

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND FORTY-NINTH REGULAR MEETING
November 10, 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.edu/Trustees> or by calling (209)575-6519.

3:30 P.M. Open Session - Call meeting to order - 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/Appointments/Chancellor Search
 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: (021-027-050, 072-046-001)
 4. Pursuant to G.C. Section 54956.9(a) - Litigation
Case: Shrock vs. YCCD, No. 630399
Case: Carpenters Work Preservation Committee and Augie Beltran vs. YCCD.
No. 656242

5:30 P.M. Reconvene to Open Session - YCCD Board Room

Pledge of Allegiance to the Flag

Report out from Closed Session (if any)

Approval of Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the Regular Meeting on October 13, 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. Constituency Reports

1. Student Activity Reports
2. Yosemite Faculty Association (YFA)
3. California Schools Employee Association (CSEA)
4. Sam Pierstorff, Faculty Representative to the Board
5. Academic Senate Activity Reports
6. Leadership Team Advisory Council (LTAC)

B. Modesto Junior College Presentation – Career Development

The faculty and staff of the Modesto Junior College Career Development/Transfer/Job Placement Center will provide an overview of the transfer services provided to students and highlight selected student success stories.

C. Activities and Announcements

Columbia College – Interim President Richard Jones

1. 2nd Annual Veteran’s Day Celebration

On Friday, November 12, 2010, Columbia College will host its 2nd Annual Veteran’s Day Celebration. In gratitude for their service, the college invites current and prospective veteran students to an open house in the Columbia College Student Center from 1:00 p.m. to 3:00 p.m. Refreshments will be served and information will be available on all college programs and services.

2. Statewide Medical and Health Functional Exercise

Columbia College will participate in a Statewide Medical and Health Functional Exercise on November 18. Clarence Teem, Emergency Medical Services Coordinator of Tuolumne County Emergency Medical Services Agency, through the Tuolumne County Public Health Department, has requested this training occur at Columbia College. The scenario is an Improvised Explosive Device (IED) attack. The training will provide local emergency response agencies and college security personnel the opportunity to practice responding to this type of incident. The exercise is planned to be conducted at Carkeet Park and will not interfere with student services or instructional activities.

3. Students Network With Sonora Pros

On November 12, in the Columbia College Cellar Restaurant, 15-20 business people from Sonora Pros (local business owners that meet every Tuesday morning to discuss issues and strategies for successful businesses) will host a luncheon for their group and 20-30 Columbia College students, having students sit and network with business owners. After attending the luncheon students will be invited to attend Tuesday meetings.

I. **REPORTS AND INFORMATION ITEMS**

C. **Activities and Announcements**

Modesto Junior College – President Gaither Loewenstein

1. **Music Department Presents Fall Concert**

The MJC Music Department has a full line-up of recitals and concerts scheduled for the next four weeks including High School Orchestra Day, Chopin: 200th Anniversary Tribute, Jazz Band in Concert, Annual Holiday Organ Recital, Symphonic Band Concert, MJC Community Orchestra Concert, MJC Community Concert Band, Holiday Festival of Choirs, and a Masterworks Chorus “Gloria” Concert. Information is available in the calendar of events online at www.mjc.edu.

2. **MAPS Offers Benefit Concert**

The Modesto Area Partners in Science will offer a Benefit Concert – Music and Fun with Aaron Durr and Guests on Friday, November 12, at 7:00 p.m. in the Auditorium. Vocalist and pianist Aaron Durr will perform, with appearances by Rachel Hall, Dr. Al Chemist, and Evan Berst, the 72-year-old Modesto dancer who appeared on America’s Got Talent. The suggested donation is \$5 for the first person, \$3 for each addition family member.

3. **Friends of Music Present Soprano in Concert**

MJC Friends of Music present Soprano Marnie Breckenridge in Concert on November 15, at 7:30 p.m. in the Music Recital Hall. Ms. Breckenridge will perform arias and songs by Richard Strauss, Joaquin Rodrigo, Samuel Barber's *Knoxville: Summer of 1915*, and Bay Area composer Kurt Erickson's settings of Carl Sandburg texts. Tickets are \$12 general and \$10 for students/seniors and will be available at the door.

4. **Lost Boys of Sudan Project with Keynote Speaker**

The MJC Lost Boys of Sudan Project will present a free keynote address by Benson Deng, a Sudanese refugee and co-author of *They Poured Fire on Us from the Sky: The True Story of Three Lost Boys from Sudan*, on November 18, at 7:00 p.m. in the Auditorium. Mr. Deng was seven years old when Sudanese National Islamic militants attacked his village, forcing him, along with a brother and cousin, to flee a thousand miles on foot across Sudan to Ethiopia. Many of the college’s fall English classes read and discussed this book as part of the Lost Boys Project.

5. **Energy Summit 2010 on November 18-19**

MJC will hold an Energy Summit 2010 on November 18 -19, at the Double Tree Hotel, with featured speakers David Rosner of the National Commission on Energy Policy and Brian Sehnert, senior architect for Green Building Services. Pre-summit tours focused on photovoltaic energy and home energy performance will be held November 18, with speakers and workshops held from 8:00 a.m. to 3:30 p.m. the next day. While targeted at community college faculty and administrators responsible for training programs in energy and sustainability. The free event is open to the public.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College, Continued – President Gaither Loewenstein

6. Cross Country Team Holds Thanksgiving Day Fundraiser

MJC Cross Country Team invites the community to their annual Modesto Turkey Trot on Thanksgiving Day, Thursday, November 25, in the Tuolumne River Regional Park in Modesto. The fun run begins with a ½ mile kids race (13 years and under) at 9:00 a.m., followed by the five kilometer run/walk at 9:20 a.m. Fee information and registration forms will be available online at <http://virtual.mjc.edu/athletics/>.

7. 2010 Student Art Exhibition

MJC's 2010 Student Art Exhibition will be on display from November 29, through December 9, in the Art Gallery on East Campus. The art exhibit will showcase student work from art and photography classes and may be viewed free of charge Monday through Friday, 10:00 a.m. to 6:00 p.m. A reception will kick-off the exhibit on November 29, 3:00 p.m. to 4:30 p.m., in the Art Gallery.

8. Annual Staff Holiday Social

The MJC President's Holiday Social will be held on Wednesday, December 1, 2:00 p.m. to 4:00 p.m., in the Student Center Fireside Lounge. MJC and YCCD employees are treated to refreshments and the Board of Trustees are invited to join staff for this afternoon of holiday cheer.

9. Theatre Department Presents Two One-Act Plays

The MJC Theatre Department will present *The Dutchman* and *Los Vendidos* directed by Professor Lynette Borrelli on December 2, 3, 4, 9, 10, and 11 at 7:30 p.m. and December 5, and 12, at 2:00 p.m. in the Little Theatre. *The Dutchman* by Amir Baraka is an emotionally charged and symbolic drama. *Los Vendidos* ("The Sellouts") is a comedic play which examines stereotypes. Tickets are \$10 general and \$8 for students and seniors.

Yosemite Community College District – Interim Chancellor Joan Smith

1. 2010 Annual Safety Report – Columbia College and Modesto Junior College

Consistent with the Federal Student Right to Know and Campus Security Act of 1990, and YCCD Board Policy 3900, Columbia College and Modesto Junior 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

D. Presentations/Updates

1. Interim Chancellor's Update
2. Accreditation Update

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

3. Fiscal Services Update

According to Board Policy 3330, transactions of \$10,000 or more shall be reviewed by the Board every 60 days and are listed in the purchase orders on the Board's Consent Agenda. The transactions below are provided as further information for September 28, 2010, to October 25, 2010:

Service Agreements – Non-Construction

Vendor	Cost	Location	Purpose
DoubleTree Hotel	\$13,000	MJC	Catering Contract per Career Technical Education Grant

4. ☆Bond Update

Citizens' Bond Oversight Committee – The next regular meeting of the CBOC will be held on Wednesday, January 5, 2011. Open Session will begin at 6:00 p.m., in the YCCD Board Room, Yosemite Community College District, 2201 Blue Gum Avenue, Modesto, California.

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

Modesto Junior College: *Allied Health:* General contractor is working to enclose the exterior of the building to weather proof. *Infrastructure/MJC West Roads Project:* The project is nearly complete. *Softball Concession Stand:* The project is currently bidding. *Agricultural Multipurpose Pavilion:* Work on the exterior and interior continue. *Science Community Center & GVM:* Ground floor slab will be complete this month. *Student Services:* The building exterior work is underway. *Founders Hall:* Project is in construction. *High Tech Center:* Currently in the design development drawing phase; design to re-start after a value engineering session.

Columbia College: *Science and Natural Resources:* The steel frame, roof and second floor decks are complete. Work has started on the exterior enclosure.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

4. ☆Bond Update, Continued

PROJECT	STATUS	START CONSTRUCTION
---------	--------	--------------------

Current Modesto Junior College Projects

Agriculture Beef and Sheep Unit	Close Out	August 2009
Agriculture Multipurpose Pavilion	Construction	August 2009
Allied Health	Construction	August 2009
Infrastructure Increment I	Construction	January 2010
Infrastructure Increment II	Prepare for Bid	January 2011
Science Community Center & GVM	Construction	July 2010
Student Services	Construction	April 2010
Softball Field	Complete	August 2009
Softball Concession Stand	Prepare for Bid	November 2010
Founders Hall	Construction	September 2010
Founders Hall Swing Space	Complete	April 2010
Founders Hall Secondary Effects	Complete	May 2010
High Tech Center	Design Development	April 2012

Current Columbia College Projects

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

Current Educational Outreach Facilities

Calaveras	Programming	Tbd
Oakdale	Property Search	Tbd
Turlock	Property Search	Tbd
Patterson	Cost Estimate	Tbd

Action items listed in Sections II.A, and II.B, 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 September 1, 2010, through September 30, 2010.

2. Acceptance of Gifts

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

Donor	Gift	College	Program
Bronco Wine Company	Whatman Ultra High Purity Nitrogen Gas Generator Model 76-94	MJC	Chemistry
Mrs. Clifford D. Moyle	Thoroughbred Mare "Daffy's Girl"	MJC	ANSC 265 Introduction to Colt Training
Staci Brown	Quarter Horse Gelding "Pablo"	MJC	ANSC 265 Introduction to Colt Training
Janine Costilla	Quarter Cross Gelding "Jake"	MJC	ANSC 265 Introduction to Colt Training

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/renewals and to enter into a contract with the appropriate agencies when the projects are selected for funding.

Agency	College	Agency Share	Proposer Share
CA Dept of Education, Child Development Division, Quality Improvement Office	CS	\$1,163,269	-0-

4. Notice of Completion of Contract

The following project contracts have 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 amounts.

Bid #	Project Name	College	Contractor	Amount
10-1643	MJC Secondary Effects	MJC	JHK Construction, Inc.	\$182,629

☆Denotes Attachment

II. ACTION ITEMS

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
Retirements:				
Louise Crawford, 31 years of service	Great Valley Museum Manager	Science, Mathematics & Engineering	MJC	12/30/10
Ann (Frances) Alvernaz, 22 years of service	Bookstore Merchandise Buyer	Bookstore	YCCD	12/30/10
Joanne Larson, 42 years of service	Administrative Assistant	Human Resources	YCCD	12/30/10
Release of Assignment - Classified Management:				
Clement Xavier	Director of Media & Information Technology	Library & Learning Resources	MJC	10/19/2010
Temporary Increase in Assignment - Classified:				
Dave Chesnut	Program Specialist, from 25 to 29 hours per week	CalWORKS/Job Placement	CC	11/15/10 - 6/30/11
Promotional Appointment - Classified:				
Cheryl Garcia	Admissions & Records Technician	Admissions & Records	MJC	11/15/10
Tanya Smith	Admissions & Records Specialist	Admissions & Records	MJC	11/15/10
Arlene Sprague	Program Technician	Special Programs	CC	11/12/10
Probationary Appointment - Classified:				
Geoffrey S. Bennett	Campus Security Officer	Campus Safety	YCCD	11/12/10
John I. Griffin, III	Program Assistant (80%)	ASMJC, Student Development and Campus Life	MJC	11/11/10
Shawn Jordison	Alternate Media Access Specialist	Student Services	CC	11/12/10

II. ACTION ITEMS

B. Consent Agenda, Personnel

1. Personnel Transaction Items, Continued

Name	Position	Department	Coll	Effective
Interim Appointment – Classified Management				
Nadia Vartan	Interim Director of Media & Information Technology	Library & Information Technology	MJC	11/12/10 (Not to exceed one year)
Resignations:				
Margarita Calderon	Child Development Center Associate Teacher	Family & Consumer Sciences/Wawona	MJC	10/28/10
Nancy Dahlin	Admissions & Records Specialist	Admissions & Records	MJC	11/2/10

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>					
Megan Aguilar	Art Model	Arts & Science	CC	8/30/10	6/30/11
Brittany Bailey	Art Model	Arts & Science	CC	8/30/10	6/30/11
Krissy Baker	Child Development Center Associate Teacher	Family Services	CC	11/12/10	6/30/11
Jeff Carnegie	Art Model	Arts & Science	CC	8/30/10	6/30/11
Rebecca Eastman	Administrative Assistant	Health Services	MJC	11/15/10	6/30/11
Jessica Holden	Child Development Center Associate Teacher	Family Services	CC	11/12/10	6/30/11
Karen Pedersen	Art Model	Arts & Science	CC	8/30/10	6/30/11
Jennifer Pierazzi	Art Model	Arts & Science	CC	8/30/10	6/30/11
Allyson Rasor	Child Development Center Associate Teacher	Family Services	CC	11/12/10	6/30/11

II. ACTION ITEMS

B. Consent Agenda, Personnel

2. Short -Term Appointee List, Continued

Name	Classification	Department	Coll	Start Date	End Date
<i>Specially Funded or Temporary</i> – appointments made in response to speciall -funded project and/or unexpected workload demand created by special projects or vacancies.					
Sean Castellano	Instructional Support Assistant	Business, Behavioral & Social Science	MJC	11/13/10	1/31/11
Denice Ford	Administrative Assistant	Workforce Training Center	MJC	11/11/10	6/30/11
Caitlin E. Lawrence	Program Technician	Ag & Environmental Sciences	MJC	1/3/11	6/30/11
Michele Marchy	Administrative Assistant	Counseling	MJC	11/15/10	6/30/11
<i>Substitute</i> – hired as a temporary replacement in the <u>same job classification</u> as a classified employee on an approved leave of absence.					
Vivian Fernandez	Administrative Secretary	Student Success	MJC	11/15/10	1/15/11

3. Adjunct Faculty Appointee List

A recommendation is made that the Board of Trustees approve the following faculty appointment:

Name	Department	Coll	Effective
Randi Nedom	Arts & Sciences	CC	Fall 2010

II. ACTION ITEMS

C. Discussion Items

1. ☆Academic Calendars 2011-2012 and 2012-2013

The Academic Calendars 2011-2012 and 2012-2013 for Columbia College and Modesto Junior College have been completed by the District/Yosemite Faculty Association (YFA) Academic Calendar Committee and presented to the Board for their information and review. The 2011-2012 Academic Calendar is presented at this meeting for review and approval by the Board.

RECOMMENDATION: That the Board of Trustees adopts the 2011 - 2012 Academic Calendar for Columbia College and Modesto Junior College.

2. 2011 Summer Calendar

Traditionally, the colleges of the Yosemite Community College District have employed a 4/10 workweek during the summer months. The Board has received, in prior years, an analysis report of the 4/10 Summer Schedule to determine the effectiveness of the schedule, to review fiscal/energy impact and review impact on staff and student services. Energy costs attributed to the 4/10 workweek have ranged between \$100,000 - \$130,000.

RECOMMENDATION: That the Board authorize the use of the 4/10 workweek for the period beginning May 2, 2011, and ending August 19, 2011.

3. ☆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 September 30, 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 September 30, 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.

II. ACTION ITEMS

C. Discussion Items, Continued

4. ☆Resolution Declaring Persons Performing Voluntary Services for Yosemite Community College District Employees of the District

Labor Code §3363 authorizes the Board of Trustees to declare a person who performs voluntary service without pay for a public agency an employee of the agency while performing such service. Voluntary service without pay shall include services performed by any person who receives no remuneration other than meals, transportation, lodging, or reimbursement for incidental expenses.

Resolution No. 10-11/06 approves those persons performing authorized voluntary service without pay for the Yosemite Community College District to be recognized as employees for workers compensation and general liability purposes.

RECOMMENDATION: That the Board of Trustees adopt **Resolution No. 10-11/06** declaring persons approved to perform voluntary services for Yosemite Community College District employees of the District.

5. ☆Certificate of Consent to Self-Insure

In order to maintain a self-insured workers' compensation program, public entities must obtain a Certificate of Consent to Self-Insure from the State of California's Department of Industrial Relations. The process to obtain certification requires an application from the District and a Resolution from the Board of its consent. Since 1993, Yosemite Community College District (YCCD) has maintained an Affiliate Certificate of Consent to Self-Insure as a member of the Valley Insurance Program Joint Powers Authority (VIPJPA).

As of October 1, 2010, VIPJPA joined the Alliance of Schools for Cooperative Insurance Programs JPA (ASCIP) as a member to secure its workers' compensation coverage. VIPJPA determined that the change would be in the best interest of its member districts, including YCCD. Due to this change, YCCD must resubmit an application to the Department of Industrial Relations to become an affiliate through ASCIP.

RECOMMENDATION: That the Board of Trustees approve the attached application to become self-insured for workers' compensation as an affiliate of the ASCIP program in order to take advantage of the workers' compensation program available to YCCD through its relationship with VIPJPA.

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, December 8, 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.