

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND THIRTY-FIFTH REGULAR MEETING
September 9, 2009

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

3:30 PM 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
CEO Contract
 2. Pursuant to G.C. Section 54956.9(b) – Anticipated Litigation
Significant Exposure to Litigation: Two Cases
 3. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representative: D. Wirth
Employee Organizations: CSEA, YFA

5:30 PM Reconvene to open session – YCCD Board Room

Pledge of Allegiance to the Flag

Report Out From Closed Session (if any)

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting on August 12, 2009.

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. MJC Stadium Presentation

The International Brotherhood Electrical Workers, Local No. 684, and the contractors of the Northern California Chapter of NECA, has generously donated a \$150,000 scoreboard to Modesto Junior College, which was accepted by the Board at the August meeting. The NorCal NECA/IBEW 684 Partnership will provide, install, and be the sole sponsor listed for the life of the scoreboard. Billy Powell, Business Manager of Local 684, and representatives from the MJC Foundation will be available to answer questions.

B. MJC EOPS Presentation

The EOPS (Extended Opportunity Program and Services) Career Paths Learning Community was implemented in Summer 2006 as a collaboration between Modesto Junior College, Alliance WorkNet, Stanislaus County Community Services Agency, and the State Chancellor's Office, Career Ladders Program. The Career Paths Learning Community targets foster youth and educationally and economically disadvantaged students with a desire to pursue higher education at MJC in career and technical education programs.

C. Student Activity Reports

D. Academic Senate Activity Reports

E. Activities and Announcements

Modesto Junior College – President Rich Rose

1. Interactive Science Sessions for 5th Grade

The MJC Science, Mathematics and Engineering Division is offering a Science Educational Encounters for Kids (SEEK) program for 5th graders. MJC professors are volunteering their time to teach the free classes from 9 a.m. to 12 noon on the second and fourth Friday of each month, September through April on MJC's East Campus. SEEK classes will be offered in a variety of disciplines including biology, chemistry, anatomy, geology, zoology, botany, physics and microbiology. The format will include interactive demonstrations followed by two lab activities with the goal of having students experience a college environment, and enjoy hands-on science learning. The presentations correlate with 5th grade California Science Standards and will help prepare students for the 5th grade STAR testing. Two classes will be allowed in each Friday session, and 5th grade teachers in Stanislaus County can reserve a spot by contacting the Stanislaus County Office of Education.

I. REPORTS AND INFORMATION ITEMS

E. Activities and Announcements

Modesto Junior College – President Rich Rose - Continued

2. MJC Speech Night

The MJC Forensics Team will demonstrate a variety of competitive speech and debate during the Fall Speech Night set for Tuesday, October 13, with performances at 4 p.m. and 7 p.m., in the Main Auditorium, Performing & Media Arts Center, East Campus. Over 800 students enrolled in speech communications courses at MJC are expected to attend this event. Tickets will be available in advance for \$5 and at the door for \$7. Proceeds from Speech Night are used to cover expenses of the MJC Forensics Team's travel to compete in speech tournaments throughout California.

3. MJC Science Programs - MAPS

The Science, Math and Engineering Division will present two series of free science presentations in the fall semester: monthly Modesto Area Partners in Science (MAPS) programs and weekly Science Colloquiums. The first MAPS presentation, entitled "David & Goliath in the Amazon," is scheduled for Friday, September 25, 7:30 p.m., Forum 110, East Campus. The Science Colloquiums will be presented each Tuesday, 2:20 - 3:10 p.m. in Science 213, East Campus. Topics include: solar cooking, health careers, global population growth and global climate change. A full line-up is available online at www.mjc.edu under the Calendar of Events.

4. "Jam 'n Jive" Dance Concert

The Modesto Junior College Dance Department will offer a Fall Jam 'n Jive Dance Concert on September 24, 25, 26 at 7:30 p.m. and on Sept. 27 at 2 p.m. in the Auditorium of the Performing and Media Arts Center on East Campus. Jam n' Jive is a modern dance performance featuring the MJC Off-Balance Dancers and dancers from area high schools and dance studios from the community. General admission is \$10 and \$8 for students and seniors. Tickets available at <http://mjc.tix.com> and at the Box Office.

5. MJC Athletic Hall of Fame Honorees

The MJC Athletic Hall of Fame will induct 17 athletes, one coach and two "contributors" during the Hall of Fame Dinner held September 11 in the MJC Gymnasium. Honored with induction were Jill (Wool) Altamirano, Jeremy Blaney, Ralph Bradley (contributor – posthumous award), Shelley (Hill) Brower, Chris Dewar, Gabe Eastman, Joan (Lopes) Faria, Mark Garcia, Trace Hollis, Dean Jepson (coach), Dee King (contributor), Christine (Van Regenmorter) Kringer, Melanie (Bates) Nunes, Mike O'Brien, Tom Petithomme, Gail (Perez) Petz, Glen Simonds, Lori (Himes) Vargas, Ryan Vierra, and Roman Yegiyants. Congratulations to all inductees!

I. REPORTS AND INFORMATION ITEMS

E. Activities and Announcements

Modesto Junior College – President Rich Rose - Continued

6. Distinguished Classified Staff Awards

Eight staff members were presented with Distinguished Classified Staff Awards during the Classified Staff Appreciation Breakfast held August 20. Honored for their outstanding contributions to the college were Dorothy Pimentel, Maryann Rogers, Will Lotko, Shelton Patterson, Judy Drummond, Lori Dangerfield, Sandy DeWalt, and Sherri Potts.

7. Special Appointment, Amended – Walters Dunlap

Modesto Junior College Vice President of Instruction Karen Walters Dunlap has been selected to serve as a member of the ACCJC evaluation teaming visiting the Santa Barbara City College (previously National Polytechnic College of Science, San Diego) on October 19 – 22, 2009.

Columbia College – President Joan Smith

1. Dancing with Tuolumne County Stars

The Columbia College Foundation and Omega Nu presented “Dancing with the Tuolumne County Stars” on August 29 at the Oak Pavilion. Inspired by the TV show, 14 couples danced with a total of \$2,000 in prize money donated to local charities represented by the winning couples. The audience voted for their favorite couple by making additional donations to the charity that the dancers represented.

2. ACF Accreditation for Columbia Culinary Arts Program

Columbia College’s Culinary Arts Program has received the American Culinary Federation (ACF) Accreditation through June 30, 2014. The ACF, the largest professional chefs’ organization in North America, is a national accrediting commission for culinary and food service programs. Applicants are critiqued on the basis of a self-evaluation report, a fact-finding team site visit, and evaluation by the commission. Accreditation requires that curriculum, faculty, facilities, resources, support staff, and organizational structure all substantially meet the standards set by the accrediting commission.

3. X-Reg

On August 15, Columbia College’s X-Reg provided the opportunity for students to get all that they needed to begin their education at the college on one day. That included assessment, orientation, advisement, registration, financial aid, special programs, parent/partner orientation, textbook purchases, parking, and more. Approximately 400 students attended this year’s X-Reg, 266 took the assessment tests, and 180 attended orientation and advisement.

I. REPORTS AND INFORMATION ITEMS

E. Activities and Announcements

Yosemite Community College District – Chancellor Roe Darnell

1. YFA 4th Annual Fall Retreat

The Yosemite Faculty Association is hosting its Fourth Annual YFA Fall Retreat on Friday, September 25th, from 8 a.m. - 4 p.m. This year's topic offers an opportunity to work with YFA faculty representatives, the Academic Senates, CSEA leadership, and the deans and Vice Presidents from both colleges. College and District Administrators will also be presenting. The Retreat will be held at River Mill in French Camp.

2. ☆Distance Education

As required by Title V Section 55210, the District is providing the Board with a report on all Distance Education activities. Representatives from both colleges will be on hand to answer any questions.

I. REPORTS AND INFORMATION ITEMS

F. Presentations/Updates

1. Chancellor's Update
2. Fiscal Services Update

Executive Vice Chancellor Teresa Scott will give an update on the State and District budgets.

3. ★Bond Update

The next CBOC meeting is scheduled for Wednesday, October 7, 2009, Yosemite Community College District, Conference Room B.

Kitchell representative Mr. Mark Newton will provide the Board with an update on the progress of current Bond projects and give an expenditure report for the period ending June 30, 2009.

Modesto Junior College: *CEQA Compliance: West Campus:* The notice of determination has been filed with the state; this clears the way for construction. *Allied Health:* Notice of Award has been issued; and the contractor is mobilizing. *Softball Complex:* Beginning construction. *Agricultural Multi Use Pavilion:* Notice of Award has been issued; and the contractor is mobilizing. *Science Community Center & GVM:* DSA review is in progress. *Student Services:* DSA review is in progress. Both *Founders Hall* and the *High Tech Center* are in the design development drawing phase.

Columbia College: *Child Development Center:* In construction. *Science and Natural Resources:* The Notice of Award has been issued; and the contractor is mobilizing.

PROJECT	STATUS	START CONSTRUCTION
Current MJC Projects		
Agriculture Beef and Sheep Unit	Construction	August 2009
Agriculture Housing	Construction	June 2009
Agriculture Multi-Use Pavilion	Construction	August 2009
Allied Health	Construction	August 2009
Science Community Center & GVM	DSA	December 2009
Student Services	DSA	February 2010
Softball Complex	Construction	August 2009
Founders Hall	Design	January 2011
High Tech Center	Design	December 2011
Current Columbia Projects		
Child Development Center	Under Construction	November 2008
Science and Natural Resources	Construction Phase	July 2009
Educational Outreach Facilities		
Calaveras	Property Acquisition	tbd
Oakdale	Property Search	tbd
Turlock	Property Search	tbd,
Patterson	DSA Review	tbd

★Denotes Attachment

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

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

1. ☆Purchase Orders

A recommendation is made that the Board of Trustees approves the purchase orders issued from July 1 through July 31, 2009.

2. ☆Grant Project Applications/Amendments

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

Agency	Coll	Agency Share	Proposer Share
California Dept of Education –Facilities Renovation & Repairs	CC	\$19,600	-0-
California Community Colleges Chancellor’s Office	YCCD	\$1,207,358	-0-
California Dept of Education – Child Development Division	YCCD	\$435,691	-0-
California Dept of Education – Child Development Division	YCCD	\$607,410	-0-
Department of Labor	MJC	\$2,000,000	-0-
California Dept of Education – Child Development Division	YCCD	\$959,353	-0-
Foundation for California Community Colleges	YCCD	\$25,200	-0-
California Community Colleges Chancellor’s Office	YCCD	\$205,000	\$109,153
David and Lucile Packard Foundation	YCCD	\$20,000	-0-
California Dept of Education – Child Development Division	YCCD	\$435,691	-0-

3. ☆Acceptance of Gift

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

Donor	Gift	Coll	Program
Marchy Farms, Inc.	Leveling of Ag Forage Crops	MJC	Ag Department

☆Denotes Attachment

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

4. Notice of Completion of Contract

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

Bid #	Project Name	Coll	Contractor	Original Amount	Revised Amount
08-1601	Madrone Building Welding Lab	CC	Tru-Technic	\$1,695,552	\$1,885,262

B. Consent Agenda, Personnel

1. Personnel Transaction Items

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

PERSONNEL TRANSACTION LIST

Name	Position	Department	Coll	Effective
Probationary Appointment - Classified:				
Christopher Munshaw Rodriguez	Program Assistant 80%	Student Development & Campus Life	MJC	9/10/09
Extension of Interim Appointment – Classified Management:				
Clement Xavier	Technology Manager	Information Technology	MJC	9/1/09-9/30/09
Voluntary Reduction in Assignment - Academic:				
Ruth Luman	ESL Professor, from 100% to 33%	Literature & Language Arts	MJC	8/31/09 - 12/19/09
Temporary Increase in Assignment - Classified:				
Linda Kong	Instructional Support Aide, from 70% to 100% and from 10 to 12 months	Science, Mathematics & Engineering	MJC	7/1/09 - 6/30/10
Resignations:				
Lora Hunter-Moldrup	Program Technician	DSPS	CC	8/3/09
Lisa Rebagliati	Instructional Support Assistant	Literature & Language Arts	MJC	8/17/09
Penny Williamson	Administrative Assistant	Student Learning	CC	8/20/09
Kimberly Manner	English Professor	Literature & Language Arts	MJC	7/31/09
Daniel Keller	Music Professor	Arts, Humanities & Comm	MJC	7/31/09
Separated from Employment:				
Sheryl Haworth	Support Staff II	Early College Programs	MJC	8/13/09

II. ACTION ITEMS

B. Consent Agenda, Personnel Services

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>					
Diane Day	Accompanist	Arts, Humanities & Comm	CC	9/10/09	5/1/10
Kristan Moon	Art Model	Arts, Humanities & Comm	MJC	9/10/09	6/30/10
<i>Specially Funded or Temporary – appointments made in response to specially funded project and/or unexpected workload demand created by special projects or vacancies.</i>					
Tammy Wood	Instructional Support Aide	Literature & Language Arts	MJC	9/10/09	5/1/10

3. Adjunct Faculty Appointee List

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

Name	Department	Coll	Effective
Ron Azzopardi	Vocational & Economic Development	CC	Fall 09
Richard Chaffey	Business, Behavioral & Social Sciences	MJC	Fall 09
Dyanne Durr	Arts, Humanities & Communications	MJC	Fall 09
Erika Hulstrom-Garces	Arts, Humanities & Communications	MJC	Fall 09
Arbella Solhkhah	Business, Behavioral & Social Sciences	MJC	Fall 09

II. ACTION ITEMS

C. Consent Agenda, Student Travel

1. Baseball Competitions – Las Vegas and Carson City, Nevada

MJC is seeking Board approval of the Fall out-of-state travel schedule for the baseball team. Baseball coach Chris Rodriguez, three assistant coaches and the baseball team (40 students) will be attending. These students are enrolled in MPE 107, section #1445 and #1446. The team will travel to Carson City on September 25 & 26, 2009, and Las Vegas on November 6-8, 2009. The estimated trip costs are \$630.00 and \$1,768.50, respectively. Expenses are funded through fundraising efforts by MJC's coaching staff.

RECOMMENDATION: That the Board of Trustees approve the out-of-state travel for the Fall 2009 baseball competitions in Carson City and Las Vegas, Nevada, for Modesto Junior College.

II. ACTION ITEMS

D. Discussion Items

1. ☆2009-2010 Yosemite Community College District Final Budget

On June 10 2009, the Board of Trustees adopted the 2009-2010 Yosemite Community College District Tentative Budget. Subsequent to the adoption of the Tentative Budget, on July 28, 2009, the budget package was signed into law by the governor.

Major features of the California Community Colleges' budget include:

- a. Student fee increase from \$20 to \$26 per credit unit
- b. Elimination of growth funds
- c. No COLA
- d. Categorical cuts - \$333 million with one-time backfill
- e. General purpose funds cut - \$120 million
- f. Property tax and enrollment fee shortfall - \$74 million
- g. Reduced workload measures in proportion to cuts in general apportionment
- h. Authorization to transfer categorical funds between certain programs

Taking into account the major features of the California Community Colleges' budget, the District's 2009-2010 budget includes a revenue shortfall of approximately \$7.2 million. The workload measure reduction results in 3.75% less funded FTES in fiscal year 2009-2010, which translates to about 670 FTES.

The colleges and the Central Services units made deep cuts in the 2008-2009 year based on a deficit reduction plan put in place several months ago by college and District budget committees. The budget savings carried over from the 2008-2009 fiscal year were enough to offset the 2009-2010 revenue shortfall. However, this is a one-time solution, and the revenue and expenditure projections for the 2010-2011 fiscal year results in a \$12 million deficit. The colleges along with Central Services are developing plans to address the projected significant shortfall in 2010-2011.

During the 2008-2009 fiscal year, the District established an irrevocable trust fund to account for the retiree medical liability. Funds accumulated over the past 10 years in the amount of \$15 million were transferred to the trust. Funding the trust freed up a \$2.4 million annual budget in the General Fund and replaced it with an annual budget of \$1.1 million. These amounts are based on an actuarial study of the retiree medical liability. The study will be updated every two years and budgets adjusted accordingly. Also presented are the District's 2009-2010 budgets for the Capital Project Fund and the General Obligation Measure E Bond Fund.

RECOMMENDATION:

That the Board of Trustees:

- a. Conduct a public hearing regarding the 2009-2010 Final Budget for the District;
- b. Adopt the District's 2009-2010 Final Budget; and
- c. Authorize staff to prepare and file the necessary annual Financial and Budget Report (CCFS-311) with the required agencies.

☆Denotes Attachment

II. ACTION ITEMS

D. Discussion Items - Continued

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

Consistent with prevailing fiscal practices and in compliance with current statute, staff has prepared the quarterly statement of the District's financial condition for the quarter ended June 30, 2009. 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 June 30, 2009;
- 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.

3. ☆Resolution #09-10/02 Commemorating the 40th Anniversary of Extended Opportunity Programs and Services (EOPS)

In the California Community Colleges system, the Extended Opportunity Programs and Services (EOPS) were established in 1969 to initiate access and retention efforts for first-generation, low-income, educationally disadvantaged, and historically underrepresented students. Extended Opportunity Programs and Services (EOPS) has served over 2,500,000 students at 110 campuses of the California Community Colleges, and these students have made a positive impact on the business, economic, educational, and cultural fabric of the State of California. The Colleges have offered programming and services by means of the Extended Opportunity Programs and Services (EOPS) since the 1970-1971 academic year.

RECOMMENDATION: It is recommended that the Board of Trustees designate the month of October 2009 as Extended Opportunity Programs and Services Month to honor the mission and purpose of the Program and approve **Resolution #09-10/02**.

II. ACTION ITEMS

D. Discussion Items

4. ★Board of Trustees 2009-2010 Special Priorities

Trustees discussed various challenges facing the District in the 2009-2010 academic year at the July 15 Special Meeting and reviewed a draft 2009-2010 Special Priorities at their August 12 Regular meeting. The Chancellor was directed to make changes based upon those discussions and provide a final list of Board Priorities. This document will be reviewed by the Board at this meeting.

RECOMMENDATION: That the Board of Trustees review the edited Board of Trustees 2009-2010 Special Priorities, modify it if so desired, and adopt a final of 2009-2010 Special Priorities.

5. Lease/Leaseback Agreement for Patterson Educational Outreach Site

On December 10, 2008, the Board authorized the Chancellor to enter into an Agreement for Preliminary Services between the Yosemite Community College District and Crestmont Development, LLC. The purpose was to providing preliminary services during the feasibility and design phase of the development and construction of a new education site adjacent to the City of Patterson. The District and Crestmont intend to enter into a Site Lease and a Facilities Lease, commonly known as a lease/leaseback arrangement for the development of the Project pursuant to Education Code section 81335.

RECOMMENDATION: That the Board authorize the Chancellor to enter into a Lease/Leaseback Agreement with Crestmont Development, LLC to perform the services requested for the development and construction of a new educational site in Patterson.

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

- A. The Board will adjourn to its Fall Board Retreat on Wednesday, September 16, 2009. At 3:30 p.m. at the Gene Bianchi Community Center, Conference Room, 110 S. 2nd Avenue, Oakdale, California.
- B. The next regular meeting of the Board of Trustees will be held on Wednesday, October 14, 2009. Closed Session will begin at 3:30 p.m. Open Session is at 5:30 p.m., Columbia College, Dogwood Forum, 11600 Columbia College Drive, Sonora, California.