

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED NINETY-THIRD REGULAR MEETING
March 8, 2006

3:30 P.M. Open Session - Call meeting to order in the Community Education Room, adjourn to closed session in the Manzanita Conference Room

CLOSED SESSION AGENDA:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointment
Presidential Searches
 2. Pursuant to G.C. Section 54956.8 – Property Negotiator
Conference with real property negotiators
 3. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: J. Williams, T. Scott, D. Wirth
Employee Organizations: CSEA & YFA

5:30 P.M. - Reconvene to open session – Community Education 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 channel 96, from noon – 3:00 p.m.

Video Streams: Video streams occur on the first and second Friday following the Board meeting and will broadcast from noon – 3:00 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 February 15, 2006.

I. REPORTS AND INFORMATION ITEMS

A. Student Activity Reports

B. Academic Senate Activity Reports

C. Activities and Announcements

1. 130 Columbia College Students Achieve Dean's List

Columbia College has named 130 students on the Dean's List for the Fall 2005 semester. To qualify, all were full-time students, who achieved a cumulative 3.5 G.P.A or better with no grade lower than "C," and at least 12 units of work completed in associate degree-applicable courses. A total of 46 students were from Sonora; 11 were from Tuolumne; 10 from Columbia, and the others from throughout the state.

2. Iraq War Documentary and Co-Director at Columbia College

Garrett Scott, co-director of "Occupation: Dreamland", was on hand for audience discussion after the showing of his documentary on American soldiers in the Iraq War on February 10 at 7:30 p.m. The film featured a candid view of the soldiers, who were stationed in Fallujah during the winter of 2004 and captures their casual conversations, as well as patrolling the streets of the city in an environment of low-intensity conflict that escalates into an all-out assault.

3. Staff Recognition Dinner

YCCD's annual Staff Recognition Dinner honoring retirees and 25-year employees will be held on April 7, 2006 at the Mary Stuart Rogers Student Learning Center on MJC's West Campus. In addition to honoring our retirees and 25-year employees, staff who attend the dinner who are in their 5, 10, 15, 20, 25, 30 and 35-year increment of working at the District will also be receiving a YCCD Service Pin. There will be a no-host social at 6:00 p.m. followed by dinner at 7:00 p.m. Tickets are \$25 and can be purchased from Tawny LaBarbera in the Office of External Affairs at 575-6519. This event is co-sponsored by California School Employees Association Chapter 420, Yosemite Faculty Association, YCCD Leadership Team and the MJC Foundation.

4. 2nd Annual César Chavez Celebration

On April 6, 2006 the 2nd Annual César Chavez Celebration will be held at the MJC East Campus Quad. Guest speakers include former ASMJC President Emilio Vaca. This event will be free to the public and will also include music, food, art displays and information tables. For more information, please contact Wendy Byrd, MJC Director of Student Development and Campus Life, at 575-7991.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

5. MJC Art Gallery Display

The Modesto Junior College Art Gallery on East Campus is presenting "*Flammable*," a selection of documentary photos of Palestine and Iraq by Babak Salari through March 21. Salari's commitment to the subjects of marginality and otherness has taken him around the world to places like Afghanistan, Pakistan, Jordan, Iraq, Kurdistan, Palestine, Israel, Mexico and Cuba. Salari's photographs provide the viewer with non-sensationalized fragments of daily lives, lived by ordinary citizens who are caught in the struggle and striving for survival under occupation. Based in Montreal, Salari's work has been exhibited and published throughout Canada, USA, Europe and Mexico. The exhibit, curated by Art Gallery Director and Professor of Art Haleh Niazmand, is open 10 a.m. – 6 p.m., Monday - Friday and is free and open to the public.

6. MJC 22nd Annual Hispanic Education Conference

The Hispanic Education Conference will take place on Saturday, March 11, from 7:30 a.m. to 2:30 p.m., in the MJC Gymnasium. The purpose of this free conference is to provide local high school youth with information on a variety of careers and occupations, and encourage them to choose a career path, focus on a goal and consider attending college. The morning keynote presenter will be Myrna Camarena-Covarrubias, sister of DEA Special Agent Enrique "Kiki" Camarena who was killed by drug traffickers in Guadalajara, Jalisco, Mexico in February 1985 and in his honor, the Red Ribbon Week in October was established. She has been employed with the Drug Enforcement Administration (DEA) since March 1974 to the present and in June 1992, she was selected as DEA Worldwide Secretary of the Year. Although conference admission is free, pre-registration is requested and forms are available online www.mjc.edu under the Hispanic Ed Conference news story or by calling 575-6239.

7. MJC Nursing Alumni Association's "Outstanding Nurse" Award

MJC's Nursing Alumni Association invites you to "Nursing from the Heart" on Saturday, March 18, from 3 to 5 p.m. in the Mary Stuart Rogers Student Learning Center on West Campus. The reception will include music, appetizers, door prizes, a video tribute to MJC's 40 years of educating nurses, and presentation of the new "Outstanding Nurse" award. Reservations are \$15 and must be paid in advance. A reservation form and "Outstanding Nurse" nomination form are available online at www.mjc.edu within the Nursing from the Heart story, and are also available from the MJC Allied Health Office, 575-6362. March 8 is the deadline for both nominations and Nursing from the Heart reservations. Event proceeds will be used towards scholarships for MJC nursing students.

I. **REPORTS AND INFORMATION ITEMS**

C. Activities and Announcements

8. MJC Student Development Director Selected as an "Outstanding Woman"

Wendy Byrd, Director of Student Development and Campus Life, has been selected as one of the Outstanding Women of Stanislaus County for 2006. She will be honored by the Stanislaus County Commission for Women at a special awards dinner on Saturday, March 18, at the Assyrian Cultural Center of Bet-Nahrain in Ceres. Reservations are \$40 and may be sent to the Stanislaus County Commission for Women, P.O. Box 4254, Modesto, CA 95352-4254.

9. MJC Spring Concert

The MJC Community Orchestra, Concert Choir and Chamber Singers will present a Spring Concert on Tuesday, March 14, at 7:30 p.m. in the Downey High School Auditorium, located at 1000 Coffee Road in Modesto. The program will include clarinetist Gary Fair as a soloist and tenor David Campero performing *Ain't Got Time to Die* by Hall Johnson. The Orchestra and Choirs will perform Mozart's *Ave Verum Corpus* at the end of program. General admission is \$5 and students and senior citizens are \$3.

10. Robert F. Kennedy, Jr. at MJC

Environmental activist, author and attorney Robert F. Kennedy, Jr. will speak on "Our Environmental Destiny" on Friday, March 31, 2006, at 7 p.m. in the MJC Gymnasium on East Campus. According to his biography Robert Kennedy, Jr.'s reputation as a resolute defender of the environment stems from a litany of successful legal actions. Kennedy was named one of Time magazine's "Heroes for the Planet" for his success in helping Riverkeeper lead the fight to restore the Hudson River. Kennedy's published books include the New York Times' bestseller *Crimes Against Nature* (2004), *The Riverkeepers* (1997), *Judge Frank M. Johnson, Jr.: A Biography* (1977) and *St. Francis of Assisi* (Man of Peace). Tickets are available at the MJC Gymnasium Box Office, 1-5 p.m., Monday - Friday, throughout March. VIP tickets for the Kennedy presentation are \$100 and include preferred seating and a private reception with photo and book signing opportunity immediately following the speech. General admission is \$10 and student and seniors are \$8. Tickets may also be purchased by phone with a credit card by calling 575-6776.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. Classification Study

The classification study selection committee met with Dr. Barbara Musselman, CPS Project Manager for the District's classification and salary study. The group discussed timelines and the orientation meetings were confirmed for March 16 at Columbia College and March 17 at MJC. There will be two sessions at each college, one for classified staff members and one for leadership team members. Each session will last approximately 30 minutes and be videotaped for those unable to attend. Videotapes will be located at each of the colleges and the Human Resources office at Central Services.

2. 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 next Citizens' Oversight Committee will be held April 5, 2006 from 6-7:00 p.m. at the Apricot Valley Elementary School multipurpose room, located at 1320 Henley Parkway in Patterson. A tour of the proposed Sperry Road outreach site will precede the meeting.
- Project List – The latest Program Management Plan (PMP) was adopted by the Board at the February 15, 2006 meeting and is available online. It includes all Measure E projects with an anticipated program schedule.
- 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 within a couple of months.
- Outreach Centers – The Board will be considering a proposed agreement for the location of the West Side Center in Patterson, later in this meeting. Progress is continuing for the Calaveras Center site in Angels Camp.

Kitchell representative Mark Newton will be available to answer questions.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from January 1, 2006 through January 31, 2006.

2. ☆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. Design Software Upgrade - MJC
Agency share: \$5,000
Proposer share: \$0

3. Acceptance of Gifts

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

- a. Six pallets of silver foil paper from G-3 Enterprises to be used for the Graphics Communication and Print Shop program in the Technical Education Division at Modesto Junior College.

4. Sabbatical Leave Report

A final report has been received and approved by the MJC Interim President for MJC faculty member **Laura Paull** who was on sabbatical leave in 2004-2005. The report is available for review by the Board.

RECOMMENDATION: That the Board of Trustees accept the 2004-2005 sabbatical leave report from Laura Paull.

II. ACTION ITEMS

B. Personnel Items

1. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Esteban Escamilla, Jr.** to the position of Custodian, Facilities Planning & Operations, Yosemite Community College District, effective February 27, 2006.

2. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Tonia Snyder** to the position of Custodian, Facilities Planning & Operations, Yosemite Community College District, effective February 27, 2006.

3. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Brian Brazil** to the position of Campus Security Officer I (40%), Institutional Operations Division, Columbia College, effective March 13, 2006.

4. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Carol Heintz**, Administrative Secretary, Arts, Humanities & Communications, Modesto Junior College, from 11 months to 12 months, effective July 1, 2006.

5. ☆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. Europe Arts Study Program: Summer 2006

Columbia College is seeking Board approval of the "Europe Arts Study Program" for summer 2006. The seven-week learning community course cluster will begin on the Columbia College campus on May 1, 2006 for two academic weeks and thereafter will take place on a trip to Vienna, Salzburg, Venice, Florence and Rome, from May 16 through May 29, 2006. The last three class meetings for each course will be on the Columbia College campus and be completed on June 20, 2006. Course offerings as part of this program include History of Art, Modern Culture, and Music History. Students can enroll in one or all of the courses offered as part of the learning community.

Accommodations will be provided through EF Educational Tours program. The itinerary of this trip has been specifically designed to include concerts, music, art, museums and cultural sites related to coursework in music, art history and humanities. Dr. Rod Harris and Laurie Sylwester, both full-time faculty members at Columbia College will instruct the courses and lead the European trip. John Williams, Interim Dean of Arts and Sciences, and the two faculty members involved in this program will be available to answer questions.

RECOMMENDATION: That the Board of Trustees approve the Europe Arts Study Program for the summer of 2006.

2. West Side Education Center

At the YCCD October Board of Trustees meeting, staff, Kitchell and legal counsel were directed to develop an agreement relative to the donation of 30 acres from Sperry Road Business Center, LLC. As directed by the Board of Trustees, an agreement has been developed and signed by Sperry representative Michael Miroyan that provides free and clear title to the 30 acres, utilities stubbed to the property line and provides bonded deferral for an access road from Sperry Road upon completion of construction. The YCCD will conduct its due diligence with the State and, upon State approval, complete the escrow process.

RECOMMENDATION: That the Board of Trustees accept the agreement and direct staff to conduct the due diligence activities as required by the California Community Colleges State Chancellor's Office.

II. ACTION ITEMS

C. Discussion Items

3. ☆Board Policy 7520 – 2nd Reading

Board Policy 7520 addresses the reporting and investigation of allegations of suspected unlawful activities and the protection of whistleblowers from retaliation. A first reading was conducted at the January 11, 2006 Board meeting. Improvements have been made since the first reading, which incorporate suggestions made by the Community College League of California (CCLC) Board Policy & Administrative Procedure Service.

Attached is YCCD Board Policy 7520 (Whistleblower Protection) and its accompanying procedure in its new final form.

RECOMMENDATION: That the Board of Trustees conduct a second and final reading and adopt the proposed Board Policy 7520, as revised from the first reading.

4. MJC Dairy Cattle Judging Team Scotland Trip

MJC is seeking Board approval of the Dairy Cattle Judging Team competition in Scotland. The MJC Dairy Cattle Judging Team has once again qualified to compete in the Scottish Royal Highland International Dairy Judging Contest in Edinburgh, Scotland. Mr. Hobby, MJC Dairy Judging Team Coach, is in the process of planning a trip for the team that will span from June 13-25, 2006. In addition to the contest, Mr. Hobby and the team will visit dairy and farming operations, along with other significant historical locations, in Holland, Germany, Belgium, France, Isle of Jersey, England, and Scotland.

Mr. Hobby is working with AgroTours Inc. of Fredericksburg, Virginia to organize the trip. The approximate cost of the trip for Mr. Hobby and team members, Anne Azevedo, Brian Fiorini, Dennis Miguel and Sarah Sousa will be \$15,000. The funds for the trip will be raised by Mr. Hobby and his Dairy Team members.

RECOMMENDATION: That the Board of Trustees approve the MJC Dairy Cattle Judging Team Scotland trip for Modesto Junior College.

II. ACTION ITEMS

C. Discussion Items

5. ☆Yosemite Faculty Association (YFA) – Bargaining Proposal

The current YCCD/YFA negotiated agreement expires June 30, 2006. The agreement provides that either party may reopen negotiations for a subsequent term. The YFA has presented the Association's bargaining proposal to the District.

RECOMMENDATION: That the Board of Trustees:

- a. Receive the YFA bargaining proposal.
- b. Schedule a public hearing on the proposal on April 12, 2006.
- c. Refer the proposal to administrative staff for review.

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

The next regular meeting of the Board of Trustees will be held on Wednesday, April 12, 2006. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. in the Yosemite Community College District Board Room, 2201 Blue Gum Avenue, Modesto, California.