

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

The meeting was called to order by Board Chair Anne DeMartini at 3:35 p.m. Trustees then recessed to closed session for the purpose of discussing the following closed session agenda items:

- 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

The Board of Trustees reconvened to public session at 5:35 p.m. in the Community Education Room. The Pledge of Allegiance to the Flag preceded formal Board action.

Board Members Present Pat Dean
 Anne DeMartini
 Abe Rojas (arrived at 5:45 p.m.)
 Delsie Schrimp
 Paul Neumann
 Susan Rudolph (student trustee)

Board Members Absent Linda Flores
 Tom Hallinan

Others Present M. Baker, G. Rose, J. Riggs, T. Scott, B. Scroggins, N. Stavrianoudakis, J. Williams, D. Wirth, C. Martin, M. Miller, S. Stroud, J. Swank, D. Gervin, C. Chavez, D. Lau, D. Winters, J. Hendrickson, M. Craig, D. Baxter, E. DeLash, D. DeLash, R. Milburn, C. Mical, L. Martin, D. Campbell, M. Kennedy, C. Buck, R. Harris, J. Lanchester, B. Sanders, I. Kamara, S. Akiona (recorder).

15,301
Report Out From Closed None.
Session

15,302
Approval of Minutes A motion was made by Trustee Schrimp and seconded by Trustee Dean, that the Board of Trustees approve the minutes of the regular meeting of February 15, 2006, as amended.

The motion carried with a vote of 4-0. Trustee Rojas was not present for this vote.

15,303

Student Activity Reports

ASCC President Ibrahim Kamara reported that ASCC appointed two new officers. The next ASCC meeting is March 10. Five student representatives were introduced to the Board. ASCC participated in a leadership conference at MJC. Mr. Kamara reported, on behalf of himself and ASMJC President Will McCombs, that they and student leaders from other colleges in the region have been providing input towards the creation of the State Student Senate for California Community Colleges.

There was no report from MJC.

15,304

Academic Senate Reports

Micha Miller, CC Academic Senate President, reported that a text book advisory committee has been formed to review textbook costs. The Academic Senate is moving along with Student Learning Outcomes. Regarding Measure E, construction is underway and architects will be selected soon. A new President-elect and Representative-at-large will be chosen soon, as elections have just taken place. In response to an inquiry by Trustee Neumann the weed problem in the pond has not yet been resolved.

Curtis Martin, MJC Academic Senate President, reported that there is a committee working on Student Learning Outcomes. A program review committee has been instituted. They are looking into establishing guidelines for future Institute Days and graduation. Guidelines are being developed for evaluations of online faculty. A copy of those guidelines was requested by Trustee Neumann.

**REPORTS &
INFORMATION ITEMS**

15,305

Activities and
Announcements

130 Columbia College
Students Achieve Dean's
List

President Jim Riggs reported that 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.

Iraq War Documentary and
Co-Director at Columbia
College

President Jim Riggs reported that 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. Mr. Scott

passed away of a sudden heart attack a few days after his presentation at Columbia College.

- Staff Recognition Dinner Chancellor Jim Williams reported that 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. This event is co-sponsored by California School Employees Association Chapter 420, Yosemite Faculty Association, YCCD Leadership Team, and the MJC Foundation.
- 2nd Annual César Chávez Celebration Interim MJC President Bill Scroggins reported that as a part of the District's Civic Engagement Project, on April 6, 2006 the 2nd Annual César Chávez 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.
- MJC Art Gallery Display Dr. Bill Scroggins reported that MJC's 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 10:00 a.m. – 6:00 p.m., Monday - Friday and is free and open to the public.
- MJC 22nd Annual Hispanic Education Conference Dr. Scroggins reported that 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.

MJC Nursing Alumni Association's "Outstanding Nurse" Award

Dr. Scroggins reported that this new program by MJC's Nursing Alumni Association, "Nursing from the Heart," will be held on Saturday, March 18, from 3:00 to 5:00 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 forms can be accessed online at www.mjc.edu and are also available at the MJC Allied Health Office. 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. Dr. Scroggins thanked MJC Foundation Director George Retamoza for his hard work on this event.

MJC Student Development Director Selected as an "Outstanding Woman"

Dr. Scroggins reported that 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 through the Stanislaus County Commission for Women.

MJC Spring Concert

Dr. Scroggins reported that 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.

Robert F. Kennedy, Jr., at MJC

Dr. Scroggins reported that 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 are *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, 1:00 to 5:00 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.

15,306

Presentations/Updates

Classification Study

Vice Chancellor of Human Resources Diane Wirth reported that 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.

Bond Update

Chancellor Williams reported on the following topics related to Bond Measure E. The next Citizens' Oversight Committee will be held April 5, 2006 from 6:00 to 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. The latest Program Management Plan (PMP) was adopted by the Board at the February 15, 2006 meeting and is available online at <http://www.yosemite.edu/bond/>. It includes all Measure E projects with an anticipated program schedule. Construction has begun for the Columbia College Secondary (Emergency) Access Road, and will begin soon on the parking lot with other infrastructure projects to follow. The MJC Auditorium project is expected to bid within a couple of months. The Board is considering a proposed agreement for the location of the West Side Center in Patterson. Progress is continuing on the Calaveras Center site in Angels Camp.

Dr. Williams added that the next steps are for planners and architects to present to the college committees – March 17 at Columbia College and March 21 at MJC. After interviews the design process will begin. Weekly meetings will follow. Trustee Neumann expressed that he was thankful for the specific update and looks forward to more detailed progress reports in the future.

ACTION ITEMS

15,307

Consent Agenda

A motion was made by Trustee Dean and seconded by Trustee Neumann, that the Board approve all Consent Agenda Items as follows:

Purchase Orders

Approve the purchase orders issued from January 1, 2006 through January 31, 2006.

Project Applications/
Amendments

Authorize the Yosemite Community College District to submit the following project applications/amendments (**Report #2191**) 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

Acceptance of Gifts

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.

Sabbatical Leave Report

Accept the 2004-2005 sabbatical leave report from Laura Paull.

15,308

Personnel Items

Approve the probationary appointment of **Esteban Escamilla, Jr.** to the position of Custodian, Facilities Planning & Operations, Yosemite Community College District, effective February 27, 2006.

Approve the probationary appointment of **Tonia Snyder** to the position of Custodian, Facilities Planning & Operations, Yosemite Community College District, effective February 27, 2006.

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.

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.

Short-Term Appointees

Approve the list of short-term appointees in accordance with recently adopted state law (AB500-Goldberg).

The motion carried with a vote of 5-0.

DISCUSSION ITEMS

15,309

Europe Arts Study
Program: Summer 2006

Columbia College President Jim Riggs introduced Vice President Dennis Gervin and faculty member Rod Harris to speak to the Board regarding the Europe Arts Study Program for the summer of 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. Rod

Harris and Laurie Sylwester, both full-time faculty members at Columbia College will instruct the courses and lead the trip. This year's group will have 41 participants and there is a waiting list.

A motion was made by Trustee Rojas and seconded by Trustee Neumann that the Board approve the Europe Arts Study Program for the summer of 2006.

The motion carried with a vote of 5-0.

15,310
West Side Education
Center

(This item was taken out of order and was heard following the YFA Bargain Proposal discussion item.)

Chancellor Williams reported that 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 due diligence activities as required by the California Community Colleges State Chancellor's Office and, upon State approval, complete the escrow process. Trustee Neumann recognizes that this is a very generous donation and hopes contract negotiations conclude in a positive manner. The donation allows the college to begin its work in Patterson faster, as the \$5 million budgeted from bond funds for the Patterson site would probably have gone towards a land purchase. Trustee Neumann is hopeful that access to final title will conclude within a few months. Trustee DeMartini agreed with Trustee Neumann's comments. Trustee Schrimp voiced concern about current title of the land not yet being held by Mr. Miroyan. She is concerned that the District will incur costs from environmental reports, engineers, attorneys, etc. on this property, and that the final agreement may not materialize. Trustee Schrimp believes the District should wait on this agreement and look for other land. Trustee Dean agreed with Ms. Schrimp and stated that the District will need to have the land free and clear. However, she is comfortable with moving forward at this time and thanked Attorney Savery for her good work. Trustee Rojas stated that the agreement states that the property must be free and clear when transferred to the District and is in favor of approving staff's recommendation.

A motion was made by Trustee Neumann and seconded by Trustee Rojas that the Board accept the agreement and direct staff to conduct the due diligence activities as required by the California Community Colleges State Chancellor's Office.

The motion carried with a vote of 4-1. Trustee Schrimp voted in opposition to the motion.

15,311
Board Policy 7520 – 2nd
Reading

Chancellor Jim Williams reported that Board Policy 7520 is before the Board tonight for a second and final reading. The Board of Trustees conducted a second and final reading of the proposed Board Policy 7520, as revised from the first reading. Board Policy 7520 addresses the reporting and investigation of allegations of suspected unlawful activities and the protection of whistleblowers from retaliation. Modifications were made since the first reading, which incorporated the model policy developed by the Community College League of California (CCLC) Board Policy & Administrative Procedure Service. Trustee Dean asked that staff try to shorten the procedure.

A motion was made by Trustee Rojas and seconded by Trustee Schrimp that the Board adopt the proposed Board Policy 7520, as revised from the first reading.

The motion carried with a vote of 5-0.

15,312
MJC Dairy Cattle Judging
Team Scotland Trip

Interim MJC President Bill Scroggins reported that 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 planning the trip on 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 the team. Trustee Dean thanked Dr. Scroggins for providing funding information.

A motion was made by Trustee Dean and seconded by Trustee Neumann to approve the MJC Dairy Cattle Judging Team Scotland trip for Modesto Junior College.

The motion carried with a vote of 5-0.

15,313
Yosemite Faculty
Association (YFA) –
Bargaining Proposal

Vice Chancellor of Human Resources Diane Wirth welcomed members of the YFA Executive Board who were in attendance. Ms. Wirth reported that 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 (**Report #2192**).

On behalf of the Board, Chair DeMartini accepted the proposal, scheduled a public hearing for April 12, 2006, and referred the proposal to staff for review.

15,314

COMMENTS

From the Public

There were no comments from the public.

From the Board of
Trustees

Student Trustee Rudolph reported that she attended several administrative meetings at Columbia College and plans to attend the Hispanic Education Conference at MJC. Trustee Dean reported that she is serving on the Columbia College presidential search committee and that the chair is doing a good job. Trustee DeMartini reported that she has attended recent Civic Engagement events at MJC and two strategic planning meetings at Central Services.

15,315

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 YCCD Board Room, 2201 Blue Gum Avenue, Modesto.

Anne DeMartini, Chair
YCCD Board of Trustees

James H. Williams, Secretary
YCCD Board of Trustees