

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND FORTY-THIRD REGULAR MEETING
May 12, 2010

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 also available online at <http://yccd.yosemite.cc.ca.us/Trustees> or by calling (209)575-6519.

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/Evaluation of Chancellor
 2. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representative: D. Wirth
Employee Organizations: CSEA, YFA
 3. Pursuant to G.C. Section 54956.8 – Property Negotiator
Conference with Real Property Negotiators (Stanislaus APN:072-012-058,
109-014-043, 064-010-012,027, 028 and 064-012-010)

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

Pledge of Allegiance to the Flag

Report out from Closed Session (if any)

Special Recognition – Faculty Representative David Baggett

Special Recognition – Student Trustee Elizabeth McMahon

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approves the minutes of the regular meeting on April 14, 2010, and the Special Meeting on April 29, 2010.

Comments from the Public

Persons who want to **comment on topics not included on the agenda** can do so as part of this section of the agenda.

Persons who want to **comment on agendized topics** 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

C. Activities and Announcements

Modesto Junior College – Interim President Ken White

1. Respiratory Care Program – Continued Accreditation

The Allied Health, Family & Consumer Sciences Division has received an official letter from the Commission on Accreditation for Respiratory Care (CoARC) informing the college that the MJC Respiratory Care Program has been granted Continuing Accreditation. The recent accreditation review conducted by CoARC recognizes the program's compliance with the nationally established accreditation Standards. The next comprehensive evaluation for the program, including an on-site review, is scheduled to occur no later than 2020. Congratulations and commendation to Dr. McKinnon, Dean of Allied Health, faculty members Phillip Labrador and Bonnie Hunt, and Martha Lee, classified support staff member, who worked to ensure this program's continued accreditation status.

2. Dave Ashleigh Aquatic Center Dedication Ceremony

The Dedication Ceremony for the MJC Dave Ashleigh Aquatic Center will be held on Saturday, May 22, at 2:00 p.m., poolside on MJC's East Campus. The ceremony, which will recognize Dave Ashleigh for his contributions as an outstanding MJC faculty member and swimming and water polo coach with the naming of the pools in his honor, is free and open to the public. Reservations are requested for the Fundraiser Barbecue that will follow the ceremony and can be made for \$35 through the MJC Foundation Office. A "Block Party" reception following the BBQ is also being planned at the home of Dave Farrand on Yale Avenue.

3. Debate Team Wins Sweepstakes Award at National Tournament

The MJC Speech and Debate Team won the First Place Gold Medal Debate Sweepstakes Award from the Rho Pi National Tournament held April 5–10 in New Orleans. MJC achieved the top debate award after winning both the First Place Gold and the Second Place Silver Awards in Parliamentary Team Debate and Second Place Silver in the individual National Forensics Association (NFA) Lincoln/Douglas Debate. Returning victorious were James Birlew and Christopher Yerzy who achieved the Gold in Parliamentary Team Debate, and brothers Richard and Robert Birlew who earned the Silver in this competition. Richard Birlew repeated his performance from last year in NFA Lincoln/Douglas by taking the Second Place Silver medal. Robert Birlew repeated his Third Place Bronze win in Extemporaneous Speaking, while teammate Josh Ward brought home the Third Place Bronze medal in Impromptu Speaking. Congratulations to Coach Todd Guy and MJC's outstanding speech students.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College, Continued – Interim President Ken White

4. Online Pirates' Log Wins Award

The Pirates' Log earned a General Excellence Award for its online newspaper at the annual conference of the Journalism Association of Community Colleges held in Los Angeles on April 11. Journalism can be disseminated more widely and swiftly than ever before via the internet, and MJC students have acknowledged the importance of online news by putting time and effort into improving the online Pirates' Log. One recent illustration of the importance of internet news is when MJC student Erika Hafer's story about her classmate, a Cambodian monk graduating with her on April 30, was published in the online Pirates' Log on April 16, and was immediately reprinted, verbatim and with credit in Cambodian news sites and blogs across the internet. Congratulations to Erika Hafer, the Pirates' Log staff, and their advisor, Professor Laura Paull.

5. "Docs Play the Pops V" – Concert to Benefit MJC Music Department

The Friends of Music will present the fifth annual "Docs Play the Pops Concert" on Sunday, May 23, at 2:00 p.m. in the Auditorium of the Performing and Media Arts Center. Local health care professionals (doctors, nurses, technicians and friends) perform both classical and contemporary music and raise scholarship funds for the music students at MJC. Tickets are \$12 general and \$10 for students and seniors and are available online at <http://mjc.tix.com>.

6. Great Valley Museum Plans Bette Bell and Jean Smith Golf Classic

The Great Valley Museum will hold a second annual Bette Belle and Jean Smith Golf Classic, benefiting MJC's new Science Community Center and Great Valley Museum (opening in fall 2011 on West Campus) on Monday, May 17, at the Oakdale Country Club. The shot gun start tee time is 1:00 p.m., and the format is a four-person scramble.

7. New Play Fest 2010 Staged

The MJC Theatre Department will present the New Play Fest 2010 on May 14, 15, 21, and 22, at 7:30 p.m. and May 16 and 23 at 2:00 p.m. in the Little Theatre of the Performing and Media Arts Center. New Play Fest 2010 is a production of world premieres written by students in the MJC Drama Department's playwriting class. Produced by Michael Lynch with direction by theatre students, these short one-act plays showcase a variety of themes and genres. (Plays may contain some adult language and situations.) Tickets are \$10 general admission and \$8 for students and senior citizens and are available online at <http://mjc.tix.com> and at the door 90 minutes before each performance.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College, Continued – Interim President Ken White

8. Two MJC Students Win Scholarships From Honor Society

Modesto Junior College students Andrea Burson and Vanessa Zamora each were awarded an \$800 scholarship by Alpha Gamma Sigma (AGS), an academic honor society and service organization of California community colleges. Ms. Zamora was a recipient of the Kathleen D. Loly Award, which recognizes academic excellence. Ms. Burson was a recipient of the Ed Walsh Award, which recognizes outstanding service to the community. They received their awards during the AGS Convention held in San Jose on April 17. Congratulations to these outstanding students and to the AGS advisors who work with the students in MJC's chapter.

9. MJC Honors Disability Services Student of the Year

MJC honored Matthew Swartz as the Disability Services Student of the Year for 2009-10 at the Disability Services Graduation Celebration on April 23. Mr. Swartz began his college career at MJC in the fall semester of 1999 and graduated on April 30, 2010. He was born 3 months premature and experienced a lack of oxygen at birth, resulting in a mild case of Cerebral Palsy. Mr. Swartz has never let this keep him from pursuing a college education. He cites his formula for success as HW+SC+T+P=R which translated means "Hard work + Supporting Cast + Tutoring + Perseverance = Reward."

10. Amgen Tour of California Bicycle Race – Closures on East Campus

The Amgen Tour of California bicycle race will again finish Stage 4 on Wednesday, May 19, in Modesto, with the race route including three passes in front of MJC's East Campus along College Avenue. This will require the closure of College Avenue (between Needham and Coldwell) between 2:30 p.m. - 4:30 p.m. The Director of Campus Safety is in communication with Modesto Police Department, and Public Information is using email and the marquee to notify staff and students of these closures.

11. MID Presents Great Valley Museum With a 2009 Energy Award

The Great Valley Museum's "Energy 411 Program" has been chosen to receive one of Modesto Irrigation District's 2009 Energy Awards. The MID awards recognize outstanding projects and activities for achieving significant energy savings and/or contributions through the implementation of energy efficiency, or energy conservation projects and programs. Energy 411 is a comprehensive program designed to give 6th grade students the necessary tools to make informed decisions on energy use, and to take personal responsibilities to make informed lifestyle choices. The program, which took almost a year to develop, has been serving students in the MID service area since September 2009.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Columbia College – President Joan Smith

1. Columbia Wine Tasting 2010

The 34th Annual Columbia Wine Tasting, sponsored by the Columbia College Foundation, was held Sunday, April 18, at the Columbia State Historic Park. Over 50 college staff, faculty, and Foundation Board members volunteered at the event. A record number of tickets were sold (568), with the event bringing in more than \$34,000 to the college foundation. Net proceeds from the event will go to support scholarships and equipment purchases for the Columbia College Culinary Arts Program. Attendees were treated to hors d'oeuvres prepared by Culinary Arts students and several other local food vendors, as well as wine from 70 wineries from throughout the Mother Lode region and Northern California.

2. Water Resources Management Film and Lecture Series

Columbia College presents a Water Resources Management Film & Lecture Series funded by the Career Technical Education Grant. The first of three events in the series was held on Friday, May 7. A film was shown titled Blue Gold: World Water Wars. Next will be a presentation by Kit Rosenfield titled "Septic Matters" on Friday, May 14, to help homeowners better understand and manage their onsite wastewater treatment systems. Finally, Corinne Munger will summarize the results of watershed quality monitoring conducted for local creeks over the last five years in a "Tuolumne County Watershed Monitoring Update" presented on Friday, May 21. All events in the series will be held from 7:00 p.m.– 9:00 p.m. in the Dogwood Forum. Admission and parking are free to attendees.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Yosemite Community College District – Chancellor Darnell

1. 2010 Accountability Reporting for the Community College (ARCC)

The Board of Trustees previously received a copy of the 2009 ARCC Report “Focus on Results”, specifically pertaining to Columbia College and Modesto Junior College. The ARCC report serves as a key element utilized by our colleges in ongoing cycles of evaluation. This annual state-wide report identifies specific areas of college-level performance that relate to statewide educational priorities that are beginning to evolve. The 2009 ARCC report builds upon prior ARCC reports through various improvements in data quality and a new year of data. Dr. Alexandra Campbell, Director of Institutional Research and Planning, Columbia College, and Dr. Kenneth Hart, Director of Research and Planning, Modesto Junior College, will present the 2009 ARCC data to the Board.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. ☆ Bond Update

Citizens' Bond Oversight Committee – The next regular meeting of the CBOC will be held on Wednesday, July 7, 2010. Open Session will begin at 5:00 p.m. in Buckeye 3, Columbia College, 11600 Columbia College Drive, Sonoma, California. A tour of Bond projects for CBOC Members will precede the general meeting at 3:30 p.m.

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

Modesto Junior College: *Allied Health:* This month, the concrete tilt up panels are planned to be erected. The project continues on schedule recovery. *Infrastructure/ MJC West Roads Project:* The project is installing infrastructure for all new buildings on the West Campus. The project is scheduled to be complete by the end of this year. *Softball Complex:* The project is complete. *Agricultural Multi-Use Pavilion:* Steel continues to arrive on site. Steel will be erected during May and June. *Science Community Center & GVM:* The project has bid under budget. *Student Services:* The contract has been awarded, and the contractor started construction May 3, 2010. *Founders Hall:* Was submitted to the Division of the State Architect for approval. *High Tech Center:* Currently in the design development drawing phase. *Swing space for Founders Hall:* Construction has started and is projected to be complete by the end of July. *Founders Hall Secondary Effects:* Project is in the bid award phase.

Columbia College: *Child Development Center:* The project is nearly complete. The punch walk through is scheduled. *Science and Natural Resources:* The contractor is in construction, working on the steel structure erection.

Current Modesto Junior College Projects

PROJECT	STATUS	START CONSTRUCTION
Agriculture Beef and Sheep Unit	Construction	August 2009
Agriculture Multi-Use Pavilion	Construction	August 2009
Allied Health	Construction	August 2009
Infrastructure Project	Construction	January 2010
MJC West Roads Project	Construction	January 2010
Science Community Center & GVM	Bid and Award	May 2010
Student Services	Bid and Award	April 2010
Softball Complex	Construction	August 2009
Founders Hall	DSA	January 2011
Founders Hall Swing Space	Construction	April 2010
Founders Hall Secondary Effects	Bid and Award	May 2010
High Tech Center	Design	December 2011

Current Columbia College Projects

Child Development Center	Construction	November 2008
Science and Natural Resources	Construction	July 2009
Pathways Project	Programming	tbd

☆ Denotes Attachment

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

☆Bond Update, Continued

Current Educational Outreach Facilities

Calaveras	Property Acquisition	tbd
Oakdale	Property Search	tbd
Turlock	Property Search	tbd
Patterson	DSA Review	tbd

2. Accreditation Update

Modesto Junior College and Columbia College will provide the Board with information regarding Accreditation.

3. Budget Update

Executive Vice Chancellor, Teresa Scott will provide the Board with an update on the state and local budgets.

Action items listed in Sections II.A, II.B, II.C, II.D, II.E, and II.F 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 March 1, 2010, through March 31, 2010.

2. Acceptance of Gifts

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

Donor	Gift	College	Program
State of California Deuel Vocation Institution	One commercial upholstery sewing machine with table and miscellaneous fabric	MJC	Community Education Upholstery College
Diamond Foods, Inc.	\$1,000	MJC	Animal Science Golf Tournament
C & G Farms	\$100	MJC	Young Farmers Ag Mechanics Field Day award donations
Wilkey Sheet Metal, Inc.	\$50	MJC	Young Farmers Ag Mechanics Field Day award donations
David K. McCoy	\$50	MJC	Young Farmers Ag Mechanics Field Day award donations
Dakota "Ag" Welding	\$100	MJC	Young Farmers Ag Mechanics Field Day award donations
JackRabbit	\$100	MJC	Young Farmers Ag Mechanics Field Day award donations
Angel Farms Ag Services	\$150	MJC	Young Farmers Ag Mechanics Field Day award donations
Ripon Mfg. Co.	\$100	MJC	Young Farmers Ag Mechanics Field Day award donations

3. ☆Grant Project Applications/Amendments/Renewals

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	College	Agency Share	Proposer Share
Stanislaus County Office of Education - Early Head Start	MJC	-0-	-0-
Stanislaus County Office of Education - COLA 7-1-10 to 8-31-10	MJC	\$917	\$229
Stanislaus County Office of Education - COLA 9-1-10 to 8-31-11	MJC	\$5,502	\$1,376
California Department of Education - Tech Prep Programs	MJC	\$200,000	-0-
California Community Colleges Chancellor's Office/Enrol. Growth	MJC	\$32,687	-0-
California Dept. of Education – Child Development Trng. Consort.	MJC	\$4,262,151	-0-

☆Denotes Attachment

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services, Continued

4. Notice of Completion of Contracts

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	College	Contractor	Amount
10-1633	East Campus Stadium Light Replacement	MJC	Cabar, Inc.	\$456,923.03

B. Consent Agenda - Child Care Center – Infant Care Program

Upon completion of the Measure E Bond Project, Child Development Training and Family Care Services Center, the Columbia College Child Care Center will be vacating existing facilities to relocate and expand into newly constructed facilities on campus. The current Child Care Center is licensed for up to 66 children and upon completion of the new facilities will be licensed for up to 116 children. Licensing is mandated by California law for all child care centers.

Child care will continue to be provided for infants, toddlers, and preschool children of eligible college students and community members. Child care will continue to be free or low cost for families that meet the need and income eligibility requirements of our existing General Child Care Contract with the California Department of Education's Child Development Division (CDD).

RECOMMENDATION: That the Board of Trustees approves the submission of the application for a "Change of Location" and "Change of Capacity" license from the Community Care Licensing Division of the California Department of Social Services.

C. Consent Agenda - Columbia College Curriculum Report to the Board of Trustees 2009-2010

Columbia College Proposed Curriculum Changes for 2010-2011 Academic Year Curriculum Report was previously provided to the Board of Trustees.

RECOMMENDATION: That the Board of Trustees approve curriculum additions, deletions, and modifications as indicated in this annual report for Columbia College for the year 2009-2010.

D. Consent Agenda Proposal - Naming Columbia College's New Science/Natural Resources Building

The Columbia College Facilities Committee has approved naming the new Science and Natural Resources Building the "Sugar Pine." The name change has been approved by all college processes. 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 purposes are appropriate for naming any facility within the District:

II. ACTION ITEMS

D. Consent Agenda Proposal - Naming Columbia College's New Science/Natural Resources Building, Continued

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

RECOMMENDATION: That the Board of Trustees approve the naming recommendation of "Sugar Pine" for the College's new Science and Natural Resources facility under the Measure E Program.

E. Consent Agenda, Personnel

1. Personnel Transaction Items

A recommendation is made that the Board of Trustees approve the following list of Personnel Transaction Items and commend retirees for their years of service:

PERSONNEL TRANSACTION LIST

Name	Position	Department	Coll	Effective
Retirements:				
John Chappell, 36 years of service	Media Services Manager	Library & Information Technology	MJC	5/31/10
Richard Higginbotham, 42 years of service	Professor of Political Science	Business, Behavioral & Social Sciences	MJC	5/1/10
Temporary Appointment - Academic:				
Katherine Pedrazzi	Instructor of Nursing	Allied Health/Alliance Worknet	MJC	2010-2011 Academic Year
Temporary Increase in Assignment – Classified:				
Holly Bowser	Administrative Assistant, increase from 75% to 100%	Early College Tech Prep	MJC	5/1/10 - 6/30/10
Voluntary Reduction in Assignment – Classified:				
Lolanda Carson	Library Technician, reduction from 100% to 75%	Library & Information Technology	MJC	4/26/10 - 9/17/10
Termination – Classified Probationary Employee:				
Probationary Classified Employee	Administrative Assistant	Student Services	CC	4/23/10

II. ACTION ITEMS

E. Consent Agenda, Personnel, Continued

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
<i>Intermittent – creates pool of eligible employees available on an “on-call” basis. Typically used for critical areas such as security or to cover for mandated positions such as child care.</i>					
Valerie Bell	Sign Language Interpreter	DSPS	MJC	5/28/10	6/30/10
Paige Faust	Transportation Services Operator	Transportation	CS	7/1/10	8/31/10
David Guerrero	Transportation Services Operator	Transportation	CS	7/1/10	8/31/10
Christina Flores	Associate Teacher	Child Development Center	MJC	5/13/10	6/30/10
Tony Freitas	Transportation Services Operator	Transportation	CS	5/13/10	6/31/10
Tony Freitas	Transportation Services Operator	Transportation	CS	7/1/10	6/30/11
Melinda Miller	Transportation Services Operator	Transportation	CS	7/1/10	8/31/10
<i>Specially Funded or Temporary – appointments made in response to specially funded project and/or unexpected workload demands created by special projects or vacancies.</i>					
Carol Garcia	Custodian	Facilities Planning & Operations	CS	5/13/10	6/30/10
James Palmer	Program Technician	Workforce Training Center	MJC	6/1/10	6/30/10
Jason Pimentel	Administrative Assistant	Chancellor/HR	CS	6/7/10	6/30/10

3. Adjunct Faculty Appointee List

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

Name	Department	Coll	Effective
Tomasia Drummond	Project Title V	MJC	Summer 2010

II. ACTION ITEMS

F. Consent Agenda, Student Travel

The following student travel event has been approved by the College President and District Chancellor. A recommendation is made that the Board of Trustees approve:

1. MJC Animal Science Sheep Program – Reno, Nevada

The MJC Animal Science Sheep Program has been invited to compete this June in the All-Breed Invitational Sheep Show and Sale in Reno, Nevada. Professors Marlies Boyd and Amanda Schnoor, Sheep Team Advisors, are in the process of planning a trip for their group that will span from June 2-6, 2010.

The students that will accompany Professors Boyd and Schnoor are Ryan Bohan and Catie Watkins.

Professor Boyd is making all of the arrangements for transportation, lodging, etc. for the trip. The approximate cost of the trip will be \$1,000.00 and the trip will be paid for through the sheep trust account.

RECOMMENDATION: That the Board of Trustees approve the Animal Science Sheep Program participation in the All-Breed Invitational Sheep Show and Sale in Reno, Nevada, June 2- 6, 2010.

II. ACTION ITEMS

G. Discussion Items

1. ☆Quarterly Report on the District's Financial Condition

Consistent with prevailing fiscal practices and in compliance with current statute, staff have prepared the quarterly statement of the District's financial condition for the quarter ended March 31, 2010. A copy of the statement is attached. The Board is required by law to hold a public hearing to review the report and direct that it be filed with the Stanislaus County Superintendent of Schools and the California Community Colleges Chancellor's Office. Staff will be available during the Board meeting to formally present the report, respond to questions, and to amplify where necessary.

RECOMMENDATION:

That the Board of Trustees:

- a. Conduct a public hearing to review the District's financial report for the quarter ended March 31, 2010;
- b. Direct Staff to submit a copy of the required report to the Stanislaus County Superintendent of Schools and the California Community Colleges Chancellor's Office.

2. ☆Classified School Employee Week

The California State Legislature and the California School Employees Association have designated May 16-22, 2010, as Classified School Employee Week in California. This designation is in recognition of the valuable service provided to schools and colleges by these employees. Certainly the Yosemite Community College District could not function without the numerous tasks performed by these staff who bring to the District a wide variety of skills and knowledge. This resolution is presented to the Board in recognition of our appreciation of YCCD classified staff.

RECOMMENDATION:

That the Board of Trustees adopt **Resolution No. 09-10/12** and thank YCCD classified staff for their commitment and contribution to our District.

3. Categorical Program Flexibility – Public Hearing

Background

The State Budget Act, signed into law by Governor Schwarzenegger on July 28, 2009, resulted in significant reductions to the majority of categorically funded programs. Subsequently in Assembly Bill X4 2, the education trailer bill, flexibility to shift funding between various categorical programs was adopted. Two categorical programs, Financial Aid and Foster Care, were held harmless in the Budget Act, and one, Scheduled Maintenance Special Repair (SMSR), was completely eliminated. All other programs were organized into two separate categories under the trailer bill:

II. ACTION ITEMS

G. Discussion Items, Continued

3. Categorical Program Flexibility - Public Hearing, Continued

Category 1 Protected programs, include: EOPS, DSPS, CARE, Basic Skills Initiative, CalWORKS, MESA, and Nursing Education; and Category 2 Unprotected programs, include: Matriculation, Part-Time Faculty Programs, Apprenticeship, Economic Development, Transfer & Articulation, Child Care Tax Bailout, and Faculty & Staff Diversity.

The flexibility provisions allow districts to shift funds from any unprotected categorical program into any other categorical program, including protected and unprotected. The provisions not only allow local districts to prioritize the unprotected funding, but also eliminate many current reporting requirements as well as maintenance of effort spending requirements. If adopted, the flexibility provisions apply through 2012-13. Districts that elect the provision "shall be deemed to be in compliance with the program and funding requirements contained in statutory, regulatory, and provisional language, associated with the programs enumerated in subdivision (a)."

Status

To adopt the flexibility provisions outlined in AB X4 2, the Board must hold a public hearing at a regularly scheduled public meeting. The Board must designate at least \$1 from any of the unprotected programs to be transferred to any other program. The flexibility provisions then apply to all the unprotected programs, not just the named programs(s).

By adopting the flexibility provisions, the District will realize several compliance benefits. While our programs will continue to strive to fulfill program objectives, staff time will be focused on services rather than reporting.

RECOMMENDATION:

That the Board of Trustees conduct a public hearing. Upon conclusion of the public hearing, staff recommends that the Board of Trustees adopt the categorical flexibility provisions of AB X4 2.

4. MJC Student Equity and Report Plan

In 2009, Modesto Junior College initiated the process to update the campus Student Equity Report and Plan. The college assembled a task force with representation from the campus constituent groups to address this need. The report focuses on the student success elements of access, course completion, ESL and basic skills completion, degree and certificate completion, and transfer. The plan identifies goals and objectives to address any college deficiencies in these areas. The Student Equity Report and Plan is a tactical document in support of the college Strategic Plan and the college planning and budgeting process. Further, it helps to demonstrate a comprehensive planning procedure that remains a focus of the college and the Accreditation Commission.

RECOMMENDATION:

That the Board of Trustees receives and accept the Modesto Junior College Student Equity Report and Plan.

II. ACTION ITEMS

G. Discussion Items, Continued

5. ☆Consideration of Notice of Exemption

The proposed acquisition of 211 Campus Way, Modesto, CA (APN# 109-014-043) for use as a parking lot is a project for the purposes of CEQA. Certain projects are exempt from CEQA review. There are a number of categorical exemptions, including Class 32 of the categorical exemptions which exempts infill development projects meeting the criteria in Section 15332 of the CEQA Guidelines. The proposed acquisition of 211 Campus Way has been reviewed by staff for CEQA purposes and appears to satisfy the requirements of Section 15332 of the CEQA Guidelines and to be categorically exempt as an infill project.

RECOMMENDATION: That the Board of Trustees determine that the project is exempt from CEQA pursuant to Section 15332 of the CEQA Guidelines, authorize the filing of the Notice of Exemption and adopt **Resolution # 09-10/13**.

6. ☆Property Acquisition (APN#: 109-014-043)

A property purchase agreement to acquire a one-acre property adjacent to the Modesto Junior College East Campus at 211 Campus Way, Modesto, CA (APN# 109-014-043) has been negotiated by YCCD with the property owner. The purpose of YCCD's acquisition is to provide additional parking to the MJC East Campus. The agreement is conditioned upon acceptance of the offer, property appraisal and approval by YCCD's Board of Trustees. After Board approval, YCCD will conduct its due diligence investigations of the property and, if the property is in an acceptable condition, complete the escrow process.

RECOMMENDATION: That the Board of Trustees approve the purchase agreement, direct staff to conduct due diligence activities regarding 211 Campus Way to determine whether it is appropriate to conclude the acquisition of 211 Campus Way, Modesto, CA, direct staff to conclude the acquisition if acquisition is determined to be appropriate and adopt **Resolution # 09-10/14**.

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 next regular meeting of the Board of Trustees will be held on Wednesday, June 9, 2010. Closed Session will begin at 3:30 p.m. and Open Session at 5:30 p.m. at Yosemite Community College District, District Board Room, 2201 Blue Gum Avenue, Modesto, California.