

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND TWENTY-SEVENTH REGULAR MEETING
January 14, 2009

The Agenda and supporting public documents are available for viewing in the Chancellor's Office, Yosemite Community College District Board Room, 2201 Blue Gum Avenue, Modesto, California. The agenda is available online at <http://yccd.yosemite.cc.ca.us/Trustees> or by calling (209)575-6509.

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
 2. Pursuant to G.C. Section 54956.8 – Property Negotiator
Conference with Real Property Negotiators (APN: 057-023-027, 057-023-028, 021-027-014, 105-014-006, 106-014-018, 106-014-019)
 3. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: D. Wirth
Employee Organizations: CSEA, YFA

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

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 10, 2008.

Comments from the Public

Persons who want to comment on Board business issues not included on the agenda can do so as part of this section of the agenda.

Persons who want to address the Board of Trustees on an agenda item may do so after being recognized by the Chair of the Board and before Board discussion on the action item.

Prior to comment at the Board Meeting, 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.**

I. REPORTS AND INFORMATION ITEMS

A. Student Activity Reports

B. Academic Senate Activity Reports

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College – President Rose

1. Legendary Civil Rights Leader Robert Moses

Legendary civil rights leader Robert Moses will speak on “From Civil Rights to the White House” at the 15th Annual Martin Luther King Commemoration: Saturday, January 17, 2009, 7 p.m. in the MJC Main Auditorium. Moses studied philosophy at Harvard University before going to work in the civil rights movement. He worked as a teacher for the Ministry of Education in Tanzania (1969-75) and in 1976 returned to Harvard to complete his doctorate. In 1982 Moses was awarded a MacArthur Fellowship. Moses currently teaches algebra and geometry at Lanier High School in Jackson, Mississippi. This event is free to the public.

2. Off-Balance Dance Company

The MJC Off-Balance Dance Company will present a Repertory Dance Performance on February 5, 6, and 7, at 7:30 p.m. and a matinee performance at 2 p.m. on Sunday, February 8, in the Main Auditorium of the Performing and Media Arts Center. Enjoy the creative expression and contemporary dance style of the Off-Balance student ensemble as they perform the choreography of dance professors Lori Bryhni and Kim T. Davis. General admission is \$10 and \$8 for students or seniors. Tickets are available at the door.

3. MJC Crab Feed Fundraiser

MJC Agriculture and Environmental Sciences Department 2nd Annual Crab Feed fundraiser will be held on Friday, February 6, with a social and silent auction at 6 p.m. and dinner at 7 p.m., in the Mary Stuart Rogers Student Center on MJC's West Campus. The proceeds will be used to support the Ag program and for equipment and furnishings needed for the new Ag Pavilion to be built on West Campus. Tickets are \$45 and will be sold in advance only.

4. MJC Spring Speech Night

The MJC Forensics Team will demonstrate a variety of award-winning, competitive speech and debate during the Spring Speech Night, Tuesday, February 10, at 4 p.m. and 7 p.m., in the Main Auditorium of the Performing and Media Arts Center. Over 800 students enrolled in speech communications courses at MJC are expected to attend. Tickets will be available in advance for \$5 and at the door for \$7. Proceeds are used to cover travel expenses of the MJC Forensics Team to compete in speech tournaments throughout California.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Columbia College – President Smith

1. Fire Academy Graduation

Columbia College's Fire Academy presented certificates of completion to 17 graduates on December 8, 2008. Certificates were awarded based on completion of the required academic and manipulative training for certification as a California Firefighter I. Still required are six months of full-time or one-year of part-time field experience before applying to the State for Firefighter I Certification.

2. Culinary Students Prepare Community Banquet

The Columbia College culinary arts students and instructors presented a banquet for 1,350 people at Sonora Regional Medical Center's volunteer appreciation dinner on December 9, 2008. It is the second year that the department was selected to plan, prepare and serve this enormous community dinner for the medical institution.

3. Columbia College Foundation Appoints Four New Directors

The Columbia College Foundation Board appointed four new directors at their November 13, 2008 meeting. Rosetta Banwarth, owner of Banny's Café in Sonora, has served on the Sonora Unified High School District Board. Louise Goicoechea, Ed.D., is a Tuolumne County native who retired from the community college system and returned to the area. Stephanie Suess is a local community member, active in charitable fundraising, organizations and events. Glenn Roberts is a sergeant for the Sonora Police Department.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. MJC Accreditation Update

President Rich Rose will provide the Board with an update regarding Modesto Junior College's accreditation status.

2. YCCD Procedures Update

The YCCD Policies and Procedures committee has forwarded the following procedures to the Chancellor for implementation. A majority of the changes made to these procedures are a result of newly recommended language from the Community College League of California, Code reference updates, and legally required changes due to Title 5 and other updates. Copies have previously been provided to the Board. The six (6) procedures are:

- 2300 Public Records – Retention and Destruction
- 2600 Auxiliary Services
- 4110 Post Employment Retirement Options
- 5050 Matriculation
- 5055 Enrollment Priorities
- 5500 Standards of Conduct

Many procedures remain in varying stages of the review process. They will be provided to the Board over the next few months, as changes are made.

3. Chancellor's Update

Chancellor Darnell will provide the Board with updates regarding State/District issues and upcoming events.

4. ★Statement of Resolve

During this past spring and summer, over 35 MJC faculty, classified staff and administrators received training on the essential skills of interest-based decision making. During the conversation surrounding interest based decision making, this group had thorough dialogue on the issues of civility, communication, respect and trust. As a result, the group developed a "Statement of Resolve" which is attached. Amy Bethel, will be joined by others who were involved in the process, to share the background, development and further efforts to promote the concepts contained in the document to the greater campus community.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

5. ☆Bond Update

Kitchell representative Mr. Mark Newton will provide the Board with an update on the progress of current Bond projects.

Modesto Junior College: CEQA Compliance: West Campus: The report has been submitted to the Department of Toxic Substance Control and they have committed to responding by the end of January. **Allied Health:** DSA approval is planned for January. The **Parking Lot** project has started demolition of the existing buildings. Eighty-five parking spaces are closed and the remainder will be closed in February after the parking demand has diminished. **Softball Complex:** The construction documents are complete and submitted to DSA for approval. **Science Community Center & GVM:** The construction document phase has started. **Student Services:** The project has been restarted and is now in the Design Development Phase. Tree removal is complete for the College Avenue site.

Current MJC Projects

PROJECT	STATUS	START CONSTRUCTION
Auditorium	Complete	September 2006
Agriculture Beef and Sheep Unit	DSA	February 2009
Agriculture Housing	Bidding	February 2009
Agriculture Multi-Use Pavilion	DSA	February 2009
Allied Health	DSA	February 2009
Parking Lot	Construction to start	February 2008
Science Community Center & GVM	Construction Documents	October 2009
Student Services	Design Development	March 2010
Softball Complex	DSA	February 2009

Columbia College: Columbia Infrastructure project: Due to savings in the bidding of the Bond projects Columbia College has started a new project upgrading the infrastructure at Columbia College. **Child Development Center:** Construction has begun. **Science and Natural Resources:** Construction documents are complete. The construction is scheduled to start July 2009.

Current Columbia College Projects

PROJECT	STATUS	START CONSTRUCTION
Child Development Center	Construction	December 2008
Madrone Building	Construction	July 2008
Public Safety Center	Construction	May 2008
Science and Natural Resources	DSA	July 2009

Current Educational Outreach Facilities

PROJECT	STATUS	START CONSTRUCTION
Calaveras	Property Acquisition	Tbd
Oakdale	Property Search	Tbd
Turlock	Property Search	Tbd
West Side Center	DSA	Spring 2009

☆Denotes Attachment

Action items listed in Sections II.A, II.B & II.C are part of the Board's consent agenda. Trustees may pull specific items off the consent agenda for separate discussion and action. Items not pulled for separate discussion/action will be acted upon as one action by the Board.

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

1. ☆Purchase Orders

A recommendation is made that the Board of Trustees approve the purchase orders issued from November 1, 2008, through November 30, 2008.

2. ☆Grant Project Applications/Amendments

A recommendation is made that the Board of Trustees authorize the Yosemite Community College District to submit the following grant project applications/amendments and to enter into a contract with the appropriate agencies when the projects are selected for funding:

Agency	Coll	Agency Share	Proposer Share
California Community Colleges Chancellor's Office, Economic Development & Workforce Preparation Division	MJC	\$650,000	\$65,000

3. Acceptance of Gifts

A recommendation is made that the Board accept with appreciation the following gift(s):

Donor	Gift	Coll	Program
Terry and Judy Poston	\$200.00	MJC	Young Farmers Forestry Club Logging Team
Cheryl Richards	\$1,000.00	MJC	Young Farmers Equine Program
Ralph Wilson	\$100.00	MJC	Young Farmers Forestry Club Logging Team
Montpelier Farming Corporation	\$100.00	MJC	Young Farmers Ag Mechanics Quarter Scale
Melvin and Jeanette Ferrarese	\$500.00	MJC	Young Farmers Ag Mechanics Quarter Scale
Cover's Dehydrator	146,500 pounds of walnuts	MJC	Beckwith Instructional Lab Program
A & L Pirrone Vineyards, Inc.	Grape Crusher	MJC	Beckwith Instructional Laboratory
Laird Manufacturing	\$50.00	MJC	Young Farmers Ag Mechanics Club
Todd Conrado	\$250.00	MJC	Beckwith Fruit Crops Program
Mr. & Mrs. Paul D. Ballatore	\$1,000.00	MJC	Ag Program
Walter & Evelyn Betschart	\$1,000.00	MJC	Young Farmers Ag Mechanics Quarter Scale

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

4. Notice of Completion of Contract

The following project contract has been completed and inspected. A recommendation is made that the Board accept the work performed as having been completed in accordance with the plans and specifications and authorize final payment of 10% of contract amount.

Bid #	Project Name	Coll	Contractor	Original Amount	Revised Amount
06-1564	Auditorium Alterations/ Additions	MJC	ACME Construction	\$26,915,000	\$28,687,118

B. Consent Agenda, Personnel

1. Personnel Transaction Items

A recommendation is made that the Board of Trustees approve the following list of Personnel Transaction Items:

PERSONNEL TRANSACTION LIST

Name	Position	Department	Coll	Effective
Appointments – Management:				
Marie Wilson-Enriquez	Grants Manager	Grants Office	YCCD	1/5/09
Don Low	Interim Dean	Student Services	CC	2/1/09 - 4/30/09
Probationary Appointments (1st Year Contract) – Academic:				
Eric Nath	Instructor of Psychology	Instructional Services/Arts & Sciences	CC	Spring 2009
Bonnie Hunt	Instructor of Respiratory Care	Allied Health	MJC	Spring 2009
Promotional Appointment – Classified:				
Emily Straws	Facilities/Events Scheduler	College Administrative Services	MJC	1/2/09
Julie Hughes	Admissions & Records Tech III	Admissions & Records	MJC	1/2/09
Traci Wade	Secretary III	Technical Education	MJC	1/5/09
Probationary Appointment - Classified:				
Alice Nguyen	Front End Web Developer	Library & Information Technology	MJC	1/15/09
Kasey Fulkerson	Secretary III (80%)	Resource Development, Title III	CC	1/26/09
Temporary Increase in Assignment - Classified:				
Cheryl Garcia	General Clerk, from 47.5% to 100%	Counseling	MJC	12/15/08 -6/30/09

II. ACTION ITEMS

B. Consent Agenda, Personnel

1. Personnel Transaction Items, Continued

PERSONNEL TRANSACTION LIST

Voluntary Reduction in Assignment - Classified:				
Martha Rice	Community Education Specialist, from 100% to 75%	Community Education	MJC	12/1/08 - 2/28/09
Elizabeth Hondoy	Job Coach Technician, from 100% to 75%	Workforce Training Center	MJC	1/1/09 - 4/30/09
Resignation:				
Serena Gartin	Reprographic Operator II	Reprographics/Duplicating	MJC	1/5/09

2. Short-Term Appointee List

A recommendation is made that the Board of Trustees approve the following list of short-term appointees, in accordance with state law (AB500-Goldberg).

Name	Classification	Department	Coll	Start Date	End Date
Atwal, Iqbal	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Atwal, Manpreet	Program Rep I	Pre-College Programs	MJC	1/15/09	6/30/09
Bahr, Alyssa	Program Rep II	Financial Aid	MJC	1/15/09	6/30/09
Bains, Sandeep	Tutor/Learning Asst	Pre-College Programs	MJC	1/15/09	6/30/09
Barrera, Thor	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Bernal, Elena	Support Staff I	Pre-College Programs	MJC	1/15/09	6/30/09
Camarillo, Javier	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Castillo, Leticia	Outreach Recruiter	Pre-College Programs	MJC	1/15/09	6/30/09
Castro, Luis	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Dhesi, Harpreet	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Fergundes, Deborah	Reprographics Operator II	Duplicating	MJC	1/26/09	3/26/09
Garcia, Jesus	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Gilbert, Douglas	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Hamilton, Kash	Bookstore Cashier	Bookstore	CS	1/15/09	6/30/09
Hegarty, Stephanie	Support Service Aide	Child Development	MJC	1/15/09	6/30/09
Hojjatijou, Peiman	Program Aide	Pre-College Programs	MJC	1/15/09	6/30/09
Malgesini, Marsha	Nurse II	Health Services	CC	1/15/09	6/30/09
Marchy, Michele	Mailroom/Facilities Technician	Facilities/Mailroom	MJC	1/15/09	3/15/09
Martinez, Cynthia	Support Service Aide	Family & Consumer Science	MJC	1/15/09	6/30/09
Meyers, Rebecca	General Clerk	Arts, Humanities & Comm	MJC	1/15/09	6/30/09

II. ACTION ITEMS

B. Consent Agenda, Personnel, continued

2. Short-Term Appointee List, Continued

Name	Classification	Department	Coll	Start Date	End Date
Rodriguez, Patricia	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Samuel, Nirona	Program Aide	Pre-College Programs	MJC	1/15/09	6/30/09
Sillemon, Latrece	Support Service Aide	Family & Consumer Science	MJC	1/12/09	6/30/09
Soomalan, Maril	Program Aide	Pre-College Programs	MJC	1/15/09	6/30/09
Valencia, Noel	Support Service Aide	Financial Aid	MJC	1/15/09	6/30/09
Weaver, James	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Youngman, Amber	Learning Asst/Tutor	Pre-College Programs	MJC	1/15/09	6/30/09
Yosh, Stefanie	Support Service Aide	Child Development	MJC	1/15/09	6/30/09
Wolf, Barbara	Support Staff II	Payroll	YCCD	1/15/09	6/30/09

3. Adjunct Faculty Appointee List

A recommendation is made that the Board of Trustees approve the following list of adjunct faculty appointments:

Name	Discipline	Department	Coll	Effective
Blanc, Kelley	Reading	Literature & Language Arts	MJC	Spring 2009
Cassidy, Susan	Librarian	Library	MJC	Spring 2009
Castle, Courtney	Counselor	Student Services-Counseling	CC	Spring 2009
Dupont, Eden	Nursing	Allied Health	MJC	Spring 2009
Hondoy, Elizabeth		Technical Education	MJC	Spring 2009
Keach, Mark	Computer Graphics	Business, Behavioral & Social Sci	MJC	Spring 2009
Lucey, Vicki	Psychology	Business, Behavioral & Social Sci	MJC	Spring 2009
Miller, Dawn Kirsten	Counselor	Student Services-Counseling	CC	Spring 2009
Olson, Jill M.	Counselor	Student Services-Counseling	CC	Spring 2009
Overton, John	Business	Business Administration	CC	Spring 2009
Petersen, Mark	Earth Science	Arts & Sciences	CC	Spring 2009
Robins, Clark	Speech	Arts, Humanities & Communications	MJC	Spring 2009
Shaver, Loretta	Interior Design	Family & Consumer Sciences	MJC	Spring 2009
Spaith, Denise	Hospitality	Vocational Education	CC	Spring 2009
Stricker, Matthew	Math	Science, Math & Engineering	MJC	Spring 2009
VanHouten, Jeffrey	Fire Science	Community & Economic Dev	MJC	Spring 2009
Williams, Gary	Psychology	Business, Behavioral & Social Sci	MJC	Spring 2009
Wimberly, Dean	Fire Science	Vocational Education	CC	Spring 2009

II. ACTION ITEMS

C. Consent Agenda, Student Travel

1. MJC Dance Program to Orono, Maine

MJC is seeking Board approval for the Dance Program to attend the American College Dance Festival at the University of Maine from February 24 to March 1, 2009. MJC faculty and choreography have been awarded "gala" status and are one of the few community colleges to be invited to perform in the esteemed Gala performance. The approximate cost of the trip is \$9,000 for 9 people. All expenses will be paid from the dance program account and Friends of Dance funds.

D. Consent Agenda, Nonresident Tuition Fee

1. Nonresident Tuition Fee

The Board of Trustees is required to establish annually a nonresident student tuition fee for the succeeding year. The 2008-2009 nonresident student tuition fee is \$181. The 2009-2010 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 2009-2010 nonresident student tuition fee of \$190, consistent with the statewide average.

II. ACTION ITEMS

E. Discussion Items

1. Proposal for Naming of Columbia College's New Buildings

In accordance with YCCD Board Policy 3620, the final approval for the naming of any building or facility on any campus of the Yosemite Community College District rests with the Board of Trustees. The following five purposes are appropriate for naming any facility within the District:

- a. To designate the function of the building or facility.
- b. To reflect natural and geographical features.
- c. To reflect a traditional theme of the College or the District.
- d. To reflect a major financial contribution of a donor.
- e. To recognize individuals who made significant educational contributions to the District.

RECOMMENDATION: That the Board of Trustees approve the following naming recommendations for the College's new and modernized facilities under the Measure E program. This proposal has been approved by the Columbia College Facilities Committee.

<u>Facility</u>	<u>Naming Recommendation</u>
Firehouse	Public Safety Center
Child Care Center	Laurel Child Development and Family Services Center
New Adult Classroom Building	Maple
Madrone Addition	Mahogany

II. ACTION ITEMS

E. Discussion Items

2. ☆Board Policies – 1st Reading

Attached are thirty (30) YCCD Board Policies presented to the Board as 1st Reading. Of the thirty, twenty-eight are proposed revisions to current policy. Policy 4217/7717 “Civility” is a new policy. The policies are listed below:

- 2300 Public Records Retention and Destruction
- 2600 Auxiliary Organization
- 2720 Computer Use
- 3100 Fiscal Responsibility
- 3345 Disposal of Surplus Property
- 4001 Safety
- 4007/5017 Smoking
- 4019 Drug-Free Workplace
- 4022 Health Examinations
- 4217/7717 Civility - NEW*
- 5017/4007 Smoking
- 5020 Non Resident Tuition
- 5030 Fees
- 5040 Student Records and Privacy
- 5050 Matriculation
- 5500 Standards of Conduct
- 5560/6250 Probation, Disqualification and Readmission
- 6220 Standards of Scholarship
- 6230 Grading Symbols
- 6235 Credit By Examination
- 6250/5560 Probation Disqualification Readmission
- 6260 Prerequisites and Corequisites
- 6400 Community Education Classes
- 6700 Athletics
- 7015 Student Member
- 7105 Election of Student Member
- 7405 Board Responsibilities
- 7520 Whistleblower Protection
- 7717/4217 Civility - NEW*
- 7725 Board Members Compensation

RECOMMENDATION:

That the Board of Trustees conduct a 1st reading on the proposed language changes to the twenty-eight YCCD Board Policies and the two new YCCD Board Policies listed above.

II. ACTION ITEMS

E. Discussion Items

3. ☆Adoption of the Mitigated Negative Declaration and the Mitigation Monitoring Program

In accordance with the California Environmental Quality Act (CEQA) requirements, a Final Mitigated Negative Declaration was prepared. The document concluded that the Patterson Learning Center/Outreach Site will not have a significant effect on the environment with mitigation. Resolution 08/09-01 adopts the Final Mitigated Negative Declaration and Mitigation Monitoring Program and directs staff to file a Notice of Determination.

RECOMMENDATION: That the Board of Trustees adopt the Mitigated Negative Declaration and the Mitigation Monitoring Program for the MJC Patterson Outreach Site Project and direct staff to file a Notice of Determination.

4. ☆Approval of Project and Delegation of Authority

Resolution 08/09-02 approves the concept of proceeding with the Patterson Outreach Site. The Resolution also authorizes the Chancellor and designees to (1) enter into an Out of Boundary Water and Sewer Service Agreement and Agreement to Waive Protest to Annexation Proceedings with the City of Patterson after adopting the Mitigated Negative Declaration and Mitigation Monitoring Program, (2) to acquire title to the property after complying with all applicable laws and requirements, and (3) to negotiate a Lease-Leaseback Agreement.

RECOMMENDATION: That the Board of Trustees approve the Patterson Outreach Site Project conceptually and delegate authority to the Chancellor and/or designees to proceed with necessary activities with regard to the acquisition and development of the site.

III. BOARD COMMENTS

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

The annual reorganization meeting and the next regular meeting of the Board of Trustees will be held on Wednesday, February 11, 2009. Closed Session will begin at 3:30 p.m., Open Session at 5:30 p.m., Yosemite Community College District, District Board Room, 2201 Blue Gum Avenue, Modesto, California.