

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND THIRTY-SEVENTH REGULAR MEETING
November 12, 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
 2. 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 October 14, 2009 and November 4, 2009, Special Meeting minutes.

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. Modesto Junior College Presentations

1. Great Valley Museum

Brian Sanders, Dean for Science, Mathematics & Engineering at MJC, will give a brief presentation on Great Valley Museum activities. Handouts were previously provided to the Board. The presentation will describe the vision of the Great Valley Museum, its relationship with the college, and the new Measure E Science Community Center.

I. REPORTS AND INFORMATION ITEMS

B. Modesto Junior College Presentations

2. Allied Health/MJC Nursing

Lisa Riggs, Program Director of Nursing, will provide an overview of the MJC Associate Degree of Nursing Program.

C. Academic Senate Activity Reports

D. Activities and Announcements

Modesto Junior College – President Rich Rose

1. MJC Music Department Fall Concerts

The MJC Music Department is holding High School Orchestra Day on November 12, 9:30 a.m.-1:00 p.m., in the Auditorium with free admission, followed by four weeks of Fall concerts. Fall Electronic Music Concert, Wednesday, November 18 at 7:30 in the Music Recital Hall is also free. The “Just Jazz” program on Monday, November 23 at 7:30 p.m. in the Auditorium will feature MJC’s Jazz Ensemble directed by Professor Erik Maki. He will also direct the MJC Symphonic Band Concert as they present “Contemporary Classics” on Monday, December 7 at 7:30 p.m. in the Auditorium, which is free with donations accepted. The MJC Community Orchestra Concert, under the baton of Professor Anne Martin, will present “From Mozart to the Movies!” on Tuesday, December 8 at 7:30 p.m. in the Auditorium. Admission is \$3 general and \$1 for students and seniors. On Wednesday, December 9, Professor Maki will conduct the MJC Community Concert Band as they present “American and European Band Masters” at 7:30 p.m. in the Auditorium, and admission is free with donations accepted.

2. MAPS Presentations

Modesto Area Partners in Science will explore the topic "Tornadoes in the San Joaquin Valley" on Friday, November 20, at 7:30 p.m. in Forum 110. Mike Whittier, MJC Professor of Earth Science, will explain how winds and terrain can create tornadoes in the San Joaquin Valley. He will identify areas in our region where tornado concentrations are highest and explore the topographic controls that influence these patterns. On Friday, December 4, MAPS will present "Nutrition and Your Carbon Footprint" at 7:30 p.m., in Forum 110. Dr. Gail Feenstra is the food systems coordinator at the UC Sustainable Agriculture Research and Education Program. Her presentation will describe the food system’s impact on global warming and the “hot spots” which have emerged.

3. 2009 Student Art Exhibition

The 2009 Modesto Junior College Student Art Exhibition will be on display from November 23 through December 8 in the MJC Art Gallery on East Campus. The art exhibit will showcase student work from various MJC art and photography classes and may be viewed free of charge during Art Gallery hours: Monday through Friday, 10 a.m.-6 p.m. A free reception will kick off the exhibit on November 24, 2-4 p.m.

I. REPORTS AND INFORMATION ITEMS

4. Cross Country Team Thanksgiving Fun Run

Modesto Junior College Cross Country invites everyone to participate in the annual Modesto Turkey Trot on Thursday, November 26, in the Tuolumne River Regional Park in Modesto. The fun run will begin with a 1/2-mile kids race (13 years and under) at 9 a.m., followed by the 5 kilometer run/walk. There will be an awards ceremony, refreshments and raffle prizes. Race-day registration opens at 7:30 a.m. Preregistration is available, with fees ranging from \$5 to \$20. More information is available online at <http://mjc.edu/mjcatletics>.

5. Annual Staff Holiday Social

The MJC President's Holiday Social will be held on Wednesday, December 2, 2-4 p.m., in the Student Center Fireside Lounge. MJC and YCCD employees will be treated to a holiday open house with refreshments, and the Board of Trustees are invited to join staff for this afternoon of holiday cheer.

6. Civic Engagement's Final Film

The last film in the Civic Engagement Project Fall Series will be *Autism: The Musical*, which will be screened on Thursday, December 3, at 7 p.m. in Forum 110. This documentary begins with a sobering statistic: in 1980 only one in 10,000 children was diagnosed with autism and today that number has jumped to one in 150. The movie documents the uplifting journey taken by Elaine Hall, founder of the Miracle Project, her son Neal and the other autistic children and parents who participate in a musical theater program. The event is free and open to the public.

7. MJC Theatre Presents *Private Eyes*

The MJC Theatre Department presents the play *Private Eyes* on December 4, 5, 11 and 12 at 7:30 p.m. and on December 6 and 13 at 2 p.m. in the Little Theatre. *Private Eyes*, written by playwright Steven Dietz, is a comedy of suspicion in which nothing is ever quite what it seems. Tickets are \$10 general and \$8 for students and seniors and are available online at <http://mjc.tix.com> or in the Box Office on Tuesday through Friday, 12 noon to 5 p.m. or by calling 575-6776 during these hours.

Columbia College – President Joan Smith

1. Appointment - Accreditation Visiting Team

Dr. Joan Smith participated in an accreditation team follow-up visitation to Diablo Valley College on November 3-4, 2009. She chaired the visitation in Fall 2008.

2. Appointment - Academic Senate for California Community Colleges Representative

Dr. Dennis Gervin was appointed as the State CIO (Chief Instructional Officer) representative to the ASCCC Taskforce studying statewide issues regarding pre-requisites. He has also been appointed as the State representative on the ASCCC Curriculum Committee.

I. REPORTS AND INFORMATION ITEMS

D. Activities and Announcements

Columbia College – President Joan Smith, Continued

3. Veteran’s Day Appreciation

Columbia College hosted a Veteran’s Day appreciation for the college’s veteran students and their families on November 10, 2009, in the Student Center. Local representatives from the Veteran’s of Foreign Wars (VFW) organization and the Veteran’s Affairs Clinic were speakers and provided valuable information to the students.

4. ASCC Partners With the Community

The ASCC (Associated Students of Columbia College) are currently promoting a canned food drive in partnership with Tuolumne County’s Amador-Tuolumne Community Action Agency (A-TCAA) Food Bank. The Columbia College Library is offering late fee forgiveness in exchange for bringing in food items. The ASCC also hosted a Blood Drive on November 2, 2009, in partnership with Delta Blood Bank.

5. “Chicken Soup and Flu Kits”

On October 27 and 28, Health Services worked with the Academic Wellness Educators group and the Hospitality Management Program to offer “Chicken Soup and Flu Kits.” Free chicken soup and flu kits (hand sanitizer, herbal tea, tissues, thermometers, cough drops, fever reducing medications, and four pages of flu related information) were given to the first 100 students who participated each day.

6. Academic Wellness Educators

A Columbia College team attended the Research Professionals Group *Strengthening Student Success Conference* in San Francisco. As one of last year’s Hewlett Leaders in Student Success award winners, Columbia College was invited to present at the conference. Anne Cavagnaro, Patricia Harrelson, and Adrienne Seegers led a workshop titled, *Academic Wellness Educators—More than Just Basic Skills*. The team highlighted Columbia College’s unique and collaborative approach to the basic skills initiative. Faculty members shared activities including: Embedding Tutors, House Calls (math teachers visiting vocational classes to present a home grown problem solving module), and Embedding Basic Skills in Programs and Courses class.

Yosemite Community College District – Chancellor Roe Darnell

1. 2009 Annual Security Reports – MJC and Columbia College

Consistent with the Federal Student Right to Know and Campus Security Act of 1990 and YCCD Board Policy 3900, Modesto Junior College and Columbia College have published their Annual Security Report in accordance with the Jeanne Clery Act; copies were previously provided to the Board.

I. REPORTS AND INFORMATION ITEMS

E. Presentations/Updates

1. Chancellor's Update
2. ★Bond Update

Kitchell representative Mr. Mark Newton will provide the Board with an update on the progress of current Bond projects. The next CBOC meeting will be January 6, 2010, in the YCCD Board Room.

Modesto Junior College: *Allied Health:* The work includes underground utilities, grading and foundation work. *Softball Complex:* The construction activities include fencing, grading and soils preparations for grass. *Agricultural Multipurpose Pavilion:* The project is in construction. *Science Community Center & GVM:* Back check comments have been received, documents are being revised, and approval is expected this month. Project will then move into bidding. *Student Services:* The project is in DSA for review and approval. Both *Founders Hall* and the *High Tech Center* are in the design development drawing phase.

Columbia College: *Child Development Center:* The project has completed all framing and is now working on finish work, including roofs, siding, electrical and mechanical work. *Science and Natural Resources:* The contractor is in construction, working on site work and foundations.

PROJECT	STATUS	START CONSTRUCTION
Current Modesto Junior College 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 College Projects		
Child Development Center	Under Construction	November 2008
Science and Natural Resources	Construction Phase	July 2009
Pathways Project	Programming	tbd
Current Educational Outreach Facilities		
Calaveras	Property Acquisition	tbd
Oakdale	Property Search	tbd
Turlock	Property Search	tbd
Patterson	DSA Review	Spring 2010

★Denotes Attachment

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 approves the purchase orders issued from September 1 through September 30, 2009.

2. Acceptance of Gifts

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

Donor	Gift	Coll	Program
Fredriks Nursery	Electronic Test Equipment	MJC	Machine Tool Technology Program
Fredriks Nursery	Electrical Control Equipment	MJC	Machine Tool Technology Program
Napa Auto and Truck Parts	Automotive Batteries	MJC	Automotive Technology Program
Denso Sales California	Student Training Manuals	MJC	Automotive Technology Program
E & S Precision Machine	Six Inch Dial Caliper	MJC	Machine Tool Technology Program
Fastenal	Dial and Digital Caliper Scales	MJC	Machine Tool Technology Program
Lawrence Livermore National Laboratory	Miscellaneous Materials	MJC	Technical Education Division
Marna Ferreira	2'x4' Quilt	CC	Child Development

3. Notice of Completion of Contracts

The following project contracts have been completed and inspected. A recommendation is made that the Board accept the work performed as 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
09-1616	Automotive Building HVAC Replacement	MJC	Nicro, Inc.	\$215,900	\$230,408.25
09-1617	Women's PE HVAC Replacement	MJC	Champion Industrial	\$108,800	\$125,863.46
09-1618	Electronics Building HVAC Replacement	MJC	BC Construction, Inc.	\$193,107	\$195,683.65

☆Denotes Attachment

II. ACTION ITEMS

B. Consent Agenda, Sabbatical Leave Reports

Final Reports have been received and approved by the college presidents for MJC and Columbia College from faculty who were on sabbatical leave 2008-2009. Summaries have previously been provided to the Board. A recommendation is made that the Board of Trustees accept 2008-2009 sabbatical leave reports from the following faculty:

COLUMBIA COLLEGE

<u>Fall 2008 and Spring 2009</u>	<u>Fall 2008</u>	<u>Spring 2009</u>
Erik Andral (working sabbatical)	None	Micha Miller Meryl Soto

MODESTO JUNIOR COLLEGE

<u>Fall 2008 and Spring 2009</u>	<u>Fall 2008</u>	<u>Spring 2009</u>
Annaliese Hausler-Akpovi Doug Smith	Michael Akard Robert Droual Catherine Greene Joel Hagen	Iris Carroll Susan Kerr Tom Nomof Dave Shrock

C. Consent Agenda, Rejection of Claim

The District has received the following claim against the Yosemite Community College District. A recommendation is made that the Board of Trustees reject the above listed claim and refer it to the District's claims administrator.

Name	Amount of Damages	Description of Incident	Date of Incident
Kathleen Rodrigues	\$1,266.72	Scraped the shuttle bus while passing on the right	09/24/09

D. 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
Retirements:				
Doug Lau, 9 years of service	Marketing & Public Relations Officer	Public Information	CC	1/31/10
Ralph Torres, 7 years of service	Custodian	Facilities Planning & Operations	CS	10/31/09

II. ACTION ITEMS

D. Consent Agenda, Personnel

Personnel Transaction Items, Continued

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:				
Rhonda Campbell	Administrative Secretary	Business, Behavioral & Social Sciences	MJC	10/26/09
Temporary Appointment - Academic:				
Laura DeFreitas	Instructor of Nursing	Nursing Consortium/ Allied Health	MJC	Spring 2010 Semester
Extension of Interim Appointment – Classified Management:				
Clement Xavier	Interim Technology Manager	Library & Information Technology	MJC	10/1/09 - 6/30/10

2. 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
Sandy Cadra	Family & Consumer Sciences	MJC	Fall 09
Chou Her	Business, Behavioral & Social Sciences	MJC	Fall 09
Mark Carlos	Arts & Sciences	CC	Spring 10
Traci Dutter	Fire Science	MJC	Spring 10
Laurie McAdam	Business, Behavioral & Social Sciences	MJC	Spring 10
Jennifer Weller	Arts & Sciences	MJC	Spring 10
William Wittmer	Fire Science	CC	Spring 10

II. ACTION ITEMS

E. Consent Agenda, Student Travel

1. American College Dance Festival – Tempe, Arizona

The MJC Dance program has been invited to attend the American College Dance Festival Southwest Region conference at the Arizona State University, March 17 – 21, 2009. The Festivals provide a venue to engage in four days of performances, workshops, panels, and master classes. Faculty members Lori Bryhni and Kim Davis and administrator Michael Sundquist (and ten students) seek Board approval to attend this event. The approximate cost of the trip is \$9,500 which includes festival registration, airfare, transportation, and hotel costs. All expenses will be paid using funds from the Fund 12 dance account and the Friends of Dance account.

2. Arizona National Collegiate Livestock Judging Contest - Phoenix, Arizona

MJC is seeking Board approval to travel to the Livestock Judging Team competition in Phoenix, Arizona. The MJC Livestock Judging Team has been invited to compete in the Arizona National Collegiate Livestock Judging Contest. Mr. John Mendes and Ms. Amanda Schnoor, MJC Livestock Judging Team coaches, are planning a trip for the team from December 28, 2009 to January 1, 2010. The approximate cost of the trip for the coaches and eight team members will be \$2,500.00. The funds for the trip will be paid through CTE, Departmental Travel and/or Livestock Club funds.

3. Northern Exposure Livestock Judging Contest - Stillwater, Oklahoma

The MJC Livestock Judging Team has been invited to compete in the Northern Exposure Livestock Judging Contest in Stillwater, Oklahoma. Mr. John Mendes and Ms. Amanda Schnoor, MJC Livestock Judging Team coaches, are planning a trip for the coaches and eight team members that will span from December 17-20, 2009. The approximate cost of the trip will be \$4,500. The funds for the trip will be paid through CTE, Departmental Travel, Agriculture Departmental Fundraising, and/or Livestock Club funds.

F. Consent Agenda, Curriculum Action

The Stanislaus County Area Joint Manufacturing and Maintenance Apprenticeship Program include the following apprenticeships: Electrical Maintenance, Instrument Technician, Machinist, Maintenance Mechanic, and Packaging Technician.

The apprenticeship program was approved in March 2009 by the MJC Curriculum Committee and should have been submitted to the Board in Summer 2009 with other curriculum items for approval. Board approval is needed to complete the State application process.

II. ACTION ITEMS

G. Discussion Items

1. CSEA, Chapter 420, Negotiated Contract Language

Representatives of CSEA, Chapter 420, and the Yosemite Community College District have reached agreement regarding new contract language through the negotiations process. The new CSEA Contract period is for three years beginning July 1, 2009, through June 30, 2012. The contract was previously provided to the Board for review.

RECOMMENDATION: That the Board of Trustees approve the negotiated 3 year CSEA Contract (July 1, 2009 through June 30, 2012), between CSEA, Chapter 420 and YCCD which was ratified by the bargaining unit members on October 5, 2009.

2. ☆Negotiations – CSEA Memorandum of Understanding (MOU)

Discussions between YCCD and CSEA, Chapter 420 regarding 2009-2010 contract negotiations are continuing. Based on this process, both parties (YCCD/CSEA) have developed and reached agreement on a Memorandum of Understanding (MOU).

The MOU provides for both parties to begin negotiations regarding medical benefits (Article 12 of the CSEA Contract) within 20 calendar days of the ratified date of the attached MOU.

RECOMMENDATION: That the Board of Trustees approve the attached MOU between YCCD and CSEA, Chapter 420, subject to successful completion of CSEA's ratification process scheduled for November 6, 2009.

3. ☆YFA Negotiations Proposal Reopener to YCCD

The current YCCD/YFA negotiated agreement provides that either party may reopen negotiations for the 2009-10 year. YFA has presented its proposal to the District. The next step in the process is the scheduling of a public hearing.

RECOMMENDATION: That the Board of Trustees:

- a. Accept the attached YFA negotiations proposal reopener to YCCD;
- b. Schedule a public hearing on the proposal for December 9, 2009; and
- c. Refer the proposal to administrative staff for review.

II. ACTION ITEMS

G. Discussion Items

4. ☆YCCD Negotiations Proposal Reopener to YFA

The current YCCD/YFA negotiated agreement provides that either party may reopen negotiations for the 2009-10 year. The District has presented its proposal to YFA. YCCD's negotiations reopener for YFA negotiations is for discussion of benefits only. The next step in the process is the scheduling of a public hearing.

RECOMMENDATION: That the Board of Trustees:

- a. Receive the attached YCCD negotiations proposal reopener to YFA.
- b. Schedule a public hearing on the proposal for December 9, 2009.
- c. Refer the proposal to administrative staff for review.

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

Consistent with prevailing fiscal practices and in compliance with current statute, staff prepared the quarterly statement of the District's financial condition for the quarter ended September 30, 2009, a copy is attached. The Board is required by law to hold a public hearing to review the report and direct staff to file with the Stanislaus County Superintendent of Schools and the California Community Colleges Chancellor's Office. Staff will be at Board meeting to present the report and respond to questions.

RECOMMENDATION: That the Board of Trustees:

- a. Conduct a public hearing to review the District's financial report for the quarter ended September 30, 2009; and
- 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.

6. ☆CalSTRS Pension2 457 Deferred Compensation Plan

The California State Teachers Retirement System (CalSTRS) has established a Pension2 457 Deferred Compensation Plan pursuant to Section 457 of the Internal Revenue Code. If adopted, this plan will permit qualified Yosemite Community College District certificated employees to avail themselves of the investment options provided by the plan. **Resolution No. 09-10/04** will allow CalSTRS to make this plan available to certificated employees who wish to enroll in the program.

RECOMMENDATION: That the Board of Trustees adopt **Resolution No. 09-10/04** and direct staff to execute the adoption agreement and any required documents to provide CalSTRS with information as needed in the administration of the plan.

II. ACTION ITEMS

G. Discussion Items

7. Renaming of the MJC Aquatic Facility

Dave Ashleigh has been identified as a distinguished faculty member, a most distinguished coach and perhaps one of the greatest water polo players in the history of the game. Dave is a man who has dedicated his life to his family, his athletes, his country in the 1964 and 1968 Olympic Games and Modesto Junior College. Dave has been inducted into the UCLA Hall of Fame, the USA Water Polo Hall of Fame, the Water Polo Coaches Hall of Fame, Modesto Junior College Athletic Hall of Fame and, most recently, our local SOS Club Hall of Fame. Dave Ashleigh is most deserving in every single category.

The Physical, Recreation and Health Education (PRHE) Division, MJC Campus Development Committee, Facilities/Capital Construction Advisory Committee, College Council, and President's Cabinet have recommended to the MJC President the renaming of the MJC Aquatic facility to the "Dave Ashleigh Aquatic Center."

An endowment by his alumni, established through the MJC Foundation Office, will fund the cost of signage, support of the dedication ceremony and on-going support of aquatic programs at Modesto Junior College.

RECOMMENDATION: That the Board of Trustees approve the following new name for the MJC Aquatic Facility: ***Dave Ashleigh Aquatic Center.***

8. ☆Prequalification Analysis and Resolution

At the October 14, 2009, Board Meeting, Kitchell, the Bond Program Manager, presented an overview of recommended changes to the pre-qualification process. Following that presentation, the Board instructed Kitchell to provide a comparison of the changes made from the previous process to the new recommendations. The bond program manager, Mark Newton, will provide this comparison for the Board's review.

The Board is requested to consider the attached **Resolution No. 09-10/05** "Adoption of Pre-qualification Package for Large, Complex and Specialized Projects Pursuant to Public Contract Code Section 20651.5."

RECOMMENDATION: That the Board of Trustees adopt **Resolution No. 09-10/05**, "Adoption of Pre-qualification Package for Large, Complex and Specialized Projects Pursuant to Public Contract Code Section 20651.5."

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 annual reorganization meeting and the next regular meeting of the Board of Trustees will be held on Wednesday, December 9, 2009. Closed Session will begin at 3:30 p.m. Open Session is at 5:30 p.m., Yosemite Community College District, District Board Room, 2201 Blue Gum Avenue, Modesto, California.