

**AGENDA**  
**YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**FOUR HUNDRED EIGHTY-FIFTH REGULAR MEETING**  
**July 13, 2005**

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**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  
Dismissal of Classified Employee  
Presidential Search Update  
Vice Chancellor of Human Resources Search
  2. Pursuant to G. C. Section 54956.9(a) – Litigation  
Case: ACE v. YCCD, Case #306771
  3. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators  
District Representatives: J. Williams, T. Scott, D. Wirth, G. Railey  
Employee Organizations: CSEA, YFA

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

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

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

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

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 of June 8, 2005.

**I. REPORTS AND INFORMATION ITEMS**

- A. Student Activity Reports
- B. Academic Senate Activity Reports

**I. REPORTS AND INFORMATION ITEMS**

C. Activities and Announcements

1. Columbia College Outdoor Film Festival

Columbia College will continue their feature film series on Friday evenings at 8:15 p.m. through July 29 in the outdoor amphitheatre of the College's Carkeet Park. The films include family-oriented comedies, documentaries, American classics and dramas, filling a wide range of public interests.

2. MJC Computer Replacement Plan Update

Modesto Junior College began the first year of a 3-year Computer Replacement Plan in the fall of 2004. In the last 9 months Technology Services has replaced 500 computers in labs and smart classrooms. They have also replaced most of the older computers throughout the campus (over 150 of the P 166MHz thru P II 400MHz) with trickle down computers from labs. The second year of the plan will begin this summer with an additional 600 new computers. These computers will replace additional labs and the rest of the smart classrooms. By the end of summer 2005 we will have replaced 95% of the computers in 56 labs and all of the smart classrooms. The third year of the plan will provide a new computer to all full-time faculty and staff and is scheduled for the summer of 2006.

## I. REPORTS AND INFORMATION ITEMS

### D. Presentations/Updates

#### 1. 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 – For members who could not attend the initial May 10 meeting of the Citizens' Oversight Committee (COC), a make-up session was conducted by bond legal counsel David Casnocha on June 30, 2005. The COC met on July 6 for its regularly scheduled quarterly meeting.
- Project List – No changes have been made to the latest project priority list presented to the Board at the March Board meeting.
- Construction/Land Acquisition – Mr. Michael Miroyan, President of Golden Eagle Investments, LLC, and his colleagues presented an offer of land in Patterson to the Board for the West Side Educational Center location at the June 8 meeting. A second presentation to the Board from KeyStone Corporation is scheduled for the July 13 meeting.
  - At Columbia College staff has looked at property in the Angels Camp area as a possible location for a Center. Kitchell and Maria Baker have met with staff at Columbia College recently and will be providing documents for their project committees to begin to do some initial planning. Columbia College has also expressed interest in beginning to move on some of their "quick start" projects, which are primarily infrastructure projects one of which is a safety issue for the College.
  - Staff visited sites in Oakdale and met with City of Oakdale Mayor Pat Kuhn and staff on June 30.
  - Staff met with City of Turlock staff on July 7 to discuss possible sites for a Turlock Educational Center.
- Consultant Presentations - Attorney Marilyn Cleveland will provide the Board with an overview of the property acquisition process. Kitchell representative, Mark Newton, will provide the Board with an overview of the architectural selection process (Request for Qualifications-RFQ).

#### 2. West Side Site Presentation

KeyStone Pacific Business Park representatives Keith Schneider, from KeyStone Corporation, and Kevin Dal Porto, from CB Richard Ellis, will present a proposal to YCCD which includes various options for locating a West Side Center at the KeyStone Pacific Business Park. Following their proposal, they 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 May 1, 2005 through May 31, 2005.

#### 2. Acceptance of Gifts

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

- a. Donation of a Diasonics Ultrasound unit with 6.0 and 5.0 mhz probe from Universal Ultrasound to be used for the Veterinary Technician Certificate Program in the Ag & Environmental Sciences at Modesto Junior College.
- b. Donation of a Diasonics Ultrasound unit with 6.0 and 5.0 mhz probe from Dr. Mike Hellman/River Oak Veterinary Hospital to be used for the Veterinary Technician Certificate Program in the Ag & Environmental Sciences at Modesto Junior College.
- c. Donation of a watercolor print, "Ring of Gold", from Dan Peterson to be displayed in the President's Office at Modesto Junior College.
- d. Donation toward leasing ram "Composure" from Clay Elliott to be used for the Animal Science program in the Ag & Environmental Sciences & Technical Education Division at Modesto Junior College.
- e. Donation of a sandwich lunch for 25 people from Groppetti's Deli to be used during the FFA Dairy Contest in the Ag & Environmental Sciences & Technical Education Division at Modesto Junior College.
- f. Donation of artwork from Golden Eagle Investments, LLC to be displayed in the President's Office at Modesto Junior College.

## II. ACTION ITEMS

### A. Consent Agenda

#### 3. Curriculum Review - MJC

RECOMMENDATION: That the Board of Trustees approve curriculum additions, deletions, and modifications for Modesto Junior College for the period of September 2004 – April 2005. The report was previously provided to the Board of Trustees.

#### 4. ☆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. State Preschool Funding Contract #CPRE-5431  
- MJC  
Submitted to Child Development Division/  
California Department of Education  
Agency share: \$145,502  
Proposer share: -0-
- b. General Child Care CCTR-5460  
- MJC/Columbia  
Submitted to Child Development Division/  
California Department of Education  
Agency share: \$874,589  
Proposer share: -0-

## II. ACTION ITEMS

### B. Personnel Items

1. Retirement – Academic

RECOMMENDATION: That the Board of Trustees grant retirement status to **Steve Murov**, Chemistry Instructor, Science, Mathematics and Engineering, Modesto Junior College, effective April 28, 2006 and commend him for 27 years of valuable service to the District.

2. Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the appointment (first year contract) of **Michael Girardi** to the position of Instructor of Physical Education/Women's Basketball Coach, Physical, Recreation & Health Education, Modesto Junior College, effective Fall 2005.

3. Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the appointment (first year contract) of **Patrice Marks** to the position of Instructor of Spanish, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

4. Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the appointment (first year contract) of **Jeff Fitzwater** to the position of Academic Counselor, Columbia College, effective Fall 2005.

5. Temporary Appointment – Academic

RECOMMENDATION: That the Board of Trustees approve the temporary appointment of **Michael Brelle** to the position of Instructor of Chemistry, Science, Mathematics & Engineering, Modesto Junior College, effective for the 2005-2006 academic year only.

6. Appointment – Classified Management

RECOMMENDATION: That the Board of Trustees approve the appointment of **Terri Isaman** to the position of Executive Secretary, Institutional Operations, Columbia College, effective July 1, 2005.

## II. ACTION ITEMS

### B. Personnel Items

#### 7. Appointment – Classified Management

RECOMMENDATION: That the Board of Trustees approve the appointment of **Elizabeth (Libby) Beaver** to the position of Child Care Center Manager, Family & Consumer Sciences, Modesto Junior College, effective July 27, 2005, contingent upon funding.

#### 8. Promotional Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the promotional appointment of **Sharin Barnes** to Administrative Secretary, Dean for Special Programs, Modesto Junior College, effective July 1, 2005.

#### 9. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Teresa Stehli** to the position of Child Development Center Master Teacher, Early Head Start – Family & Consumer Sciences, Modesto Junior College, effective July 18, 2005 (11 month work year), contingent upon funding.

#### 10. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Shirley Miranda** to the position of General Clerk (47.5%), Student Success/Tutoring, Modesto Junior College, effective June 13, 2005 (10 month work year).

#### 11. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Rolando Perez** to the position of Custodian, Facilities Planning & Operations, Yosemite Community College District, effective June 20, 2005.

#### 12. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Jeff Menge** to the position of Fiscal Analyst III, Budget Office, Modesto Junior College, effective July 1, 2005.

## II. ACTION ITEMS

### B. Personnel Items

13. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Karen Stanley**, to the position of Food Service Specialist 60% (9 month work year), Columbia College, effective July 1, 2005.

14. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Sean Fornelli**, to the position of Program Representative I, Instruction, Columbia College, effective July 1, 2005.

15. Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the administrative appointment (interim) of **Jim Johnson** to the position of Vice President of Instruction, Modesto Junior College, effective July 20, 2005, not to exceed one year.

16. Extension of Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the extension of contract of the interim administrative appointment of **Diane Wirth** to the position of Vice Chancellor, Human Resources, Yosemite Community College District, effective July 1, 2005 to July 31, 2005.

17. Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the appointment of **Diane Wirth** to the position of Vice Chancellor, Human Resources, Yosemite Community College District, effective August 1, 2005.

18. Extension of Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the extension of contract of the interim administrative appointment of **Dr. William Scroggins** to the position of President, Modesto Junior College, effective July 1, 2005 to October 31, 2005.



## II. ACTION ITEMS

### B. Personnel Items

19. Extension in Work Year – Classified

RECOMMENDATION: That the Board of Trustees approve an extension in work year from 11 to 12 months for **Sondra LaPlaca**, Support Staff II, TRIO/Pre-College, Student Services, Modesto Junior College, effective July 1, 2005.

20. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Dave Chestnut**, Program Representative III at Columbia College from 20 hours per week, 11 months per year to 25 hours per week, 12 months per year, effective July 1, 2005 to June 30, 2006, contingent upon funding.

21. Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the increase in assignment for **Monika Schortner**, Program Representative I, Student Development & Campus Life, Modesto Junior College from 50% to 100%, 12 month assignment, effective July 1, 2005, contingent upon funding.

22. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Jacque Wright**, Child Development Center Associate Teacher, Early Head Start, Allied Health/Family & Consumer Science, Modesto Junior College, from 73.75% to 100% effective July 1, 2005 to June 30, 2006.

23. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 80% for **Karen Rodts**, Lab Assistant I, DSPS, Columbia College, effective August 29, 2005 to December 16, 2005.

24. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 50% for **Teresa Kellstrom**, Admissions & Records Technician III, Admissions & Records, Modesto Junior College, effective June 1, 2005 to December 22, 2005.

## II. ACTION ITEMS

### B. Personnel Items

25. Lateral Transfer – Classified

RECOMMENDATION: That the Board of Trustees approve the lateral transfer of **Dorothy Pimentel**, Program Representative II, from Information Technology to Fiscal Services, YCCD, effective July 1, 2005.

26. Resignation – Academic

RECOMMENDATION: That the Board of Trustees accept the resignation of **Mari Carmen Garcia**, Spanish Instructor, Literature & Language Arts, Modesto Junior College, effective April 29, 2005.

27. Resignation – Classified Management

RECOMMENDATION: That the Board of Trustees accept the resignation of **Rodney Hampton**, Campus Operations Manager I, Facilities Planning & Operations, Yosemite Community College District, effective June 8, 2005.

28. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Tammy White**, Instructional Materials Center Coordinator, Columbia College, effective June 9, 2005.

29. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Leslie Duarte**, Support Staff Technician II, EOP&S, Modesto Junior College, effective June 7, 2005.

30. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Annie Francisco**, Financial Aid Technician I, Modesto Junior College, effective June 30, 2005.

31. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Benjamin Riley**, Instructional Assistant I, Adapted Physical Education, Physical, Recreation & Health Education, Modesto Junior College, effective August 18, 2005.

II. **ACTION ITEMS**

B. Personnel Items

32. ☆Short-Term Appointee List

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

☆Denotes Attachment

## II. ACTION ITEMS

### C. Discussion Items

1. Columbia College Institutional Self Study Report in Support of Reaffirmation of Accreditation

Columbia College Institutional Self Study Report in Support of Reaffirmation of Accreditation has been prepared as a requirement of the Accreditation Commission for Community and Junior Colleges of the Western Association of Schools and Colleges (ACCJC) and is used as the primary document in evaluating Columbia College's compliance with the ACCJC accreditation standards. The Self Study Report was developed over the past two years with numerous staff, faculty, administrators and students involved in the process. Once approved by the Board of Trustees, the *Self Study Report* will be forwarded to the ACCJC and on to the Accreditation Evaluation Team. The ACCJC Accreditation Evaluation Team will visit Columbia College October 25-27, 2005. Dr. Dennis Gervin, Accreditation Liaison for Columbia College and other key staff will be available to answer questions about the process used to develop the Self Study Report as well as the findings in the report. Copies of the report have previously been provided to the Board.

RECOMMENDATION: That the Board of Trustees approve the Columbia College Self Study Report and direct staff to forward the report to the ACCJC and the Accreditation Evaluation Team.

2. Modesto Junior College Institutional Self Study Report in Support of Reaffirmation of Accreditation

MJC's Institutional Self Study Report in Support of Reaffirmation of Accreditation has been prepared as a requirement of the Accreditation Commission for Community and Junior Colleges of the Western Association of Schools and Colleges (ACCJC) and is used as the primary document in evaluating MJC's compliance with the ACCJC accreditation standards. The Self Study Report was developed over the past two years with numerous staff, faculty, administrators and students involved in the process. Once approved by the Board of Trustees, the *Self Study Report* will be forwarded to the ACCJC and on to the Accreditation Evaluation Team. The ACCJC Accreditation Evaluation Team will visit MJC October 25-27, 2005. George Railey is the Accreditation Liaison. MJC staff will be available to answer questions about the process used to develop the *Self Study Report* as well as the findings in the report. Copies of the report have previously been provided to the board.

RECOMMENDATION: That the Board of Trustees approve the MJC Self Study Report and direct staff to forward the report to the ACCJC and the Accreditation Evaluation Team.

## II. ACTION ITEMS

### C. Discussion Items

#### 3. ☆2005-2006 Appropriations Limit

Pursuant to direction provided by the Board of Trustees' action during the meeting of June 8, 2005, the report establishing the District's 2005-2006 appropriations limit has been publicly posted. The Board, having declared its intent to adopt the report, must do so consistent with law.

RECOMMENDATION: That the Board of Trustees adopt the report establishing the District's 2005-2006 appropriations limit as required by law.

#### 4. Agreement with the Yosemite Faculty Association

At the June 8, 2005 Board meeting, the Board of Trustees approved the 2004-2006 negotiated agreement with the Yosemite Faculty Association (YFA), pending ratification by YFA. The Agreement was ratified by YFA on June 30, 2005. The agreement provides for a two-year contract with the 2004-2005 COLA added to the salary schedules retroactive to January 2005, and the 2005-2006 COLA less 1% to be added to the salary schedule effective July 2005. Should the colleges reach their base 2004-2005 FTES without borrowing 2006-2007 earned FTES, a 1% salary adjustment will be paid retroactively. Also, there will be no employee contributions toward the cost of medical benefits in 2004 – 2006.

RECOMMENDATION: That the Board of Trustees approve the 2004-2006 negotiated agreement with the Yosemite Faculty Association (YFA) which was ratified on June 30, 2005.

#### 5. ☆Board Policy 5580 – First Reading

Last year the Board of Trustees requested that staff develop a policy related to academic freedom for students, using language similar to previously deleted policy 5022. Because of a number of personnel changes in the Student Services leadership over the past year, this policy was overlooked and inadvertently omitted from subsequent policy updates. Board Policy 5580 - Academic Freedom (Students) is attached to this agenda.

RECOMMENDATION: That the Board of Trustees conduct a first reading of the proposed Board Policy 5580.

## II. ACTION ITEMS

### C. Discussion Items

#### 6. MJC Child Care Center – Agency Annual Report

The Annual Report is a requirement of the Modesto Junior College's Child Care Center's grant funding from the California Department of Education, Child Development Division and is due each year on June 1<sup>st</sup>. That document has previously been provided to the Board for review.

RECOMMENDATION: That the Board of Trustees accept and approve the Modesto Junior College's Agency Annual Report to be submitted to the California Department of Education.

## III. COMMENTS

### A. Comments from the Public

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

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

### B. Comments from the Board of Trustees

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

## IV. ANNOUNCEMENTS

A. The Board of Trustees will adjourn to a Board Retreat on July 18, 2005 to be held in Orchard Rooms I & II at the Best Western Villa Del Lago Inn, 2959 Speno Drive, Patterson, California. There will be a closed session followed by an open session. No action will be taken.

B. The next regular meeting of the Board of Trustees will be held on Wednesday, August 10, 2005. 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.