Jesse Ray** to the position of Instructor of Welding, Technical Education, Modesto Junior College, effective for the Spring semester 2006 only.

8. Promotional Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the promotional appointment of **Kristina Duarte** to the position of Financial Aid Technician II, Financial Aid Office, Modesto Junior College, effective January 17, 2006, contingent upon funding.

9. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Catherine Gray** to the position of Child Development Center Master Teacher, Institutional Operations, Columbia College, effective January 1, 2006 (10-month work year).

10. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Richard Giuffra** to the position of Custodian/Grounds, Facilities Operations, Yosemite Community College District, effective January 9, 2006.

11. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Kendis Bettencourt** to the position of Support Staff I - Allied Health, Allied Health Family & Consumer Science, Modesto Junior College, effective January 3, 2006, contingent upon funding.

12. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Mary Debra York** to the position of Admissions & Records Technician II, Institutional Operations, Columbia College, effective January 17, 2006.

II. ACTION ITEMS

B. Personnel Items

13. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Yia Vang**, Library Media Technican I, Learning Resources, Modesto Junior College, from 60% to 100%, effective February 1, 2006 to June 30, 2006.

14. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Leticia Senechal**, Curriculum Information Specialist, Instruction, Modesto Junior College, from 66% to 100%, effective December 18, 2005 to January 8, 2006.

15. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment for **Leticia Senechal**, Curriculum Information Specialist, Instruction, Modesto Junior College, from 100% to 66% effective January 9, 2006 to April 29, 2006.

16. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment for **Gabriella Rodriguez**, Child Development Center Teacher, Allied Health/Family & Consumer Science, Modesto Junior College, from 100% to 48.75% effective December 7, 2005 to June 30, 2006.

17. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment for **Karin Rodts**, Laboratory Assistant I, DSP&S, Columbia College, from 40 hours per week (100%) to 36 hours per week (90%) effective January 9, 2006 to April 29, 2006.

18. Voluntary Leave of Absence – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary unpaid leave of absence for **Andrea Porter**, Lab Assistant I, Business, Behavioral and Social Science, Modesto Junior College, effective January 3, 2006 to June 30, 2006.

II. ACTION ITEMS

B. Personnel Items

19. Voluntary Leave of Absence – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary unpaid leave of absence for **Kimberly Carter**, Program Representative II, Student Success/Tutoring, Modesto Junior College, effective January 3, 2006 to January 27, 2006.

20. Resignation – Classified Management

RECOMMENDATION: That the Board of Trustees accept the resignation of **Laurence Carter**, Campus Security Officer, Columbia College, effective January 1, 2006.

21. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Jessica Raines**, Associate Teacher, Child Development Center/Allied Health, Family & Consumer Science, Modesto Junior College, effective December 2, 2005.

22. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Tina Giron**, Career Development & Transfer Center Technician III, Counseling, Modesto Junior College, effective January 6, 2006.

23. ☆Short-Term Appointee List

RECOMMENDATION: That the Board of Trustees approve the list of short-term appointees, in accordance with state law (AB500-Goldberg).

II. **ACTION ITEMS**

C. Discussion Items

1. YCCD Negotiations Proposal to CSEA, Chapter 420 – Public Hearing

CSEA Chapter 420 previously presented its counter negotiations proposal for the contract which ended on June 30, 2004 to the District. Consistent with applicable code sections and District policy, it is necessary for the Board of Trustees to conduct a public hearing on the proposal.

RECOMMENDATION: That the Board of Trustees conduct a public hearing regarding CSEA Chapter 420's counter bargaining proposal to the District.

2. ☆Sabbatical Leaves – 2006-2007

The Columbia College and MJC Sabbatical Leave Committees have submitted their recommendations regarding 2006-2007 sabbatical leave recipients. The Committees' recommendations have been reviewed and approved by the college presidents.

Applicable Education Code sections require that employees who are granted sabbatical leaves either post a bond in an amount equal to the salary received during the period of the leave, or enter into an agreement with the Board of Trustees for the proportional repayment of the amount received during the leave if service is not provided to the District in an amount twice the length of the leave. (A copy of Resolution No. 05-06/04 is attached.)

RECOMMENDATION: That the Board of Trustees approve 2006-2007 sabbatical leaves for the following YCCD academic employees:

Academic Year 2006-2007

Michelle Christopherson - MJC
Gloria Coats – MJC
Frank Drummond – MJC
Michael Smedshammer – MJC
Paula Clarke – CC

Fall Semester 2006

Cecelia Hudelson-Putnam - MJC
Dimitri Keriotis - MJC
Laura Maki - MJC

Spring Semester 2007

Allan McKissick - MJC
Jill Ramsey – MJC
Gabriele Steiner – MJC
Tim Vaughan – MJC
Laureen Campana - CC

II. ACTION ITEMS

C. Discussion Items

3. 2004-2005 Audit Report

The auditing firm of Matson and Isom has completed the 2004-2005 audit of the District's fiscal operations. The audit report and financial statements have been prepared using the guidelines required by the Governmental Accounting Standards Board (GASB).

The audit consists of the examination of the District's financial statements, a review of the systems of internal accounting controls and a review of state and federal compliance areas mandated by the Single Audit Act, the State Department of Finance Guide, and the California Community Colleges State Chancellor's Office.

Representatives from the auditing firm will be present during the Board meeting to formally present the audit report to the Board of Trustees. The representatives will also respond to specific inquiries regarding the report. The audit report has been previously provided to the Board for their review.

RECOMMENDATION: That the Board of Trustees receive the 2004-2005 audit report and authorize its filing with the appropriate state agency in accordance with Education Code Section 84040.

4. Health Services Fee

Current law requires all Board of Governors Enrollment Fee Waiver (BOGFW) recipients to be exempt from paying any health fee charged by a campus. The signing of AB 982 (Laird) deletes this requirement and permits each community college district the flexibility to assess all or some of its students the fee for providing campus health services. After examining this issue and in an effort to provide exemplary health services to students, Modesto Junior College and Columbia College are seeking Board approval to assess all students with the current health fee, with the exception of the BOGFW-A recipients. The change in assessment of the health fee will begin in the summer of 2006. In addition, Education Code Section 76355, provides the governing board of community college districts the option of increasing the student health services fee by the same percentage as the increase in the Implicit Price Deflator Index for State and Local Government Purchases of Goods and Services. Current calculation allows for a \$1.00 fee increase. Modesto Junior College and Columbia College are seeking Board approval to increase the student health fee to \$14.00 for the fall and spring semesters and \$11.00 for the summer session. This increase will be effective beginning summer of 2006.

RECOMMENDATION: That the Board of Trustees approve the implementation of AB 982 by authorizing the collection of the health services fee for all BOGFW recipients except, BOGFW-A recipients. Further, that the Board of Trustees approve the increase of the student health fee to \$14.00 for the fall and spring semesters and to \$11.00 for the summer session. Both recommendations will be implemented beginning summer 2006.

II. ACTION ITEMS

C. Discussion Items

5. ☆ Board Bylaws/Policies – 1st Reading

Attached is YCCD Board Policy 7520 (Whistleblower Policy) and its accompanying procedure, to govern both the reporting and investigation of allegations of suspected unlawful activities and the protection of whistleblowers from retaliation. The Community College League of California (CCLC) Board Policy & Administrative Procedure Service is in the process of researching and drafting a recommended policy and procedure for whistleblower protections, but that process has not yet concluded. Once the CCLC distributes its recommendation, the District may review and implement any modifications to this policy.

RECOMMENDATION: That the Board of Trustees review the proposed YCCD Board Policy 7520 and conduct a first reading.

6. Parking at MJC/Measure E

Measure E stipulates that YCCD will “reduce parking impact on the neighboring community by building a parking structure” at MJC’s East Campus. Since the passage of Measure E, there have been concerns raised about the increasing costs of materials and the location of a parking structure. A town hall meeting was conducted to hear citizen and neighbor opinions. After analyzing all options, Kitchell narrowed the choices to two:

Option A: Adding a parking structure in place of the existing surface parking lot(s) at the Southwest corner of MJC East.

Option B: Relocating the existing baseball field at the Northwest corner of MJC East to MJC West and installing a surface parking lot in its place.

Option A (parking structure) would yield 290 net spaces at a cost of roughly \$12 million and Option B (surface lot) would net 544 spaces at a cost of roughly \$9 million. Leading arguments for a parking structure are: it could be expanded in the future; a structure was campaigned for by the District; and the public supported the structure when Measure E was passed. Leading arguments for a surface lot are that it is less costly and yields more spaces in the short term.

As the urban density of the City of Modesto grows, MJC needs to look toward higher density solutions for both building and parking solutions at East Campus. A parking structure will contribute to the future solution to East Campus parking by adding additional floors and conserving available land, allowing for future expansion. This is the first time in the history of the District that sufficient funds are available to construct a structure versus settling for surface parking as the only viable option due to costs.

II. ACTION ITEMS

C. Discussion Items

6. Parking at MJC/Measure E, Continued

The issue was analyzed by the MJC Measure E Coordinating Committee with a recommendation to build a parking structure. MJC Academic Senate and College Council took no position on the issue and referred it to the YCCD Board of Trustees for a decision.

Kitchell's Mark Newton and Maria Baker, Director of Facilities Planning and Operations, will present their analysis and recommendation to the Board.

RECOMMENDATION: That the Board of Trustees provide direction to Kitchell to move forward with a parking structure to be constructed at MJC's East Campus.

III. COMMENTS

A. Comments from the Public

Persons who want to comment on Agenda Information Items or Board business issues not included on the agenda can do so as part of this section of the agenda. All speakers should complete a Speaker Request form in advance and give it to the Board stenographer. Individuals will be allowed a maximum of five (5) minutes per topic.

Other guidelines may apply. See Board Policies #7345 and #7346.

B. Comments from the Board of Trustees

This time is for trustees to report on conferences, meetings and other activities related to District business. No action will be taken.

IV. ANNOUNCEMENTS

- A. The next regular meeting of the Board of Trustees will be held on Wednesday, February 15, 2006. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. at in the YCCD Board Room, Yosemite Community College District, 2201 Blue Gum Avenue, Modesto.