

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
BOARD STUDY SESSION AND
FIVE HUNDRED AND SEVENTY FOURTH REGULAR MEETING
December 12, 2012

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.

PLEASE NOTE THE CHANGE IN START TIME

3:00 P.M. Open Session - Call meeting to order - YCCD Board Room.

This is the annual organizational meeting. The Chancellor will call the meeting to order and preside during the election of the Board Chair.

Pledge of Allegiance to the Flag

***** Election results will be reported and administration of Oath of Office to Recently Reelected Board Members administered.***

Reorganization of the Board of Trustees

Education Code Section 72000 requires that the annual organizational meeting of the Board of Trustees be conducted within 15 days after the first Friday in December. In compliance with this code section, it is necessary for the Board of Trustees to accomplish the following:

1. Elect a Chair;
2. Elect a Vice Chair with authority and power to act on behalf of the Chair of the Board in the event of his/her absence;
3. Appoint Dr. Joan Smith as Secretary to the Board of Trustees;
4. Appoint Jann Mathies as Stenographer for the Board of Trustees;
5. Designate the time and place of the regular meetings of the Board of Trustees;
6. Appoint a voting representative to attend the Stanislaus County annual meeting where vacancies on the Stanislaus County Committee on School District Organization are filled; and
7. Appoint a member to serve on the Association of Stanislaus County School Boards.

3:05 P.M. (approximate time) Board Study Session

Open Session Agenda

Discussion: 1. Absentee Process

3:30 P.M. (approximate time) Adjourn to Closed Session

CLOSED SESSION AGENDA:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointments
 2. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: D. Wirth, G. Rose
Employee Organizations: CSEA, YFA
 3. Pursuant to G.C. Section 54956.8 Property Negotiator
Conference with Real Property Negotiator (Stanislaus APN: 087-029-003)
 4. Pursuant to G.C. Section 54956.9 (a) Litigation
Case: YFA et al vs. YCCD et al, No. 667978
Case: Grievance Appeals Hearing

5:30 P.M. (approximate time) Reconvene to Open Session - YCCD Board Room.

Report out from Closed Session (if any)

Special Recognition

Approval of Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the Regular Meeting on November 14, 2012.

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 #2345 and #2350.**

I. REPORTS AND INFORMATION ITEMS

A. Modesto Junior College and Columbia College Presentation – 2012 Accountability Reporting for the Community College (ARCC)

The Board of Trustees previously received a copy of the 2012 ARCC Report “Focus on Results.” The ARCC report serves as an element utilized by California Community Colleges in ongoing cycles of evaluation. This annual state-wide report identifies specific areas of college-level performance that relate to statewide educational priorities. As part of this evaluation, each institution is required to present their annual ARCC report to their Board of Trustees for discussion.

Presenting the 2012 ARCC data for Modesto Junior College will be VP of Instruction Susan Kincade and VP of Student Services Brenda Thames. Presenting the 2012 ARCC data for Columbia College will be VP of Student Learning Leslie Buckalew and Director of Institutional Research and Planning Diana Sunday.

B. Constituency Reports

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

C. Activities and Announcements

Modesto Junior College – President Jill Stearns

1. ASMJC Cram Night

The Associated Student of MJC hosted a successful “Finals Cram Night” the Thursday before finals to well over 450 students that were seeking extra study time or assistance. Faculty volunteers and student tutors were on hand helping students, and ASMJC provided food and beverages. The event was held December 6 in the Mary Stuart Rogers Student Learning Center from 8:00 p.m. to 12:00 midnight.

2. Fire Academy Fall Class of 2012

The Regional Fire Training Center is honored to announce that there are 26 students who will be graduating on Thursday, December 13, from the Fire Academy. The students will have completed the academic and skills standards that are required to be a Firefighter 1 in California. The ceremony will take place at 1:30 p.m. at the Regional Fire Training Center located at 1220 Fire Science Lane in Modesto.

3. Allied Health Pinning Ceremonies

The MJC Allied Health, Family and Consumer Sciences Division is proud to announce two graduation celebrations. There will be a Pinning Ceremony to honor 73 graduates from the Associate Degree Nursing Program on Friday, December 14, at 6:30 p.m. in the Auditorium of the Performing and Media Arts Center on East Campus. The Respiratory Care Program will award Associate of Science degrees to 15 students at a Graduation Ceremony that same evening at 5:00 p.m. in Sierra Hall 132 on West Campus.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College, Continued – President Jill Stearns

4. Spring Institute Day

MJC's Spring Institute Day will be held on Friday, January 11, 2013, beginning with continental style refreshments at 7:45 a.m. in the lobby of the Performing and Media Arts Center Main Auditorium. The program will begin at 8:30 a.m. The keynote speaker will focus on how to manage change using humor in the classroom and workplace. Department breakout discussions and division meetings are scheduled later in the day. Trustees are invited to attend.

5. Men's and Women's Basketball Big 8 Conference Games

The MJC Men's and Women's Basketball program begin league competition on January 8, 2013, against American River College and on January 19 they go up against Sacramento City College. The Women's games begin at 5:30 p.m. and Men's tip-off is at 7:30 p.m. in the East Campus Gymnasium. Admission is \$7 General, \$5 Students/Senior (62 or better, and \$2 Children (7 to 10 years of age).

Columbia College – President Dennis Gervin

1. Mental Health First Aid (MHFA) Training

Mental Health First Aid (MHFA) training sessions will be held December 7 and December 14 for MJC Health Services staff. Presenting the first of these District training sessions are Lauren Campana, Columbia College Health Nurse, and Doralyn Foletti, Columbia College Student Outreach and Development, who completed both the initial MHFA course and the course to become trainers. Training for Columbia College staff was funded from a grant by the National Council for Community Behavioral Health Care.

According to the creators of the program, "MHFA is the initial help given to someone experiencing a mental health issue before appropriate treatment and support are obtained. It may be for a crisis situation, or it may be when a person is developing a mental illness." It is very much like the model used for cardiac arrest CPR/AED training, but for behavioral health.

2. "Rethink Your Drink"

Through the support of a collaborative grant between Columbia College Health Services and Tuolumne County Public Health, the Columbia College Nutrition Club held a series of "Rethink Your Drink" events in October and November 2012. The three talks by college faculty and the Tuolumne County Public Health officer focused on physiology and benefits of drinking water as opposed to sugary drinks, the politics of water, and environmental sustainability.

In addition to these talks, individuals may take the "Rethink Your Drink" 30-day pledge online (www.rethinkyourdrinknow.com) and receive a stainless steel Columbia College Wellness water bottle from Health Services.

I. **REPORTS AND INFORMATION ITEMS**

C. **Activities and Announcements**

Columbia College, Continued – President Dennis Gervin

3. **In-Service Day**

Columbia College will hold its In-Service Day on Thursday, January 10, 2013, beginning at 8:15 a.m. The morning all-college meeting will include campus updates and announcements. Lunch will be provided and division/senate meetings will be held in the afternoon. Trustees are invited to attend.

4. **Associated Students (ASCC) Holiday Giving Tree**

This holiday season the Associated Students of Columbia College (ASCC) have coordinated a project to bring cheer to families in need. A gift giving tree was on display in the Manzanita Building Rotunda. Tags on the tree listed the holiday wishes of children in the college's child care center. Faculty, staff, and students took a tag from the tree and purchased a gift for a child. Gifts will be available for distribution to the children during the week of December 10.

5. **Foundation Annual Report 2012**

The Columbia College Foundation produces an annual report at the end of each fiscal year summarizing its accomplishments and providing donors and other supporters information regarding the organization's financial status. The report typically features student success stories, fiscal information, donor highlights, and other news items. It is mailed to contacts maintained by the Foundation Office. Hardcopies are available from the Columbia College Foundation at (209) 588-5065.

6. **Championship for Speech and Debate Club**

The Columbia College Speech and Debate Club traveled to the Paul Winters Invitational Speech and Debate Tournament held at the University of the Pacific in early November. After two days of intense debates against the top two and four-year schools from around the nation, Columbia College's debaters held championship titles. In a division for students who have over a year experience, Daniel Beluardo and Joseph Rodgers went undefeated after nine debates. Students Grant Wright, Pablo Lopez, and Cody Green captured the championship title in the Novice Division. In addition, Grant Wright was also named the top speaker within the division.

The club expressed a special thank you to the leadership of the Associated Students of Columbia College for their assistance with making the club's first outing such an unprecedented success.

I. **REPORTS AND INFORMATION ITEMS**

C. **Activities and Announcements**

Yosemite Community College District – Chancellor Joan Smith

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. Chancellor's Update
2. ☆Bond Update

The next meeting of the Citizens' Bond Oversight Committee will be held on January 3, 2013, at 6:00 p.m. in the Yosemite Community College District Board Room.

Kitchell representative Mr. Mark Newton will provide the Board with an update on the progress of the Measure E Bond projects – MJC Library Renovation.

Modesto Junior College: *West Campus Parking Lot:* Construction will be complete this month. *High Tech (North Hall):* The project has been approved by DSA. Project is preparing to bid. Start of construction is contingent on move from the existing Science East. *Allied Health Phase Two:* Redbud building is to begin bidding. *Infrastructure Phase Three:* Work to continue through the spring semester. *Career Transfer Center:* Submitted to DSA.

Columbia College: *Manzanita Building Remodel:* The project is currently in design. *Sequoia Building:* The project is in design.

Central Services: *Primary Data Center* is in construction. *Secondary Data Center* is in DSA review. *Shipping and Receiving* is in construction. The new *Central Services Building* will begin design next month.

PROJECT	STATUS	START CONSTRUCTION
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Current Modesto Junior College Projects

Infrastructure Increment II	Construction	February 2011
Science Community Center & GVM	Construction	July 2010
Student Services	Closeout	April 2010
Library Learning Resource	Construction	September 2012
High Tech Center (North Hall)	Pre-Bid Phase	June 2013
Career Transfer Center	DSA Review	February 2013

Current Columbia College Projects

Manzanita Building	Design	March 2014
Sequoia Building	Design	August 2013
Redbud (MJC Funded)	DSA Review	March 2013

Current Central Services Projects

Primary Data Center	Construction	August 2012
Secondary Data Center	DSA Review	March 2013
Shipping and Receiving	Construction	August 2012
Central Services Building	Pre-Design	Fall 2015

I. **REPORTS AND INFORMATION ITEMS**

D. **Presentations/Updates**

2. ☆Bond Update, Continued

PROJECT	STATUS	START CONSTRUCTION
Current Educational Outreach Facilities		
Calaveras	Design	Tbd
Oakdale	Property Search	Tbd
Turlock	Property Search	Tbd
Patterson	Design	Tbd
<i>Definition of "Complete" for Facilities refers to "YCCD Occupancy." DSA= Division of State Architect.</i>		

Action items listed in Sections II.A, II.B, II.C, and II.D, 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 October 1, 2012, through October 31, 2012.

2. Acceptance of Gifts

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

Donor	Gift	College	Program
PJ Ranch	\$100	MJC	Ag and Environmental Sciences Young Farmers
Wes and Barbie Page	\$100	MJC	Ag and Environmental Sciences Young Farmers
Gioletti and Sons Dairy	Holstein Heifer valued at \$1,000	MJC	Ag and Environmental Sciences Animal Science Program
Steve Norbeck	Sweepers and Equipment valued at \$20,000	MJC	Ag and Environmental Sciences Farm Trust for the Beckwith Instructional Lab
Ottenwalter Show Pigs	Hampshire X Boar (Exotic) valued at \$2,500	MJC	Ag and Environmental Sciences Swine Trust

B. Consent Agenda, Proposed Curriculum Changes

1. Columbia College Proposed Curriculum Changes

RECOMMENDATION: That the Board of Trustees approves the curriculum additions, deletions, and modifications as indicated on the attached Proposed Curriculum Changes for the report period of October 26, 2012, to November 19, 2012. (The Proposed Curriculum Changes were previously provided to the Board.)

2. Modesto Junior College Proposed Curriculum Changes

RECOMMENDATION: That the Board of Trustees approves the curriculum additions, deletions, and modifications as of the November 20, 2012, Curriculum Committee meeting. This report includes approval of three (3) new TMC degrees which will facilitate MJC's compliance with SB1440. (The Proposed Curriculum Changes were previously provided to the Board.)

II. **ACTION ITEMS**

C. **Consent Agenda, Sabbatical Leave Reports**

1. **Sabbatical Leave Final Reports**

Final Reports have been received and approved by MJC President Jill Stearns from faculty who were on sabbatical leave for academic year 2011-2012. Summaries have previously been provided to the Board.

RECOMMENDATION: That the Board of Trustees accepts the following 2011-2012 Sabbatical leave reports from the following MJC faculty:

Bill Anelli	Fall 2011 and Spring 2012
Deborah Gilbert	Spring 2012
Bobby Hutchison	Fall 2011 and Spring 2012
Linda Kropp	Fall 2011 and Spring 2012

2. **☆Sabbatical Leave Request 2013-2014**

Columbia College Sabbatical Leave Committee submitted a recommendation for a 2013-2014 sabbatical leave recipient. The recommendation was reviewed and approved by the College President. The Education Code requires that employees who are granted sabbatical leaves post a bond in an amount equal to the salary received during the leave period, or enter into an agreement with the Board of Trustees for the proportional repayment of the amount received during leave if service is not provided to the District in an amount twice the length of the leave (**Resolution No. 12-13/05**).

RECOMMENDATION: That the Board of Trustees approves the following 2013-2014 request for a sabbatical leave:

Faculty Name	College	Fall Semester 2013	Spring Semester 2014
Jim Toner	CC	Yes	Yes

II. ACTION ITEMS

D. Consent Agenda, Personnel

1. Personnel Transaction Items

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

PERSONNEL TRANSACTION LIST

Name	Position	Department	Coll	Effective
Retirement:				
Kathy Diener, 13 years of service	Master Teacher	Child Development Center	CC	11/30/12
Tom Quayle, 30 years of service	Food Service Technician	Food Services	MJC	12/30/12
Gina Rose, 20 years of service	Assistant Chancellor	Information Technology	CS	12/31/12
Lateral Transfer – Classified:				
Judy Gonzales	Administrative Secretary	Transfer from Literature and Language Arts to Technical Education and Workforce Development	MJC	12/13/12
Temporary Increase in Assignment - Classified:				
Araceli Zarate	Program Specialist, temporary increase in assignment from 50% to 100%	Workforce Training Center	MJC	12/13/12 - 6/30/13
Voluntary Reduction in Assignment - Classified:				
Amanda Landis	Administrative Technician, voluntary temporary reduction in assignment from 100% to 75%	Business, Behavioral & Social Sciences	MJC	1/1/13 - 6/30/13

2. Short-Term Appointee List

A recommendation is made that the Board of Trustees approves the following list of short-term appointees, in accordance with state law (AB500-Goldberg).

Name	Classification	Department	College	Start Date	End Date
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.					
Stacy Plowman-Clark	Health Services Senior Nurse	Health Services	CC	12/13/12	6/30/13

II. ACTION ITEMS

D. Consent Agenda, Personnel

2. Short-Term Appointee List, Continued

Name	Classification	Department	College	Start Date	End Date
Seasonal – hired to cover high peak periods associated with the academic calendar, such as bookstore rush.					
Josh Teixeira	Bookstore Assistant	Bookstore	MJC	12/13/12	6/30/13
Specially Funded or Temporary – appointments made in response to specially-funded project and/or unexpected workload demand created by special projects or vacancies.					
Denice Ford	Program Assistant	Tech Ed & Workforce Dev.	MJC	1/2/13	6/30/13
Substitute – temporary replacement for employee on approved leave.					
Kathy Juarez	Instructional Support Specialist	Health & Human Performance	CC	11/15/12	6/30/13

3. Adjunct Faculty Appointee List

A recommendation is made that the Board of Trustees approve the following adjunct faculty appointment for the Fall 2012 Semester.

Name	Department	College	Effective
Andree Thomas	Counseling	MJC	Fall 2012

4. Classification Review (Individual) – CSEA and Leadership Team

The Classification Review Advisory Committee completed the cyclical and individual review process of submissions received in Fall 2011. The committee considers the following in its review of each submission: current job description, completed Classification Review Document (CRD) forms, supervisor input, second level manager review and temporary versus permanent changes in assignment. The committee's recommendations have been reviewed by the Chancellor and Human Resources. A recommendation is made that the Board of Trustees approve the recommended modifications of the following individual job classifications, effective January 1, 2013:

Department	Current Class	Current Range	New Classification	New Range
Classified Positions:				
Admissions & Records, MJC	Admissions & Records Technician (Crystal Hinchman)	21	Admissions & Records Specialist	25
Admissions & Records, MJC	Admissions & Records Systems Specialist (JoAnne Nielson)	31	Admissions & Records Systems Specialist (range inequity)	32

II. ACTION ITEMS

D. Consent Agenda, Personnel

4. Classification Review (Individual), Continued – CSEA and Leadership Team

Department	Current Class	Current Range	New Classification	New Range
Human Resources	Human Resources Technician (Barbara Wolf)	25	Human Resources Specialist	29
Benefits	Benefits Technician (Dora Lopez, Kathren Pritchard)	29	Benefits Specialist	33
Information Technology	Info Systems Support Technician (Lubelia Martin)	26	Information Systems Support Specialist	30
Special Programs, DSPS, MJC	Program Technician (Carol La Rosa)	32	Program Specialist	36
Allied Health, MJC	Instructional Support Assistant (Scotty Gonser)	22	Instructional Support Specialist	29

II. ACTION ITEMS

E. Discussion Items

1. 2011-2012 Audit Report

The auditing firm of Matson and Isom has completed the 2011-2012 audit of the District's fiscal operations. The audit report and financial statements have been prepared using the guidelines required by the Governmental Accounting Standards Board (GASB).

The audit consists of the examination of the District's financial statements, a review of the systems of internal accounting controls and a review of state and federal compliance areas mandated by the Single Audit Act, the State Department of Finance Guide, and the California Community Colleges State Chancellor's Office.

Representatives from the auditing firm will be present during the Board meeting to formally present the audit report to the Board of Trustees. The representatives will also respond to specific inquiries regarding the report. The audit report has been previously provided to the Board for their review.

RECOMMENDATION: That the Board of Trustees receive the 2011-2012 audit report and authorize its filing with the appropriate state agency in accordance with Education Code Section 84040.

2. ☆Tuolumne Public Power Agency (TPPA) Joint Powers Agreement Resolution

In accordance with the Tuolumne Public Power Agency (TPPA) Governing Board directives issued in July 2012, the Agency is to pursue full utilization of the Flood Control Act of 1962 (New Melones power) entitlement. Tuolumne County is entitled to power based upon a 20-year rolling average of generation at New Melones, which is shared with Sierra Conservation Center. Accounting for load growth of existing Member Agencies over the next two decades, there is unutilized New Melones power entitlement available for use by a broadened scope of members, and customers of TPPA. Subject to the consumption rights and preferences specified in Section III(C) of the Agreement, the Governing Board shall seek to maximize the County's utilization of its New Melones entitlement through any means consistent with applicable federal, state, and local laws.

By adopting **Resolution No. 12-13/06**, the Board will accept the terms and conditions of an Amended and Restated TPPA Joint Powers Agreement and authorize YCCD's continued membership in the TPPA.

RECOMMENDATION: That the Board of Trustees adopts **Resolution No. 12-13/06** approving the Joint Powers Agreement and authorizing membership in the TPPA.

II. ACTION ITEMS

E. Discussion Items

3. ☆Resolution of Dedication – Public Hearing

At the November 14, 2012, Board meeting, the Board of Trustees adopted **Resolution No. 12-13/02**, which reflected the Board's Intent to Dedicate Easement, and set a public hearing regarding the intent to dedicate for December 12, 2012.

The Board intends to adopt **Resolution No. 12-13/07**, Dedication of Easement, and dedicate to California Limited Liability Company (CVIN) the property identified in the Grant of Easement (including legal description Exhibits A & B) attached for Columbia College Campus.

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system after a properly noticed public hearing.

RECOMMENDATION:

That the Board of Trustees conducts a public hearing and adopt **Resolution No. 12-13/07**, Dedication of Easement to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system and authorize the Chancellor or said designee to execute the Grant of Easement and deliver to California Limited Liability Company (CVIN).

4. ☆Resolution of Dedication – Public Hearing

At the November 14, 2012, Board meeting, the Board of Trustees adopted **Resolution No. 12-13/03**, which reflected the Board's Intent to Dedicate Easement, and set a public hearing regarding the intent to dedicate for December 12, 2012.

The Board intends to adopt **Resolution No. 12-13/08** Dedication of Easement, and dedicate to California Limited Liability Company (CVIN) the property identified in the Grant of Easement (including legal description Exhibits A & B) Attached for Modesto Junior College East Campus.

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system after a properly noticed public hearing.

RECOMMENDATION:

That the Board of Trustees conducts a public hearing and adopt **Resolution No. 12-13/08**, Dedication of Easement to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system and authorize the Chancellor or said designee to execute the Grant of Easement and deliver to California Limited Liability Company (CVIN).

II. ACTION ITEMS

E. Discussion Items

5. ☆Resolution of Dedication – Public Hearing

At the November 14, 2012, Board meeting, the Board of Trustees adopted **Resolution No. 12-13/04**, which reflected the Board's Intent to Dedicate Easement, and set a public hearing regarding the intent to dedicate for December 12, 2012.

The Board intends to adopt **Resolution No. 12-13/09**, Dedication of Easement, and dedicate to California Limited Liability Company (CVIN) the property identified in the Grant of Easement (including legal description Exhibits A & B) attached for Modesto Junior College West Campus.

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system after a properly noticed public hearing.

RECOMMENDATION:

That the Board of Trustees conduct a public hearing and adopt **Resolution No. 12-13/09**, Dedication of Easement, to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system and authorize the Chancellor or said designee to execute the Grant of Easement and deliver to California Limited Liability Company (CVIN).

6. ☆Board Policy – 1st Reading

The following four (4) YCCD Board Policies are presented to the Board as 1st Readings. All have been reviewed by the Policy and Procedures Committee and have been presented to District Council. All policies have gone through the review process used by the Policy and Procedures Committee, which includes constituency group review and feedback, and have been presented to District Council.

Proposed Policy Revisions:

- Policy 2010 – Board Membership
- Policy 2100 – Board Elections
- Policy 3440 – Service Animals/Therapy Animals (NEW)
- Policy 7140 – Collective Bargaining

In addition, as existing YCCD Board Policy 7410 states, "procedures may be revised as deemed necessary by the Chancellor" and do not require Board action. Procedure 3440 – Service Animals/Therapy Animals (NEW) accompanies Policy 3440 and is attached as an informational item.

RECOMMENDATION:

That the Board of Trustees conducts a 1st Reading on the YCCD Board Policies 2010, 2100, 3440 and 7140.

III. 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, January 9, 2013. Closed Session will begin at 3:30 p.m., Open Session begins at 5:30 p.m., in the Yosemite Community College District Board Room, 2201 Blue Gum Avenue, Modesto, California.

Approval of Minutes

November 14, 2012, 2012 – Regular Meeting

ATTACHMENTS

MINUTES
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND SEVENTY THIRD REGULAR MEETING
November 14, 2012

The meeting was called to order by Chair Mike Riley at 3:30 p.m. in the YCCD Board Room, 2201 Blue Gum Avenue, Modesto, CA, 95358. Trustees adjourned to Closed Session for the purpose of discussing the following Closed Session Agenda items:

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 Representatives: D. Wirth, G. Rose
Employee Organizations: CSEA, YFA
 3. Pursuant to G.C. Section 54956.8 Property Negotiator
Conference with Real Property Negotiator (Stanislaus APN: 087-029-003)
 4. Pursuant to G.C. Section 54956.9 (a) Litigation
Case: YFA et al vs. YCCD et al, No. 667978

The Board of Trustees reconvened to Open Session at 5:30 p.m. in the YCCD. The Pledge of Allegiance preceded formal Board Action.

Members Present

Mike Riley, Board Chair
Tom Hallinan, Vice Chair
Linda Flores
Anne DeMartini
Don Viss
Lynn Martin
Abe Rojas
Doug Dyrssen (Student Trustee)

Others Present

J. Smith, T. Scott, D. Wirth, G. Rose, J. Swank,
J. Stearns, D. Gervin, B. Thames, B. Crow, J. Zamora,
J. Leamy, G. Whitfield, M. Newton, L. Buckalew, D. Bolter,
K. Hogan, C. Redwing, M. Sundquist, M. Sharif, T. Versola,
H. Coit, R. Green, T. Smith, A. Gonzalez, G. Cabrera,
P. Freitas, S. Suarez, L. Dorn, K. Pritchard, I. Nunez,
D. Jamison, M. Cryel, M. Guzman, V. Metcalf, C. Sampson,
M. Rice, R. Bryhn, M. McKinnon, F. Banuelos, B. Imbesi,
A. Salcedo, D. Partridge, W .Hesse, S. Kincade, R. Faughn,
K. Sabo, M. Guerra, G. Molina, J. Mathies (Recorder)

**Report Out From
Closed Session**

There was no reportable action taken.

Approval of Minutes

A motion was made by Trustee Hallinan and seconded by Trustee Flores to approve the minutes of the Regular Meeting on October 10, 2012.

The motion carried with a vote of 7-0.

Public Comments

CSEA representatives, Sherri Suarez, Debbie Partridge and Wendy Hess brought comments and reported on emails they had received in response to an email sent by Vice Chancellor Diane Wirth.

REPORTS & INFORMATION

ITEMS

Modesto Junior College
Presentation –
Professor of Humanities
Dr. Chad Redwing

Dr. Chad Redwing, Professor of Humanities reported on a series he will be leading entitled *Great Conversations: The Art of Transformative Leadership*. Participants will meet once a month for eight months to discuss short reading selections on leadership, politics, and decision-making using shared inquiry methodology. Dr. Redwing has successfully implemented shared inquiry to establish an environment of trust and respect in his classroom where even the difficult and potentially divisive topics of politics and religion are discussed freely.

Constituency Reports

Student Senate Activity
Reports

ASMJC President Kevin Sabo gave the monthly ASMJC report.

Leadership Team Advisory
Council (LTAC)

LTAC member Margo Guzman gave the monthly LTAC report.

Yosemite Faculty Association
(YFA)

YFA President Jillian Daly gave the monthly YFA report.

California Schools Employee
Association (CSEA)

CSEA President Rosanne Faughn gave the monthly CSEA report.

Faculty Representative
to the Board

This position is currently unfilled.

Academic Senate
Activity Reports

Columbia College Academic Senate President John Leamy gave the monthly Academic Senate report.

MJC Academic Senate President John Zamora reported to the Board that he is resigning his position due to an unexpected change in his work load. Dr. James Todd will become Acting President and then move into the term as President at the appointed time.

Columbia Community College

President Dennis Gervin called the Board's attention to the following:

Dinner with a Scientist

On November 29, 2012, Columbia College will host a Dinner with a Scientist in conjunction with the Tuolumne County Superintendent of Schools Office, Front Porch, and San Joaquin County Office of Education. The purpose of this event is to highlight science careers by pairing local 6th-12th grade students with local scientists for an evening. The event will

begin with an interactive ice breaker activity, followed by dinner catered by Columbia College's Culinary Program, and a keynote presentation by one of our local scientists. One-hundred and fifty attendees are anticipated, including students and scientists.

Cram Night

The Associated Students of Columbia College and the Library are teaming up together for another Finals Cram Night. The Cram will be held on Thursday, December 6, 2012, from 7:00 p.m. to 10:00 p.m. in the Library. The ASCC will provide refreshments throughout the evening and the Columbia College faculty will provide tutoring. Students look forward to this event for the extra assistance, connection, and community it offers.

**Associated Students (ASCC)
Canned Food Drive**

Food donations are being accepted at various locations on campus to help families in need this holiday season. For every non-perishable food item dropped off at the college library, students can receive a \$1 credit toward library fines. Donations are being accepted through November 19.

Modesto Junior College

President Jill Stearns called the Board's attention to the following:

Hispanic Heritage Month

The MJC MEChA Club celebrated Hispanic Heritage Month on October 10 with a Fiesta. There were speakers, displays with historical information, entertainment and vendors; all who paid tribute to the generations of Hispanic Americans who have positively influenced and enriched our nation and society.

**MJC Speech and Debate
Team**

The Modesto Junior College Speech and Debate Team placed second in the Community College sweepstakes at Diablo Valley College October 19 - 21 competing against 24 two and four year colleges and universities. However, most impressive was the team's second place debate sweepstakes award as they beat out CSU Northridge, CSU Long Beach, San Francisco State, University of the Pacific, UC Berkeley, and others to place second, only behind the University of Reno.

Ag Students Achieve Honors

MJC Agriculture Business Major Lindsey Anderson was elected as the Future Farmers of America Western Region Vice President, one of only six national officers, at the National FFA Convention & Expo held in Indianapolis, Indiana. Plant Science student Kurt Parsons also was selected at the national convention as the American Star in Agricultural Placement which means that he had the most outstanding agriculture work experience project in the nation.

**Cross Country Team-
Thanksgiving Day Fundraiser**

MJC Cross Country Team invites the community to their 13th annual Modesto Turkey Trot on Thanksgiving Day, Thursday, November 22, in the Tuolumne River Regional Park in

Modesto. The fun run for boys and girls (13 years of age and under) will begin with a ½ mile boys race at 8:45 a.m., a girls race 9:00 a.m., followed by the 5 Kilometer Run at 9:30 a.m. and the 5 kilometer Gobbler Walk at 9:35 a.m. For more information or to register contact Professor Mary Shea at sheam@mjc.edu or at 209-575-6219.

Civic Engagement Project
Film and Lecture Series

The MJC Civic Engagement Project's final film of the semester will be "Miss Representation" shown on November 29 at 7:00 p.m. in Forum 110. Even though women appear better represented in the media than they were in the past, *Miss Representation* highlights how the image of women in the media continues to undermine their potential in society. The film suggests that the media repeatedly sends the same underlying message: women are valued for how they look, not what they do. According to the film, the impact this harmful message has on young people must not be underestimated if we want the message to change. A discussion will follow the screening.

Theatre Department presents
Elephant's Graveyard

The MJC Theatre Department will present George Brant's dramatic play *Elephant's Graveyard*; a story of a struggling circus that stumbles into gory disaster in a muddy Tennessee town in the 1920's. Show dates are November 30, December 1, 6, 7, and 8 at 7:30 p.m., and December 9 at 2:00 p.m. in the Performing and Media Arts Little Theatre. Tickets are \$10 general and \$8 for students and seniors and can be purchased at mjc.tix.com, at the Auditorium Box Office Tuesdays through Fridays from noon to 5:00 p.m. or 90 minutes to curtain in the Little Theatre. This production is not suitable for young children.

Fall Concerts and Recitals

The MJC Music Department has a full array of free recitals and concerts scheduled for the remainder of the semester including High School Orchestra Day, Guitar, Piano, Voice and Band Concerts. Information is available in the calendar of events online at www.mjc.edu.

Holiday Choral and
Orchestra Concerts

MJC's holiday music performances will wind up with two concerts. The MJC Community Orchestra will present "A Concert for Kids of all Ages" on December 4 at 7:00 p.m. Admission is \$5 general and \$1 for students and seniors. The "Holiday Festival of Choirs" will perform on December 7 at 7:30 p.m. Admission is \$5 general and \$4 for students and seniors. Both concerts will take place in the Performing and Media Arts Center and tickets will be available at the door.

MJC Hosts the 75th Annual
Basketball Tournament

Sixteen Basketball teams will be participating in the 75th Annual Basketball Tournament taking place over five days from December 4– 8 in the East Campus Gymnasium.

Young Farmers to hold 59th
Annual Holiday Auction

On December 6, the MJC Young Farmers will auction nearly 100 items during their annual Holiday Auction beginning with a

preview at 5:00 p.m. and the live auction at 6:00 p.m. at the “Agriculture Center for Education” Pavilion on West Campus. Complimentary food and hot drinks will be available. Tickets are not needed to attend.

Wintertime Tales: An Evening of Storytelling

Bring the whole family to an evening of free storytelling on December 11 from 6:30-7:30 p.m. MJC's annual *Wintertime Tales: An Evening of Storytelling* will be held in the Little Theatre of the Performing and Media Arts Center. Seating is limited, so plan to arrive early at this popular event. For further information, contact Kim Gyuran at 209-575-6174.

MJC President and Foundation Combine Holiday Socials

With the Fireside Lounge under construction, the MJC President and Foundation will combine their holiday socials and celebrate the season on Thursday, December 13, from 5:00 p.m. to 8:00 p.m. at the McHenry Museum at 1402 I Street in downtown Modesto. MJC Foundation donors and current and retired employees are treated to holiday music and refreshments. The Board of Trustees is invited to join MJC and YCCD staff for this evening of holiday cheer. Continuing a valued holiday tradition, MJC and YCCD will once again be “Gathering Gifts for Haven” at the event. Unwrapped toys/gifts are needed for women and children staying at the Haven Women’s Center.

Acting Class Performs and Evening of Improvisation

Professor Lynette Borelli’s acting class 164 will present *An Evening of Improvisation* on Thursday, December 13, at 7:00 p.m. The actors will take you on a delightful evening of mayhem and monkey-doing’s with all scenes and skits based purely on audience suggestions. Admission is \$5.

Yosemite Community College District

YCCD Candidates Who Filed for Candidacy

YCCD Trustee Area 3 - Abe Rojas
YCCD Trustee Area 5 - Linda Flores
YCCD Trustee Area 6 - Mike Riley
YCCD Trustee Area 7 - Tom Hallinan

The candidates listed above, who filed for candidacy for the YCCD Board of Trustees for the election of November 6, 2012, were declared elected in lieu of the election pursuant to Education Code Sections 5326, 6328, and 5328.5.

2012 Walter Star Robie Award – Teresa Scott

The Walter Star Robie Award is presented each year to professionals in California Community College business administration who have demonstrated outstanding career achievements and provided exemplary service as Chief Business Officials in their respective districts and the state of California. Teresa Scott is a recipient of this award for 2012.

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Presentations/Updates

Chancellor's Update

Chancellor Smith reported that with the passage of Proposition 30, cuts at the colleges will not be necessary at this time. She reported on her recent accreditation visit as chair with YCCD staff accompanying her – returning home with some very creative ideas for our colleges.

Bond Update

The next regularly scheduled meeting of the YCCD Citizens' Bond Oversight Committee (CBOC) will be held on Thursday, January 3, 2013, at 6:00 p.m. in the Yosemite Community College District Board Room.

Kitchell representative Mr. Mark Newton provided the Board with an update on the progress of the Measure E Bond projects – Primary Data Center.

Modesto Junior College: *West Campus Parking Lot:* construction will be complete for the start of the spring term. *High Tech (North Hall):* The project has been approved by DSA. Project is preparing to bid. Start of construction is contingent on move from the existing Science East. *Allied Health Phase Two:* Redbud building is in DSA review. *Infrastructure Phase Three:* Work to continue through the spring semester. *Career Transfer Center:* submitted to DSA.

Columbia College: *Manzanita Building Remodel:* The project is currently in design. *Sequoia Building:* The project is in design.

Central Services: *Primary Data Center* is in construction. *Secondary Data Center* is in DSA review. *Shipping and Receiving* is in construction. The new *Central Services Building* is about to begin design.

PROJECT	STATUS	START CONSTRUCTION
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Current Modesto Junior College Projects

Infrastructure Increment II	Construction	February 2011
Science Community Center & GVM	Construction	July 2010
Student Services	Closeout	April 2010
Library Learning Resource	Construction	September 2012
High Tech Center (North Hall)	Pre-Bid Phase	June 2013
Career Transfer Center	DSA Review	February 2013

Current Columbia College Projects

Manzanita Building	Design	March 2014
Sequoia Building	Design	August 2013
Redbud (MJC Funded)	DSA Review	March 2013

PROJECT	STATUS	START CONSTRUCTION
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Current Central Services Projects

Primary Data Center	Construction	August 2012
Secondary Data Center	DSA Review	March 2013
Shipping and Receiving	Construction	August 2012
Central Services Building	Pre-Design	Fall 2015

Current Educational Outreach Facilities

Calaveras	Design	TBD
Oakdale	Property Search	TBD
Turlock	Property Search	TBD
Patterson	Design	TBD

*Definition of "Complete" for Facilities refers to "YCCD Occupancy".
DSA= Division of State Architect*

ACTION ITEMS

Vice Chancellor of Human Resources Diane Wirth noted a correction on page 11 of the December Agenda (Short-Term Appointee List). After the Agenda was printed, Gail Saldana did not accept the Substitute position.

Trustee Rojas made a motion that the Board of Trustees approve Consent Items A through D. The motion was seconded by Trustee Martin.

The motion carried with a vote of 7-0.

**Consent Agenda,
Fiscal Services**

Purchase Orders

The Board of Trustees approved the purchase orders issued from September 1, 2012, through September 30, 2012.

**Consent Agenda
Student Travel**

**MJC Dairy Cattle
Judging Team Trip –
Forth Worth, Texas**

The MJC Dairy Cattle Judging Team has been invited to compete in the South Western Livestock Exposition Dairy Cattle Judging Contest in Fort Worth, Texas. Mr. Hobby, MJC Dairy Judging team coach, is planning this trip for Friday, January 18, to Monday, January 21, 2013. The approximate cost of the Fort Worth trip for Mr. Hobby and team members will be \$2,000. The cost for the trip will be paid through Departmental fundraising or with Dairy Club funds. The following students have been selected to compete in these contests: Elysha Bergwerff, Michael Davis, Rebecca Hobby, Mark Weststeyn, Lyle Zimmer.

The Board of Trustees approved the MJC Dairy Cattle Judging Team Fort Worth, Texas, trip from Friday, January 18, to Monday, January 21, 2013.

MJC Animal Science
Swine Program Trip –
Reno, Nevada

The MJC Animal Science Swine program has been invited to compete this December in the All-Breeds Invitational Swine Show & Sale in Reno, Nevada. Professor John Mendes, Swine Team Advisor, and Animal Science Instructional Specialist John Macedo are in the process of planning a trip for their group that will span from November 30, to December 2, 2012. Professor Mendes is making all of the arrangements for the trip. The approximate cost of the trip will be \$750 each and will be covered by the Swine Trust account and/or the Animal Science Club. Students who will accompany Professor Mendes on this trip are Lindsey Anderson, Sarah Arsenault, Jon Neugebauer, and Jake Olsen.

The Board of Trustees approved the MJC Animal Science Swine Program Reno, Nevada, trip from November 30, to December 2, 2012.

MJC Livestock Judging
Team Trip –
Phoenix, Arizona

The MJC Livestock Judging Team has been invited to compete in the Arizona National Livestock Judging competition to be held during the Fall 2012 Livestock Judging Season. The dates for the trip are Friday, January 18, to Monday, January 21, 2013. Amanda Schnoor, MJC Livestock Judging Team coach, is planning this trip. The cost for the trip will be paid through Agriculture departmental fundraising, donations, and/or Animal Science Club funds. The team member taking the trip will be selected from a list of 35 students.

The Board of Trustees approved the MJC Livestock Judging Team Trip to Phoenix, Arizona, from January 18 to January 21, 2013.

Consent Agenda
Proposed Curriculum
Changes

MJC Proposed
Curriculum Changes

The Board of Trustees approved the Curriculum Board Report additions, deletions, and modifications as of the October 23, 2012, Curriculum Committee meeting. This report which was attached to the Agenda included approval of four (4) new TMC degrees which will facilitate MJC's compliance with SB1440.

Columbia College
Proposed Curriculum
Changes

The Board of Trustees approved the Curriculum additions, deletions, and modifications as indicated on the Proposed Curriculum Changes for the Report period of September 1, 2012, to October 25, 2012. The report was attached to the Agenda.

Consent Agenda,
Personnel
Personnel Transaction
Items

The Board approved the following Personnel Transaction Items:

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PERSONNEL TRANSACTION LIST

Name	Position	Department	Coll	Effective
Probationary Appointment - Classified:				
Adam Bava	Instructional Support Assistant, 11 months	Business, Behavioral & Social Science	MJC	11/19/12
Amy Yribarren	Health Services Senior Nurse	Health Services /Student Services	MJC	11/19/12
Increase in Assignment - Classified:				
Gwendolyn Savage	Bookstore Assistant, permanent increase from 60% to 70%	Bookstore	MJC	12/1/12
Voluntary Reduction in Assignment - Classified:				
Monica Lopez	Program Assistant, voluntary temporary reduction in work year from 12 to 10 months	Special Programs	MJC	7/1/12 - 6/30/13
Resignation:				
Nancee Carrillo-Reyes	Alternative Media Access Specialist	Special Programs – DSPS	MJC	10/25/12
Lisa Latt	Payroll Manager	Payroll	CS	10/20/12

Short-Term Appointee List

The Board of Trustees approved the following list of short-term appointees, in accordance with state law (AB500-Goldberg).

Name	Classification	Department	Coll	Start Date	End Date
Seasonal – hired to cover high peak periods associated with the academic calendar such as registration, bookstore rush.					
Pauline Johnson	Accounting Assistant	MJC Business Services	CS	1/7/13	6/30/13
Megan Nielson	Accounting Assistant	MJC Business Services	CS	1/9/13	6/30/13
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.					
Kerry Griggs	Transportation Services Operator	Transportation	CS	11/15/12	6/30/13
Christopher Moran	Art Model	Arts, Humanities & Communications	MJC	11/15/12	6/28/13
Tara Roe	Performing Arts Costume Specialist	Arts, Humanities & Communications	MJC	11/15/12	6/28/13
Julia Schlaug-O'Brien	Art Model	Arts, Humanities & Communications	MJC	11/15/12	6/28/13
Nataly Zaragoza	Art Model	Arts, Humanities & Communications	MJC	11/15/12	6/28/13

Name	Classification	Department	Coll	Start Date	End Date
<i>Substitute – temporary replacement for employee on approved leave.</i>					
Gail Saldana	Program Assistant	Special Programs, CalWORKS	MJC	11/15/12	6/30/13

Consent Agenda,

Reorganization – Purchasing and Risk Management, Central Services

Administrative Procedure 7232 allows for organizational change through administrative channels upon the recommendation by the Chancellor to the Board of Trustees. It also allows for abolishing an encumbered position and replacing it with a new position in an equal or higher classification, where the appointing authority may recommend that the incumbent be appointed to the resultant position. This action is contingent upon a favorable review of employee qualifications, performance evaluations, and class employment standards.

For four consecutive years, the YCCD has been reducing expenditure budgets to align District General Fund expenditures with declining state revenue, resulting in deep budget cuts to the California Community College system. The District has been examining operations to improve efficiencies and to meet its goal of reducing General Fund costs, while maintaining a high level of service to our employees, students, and community.

In 2012 the District's Director of Purchasing position became vacant. The vacancy provided an opportunity to review the organizational structure and functional duties in Fiscal Services with the goal of improving efficiencies and reducing costs.

In order to more efficiently serve the District's colleges and Central Services at a reduced cost, while maintaining our high level of services, it is recommended that two management positions in the Purchasing Department be eliminated and a new management position be created combining many of the duties of the two previous positions. The remainder of the duties not covered in the new management position will be moved to other positions. To accomplish this, two classified positions will be eliminated and one new classified position and one new management position will be created. Energy management and Risk Management duties will be redefined and implemented into the new Central Services organization restructure.

This reorganization will provide an annual savings of \$116,078.

The Board of Trustees approved the following actions, effective December 1, 2012:

- A. Eliminate the following positions:
 1. Director of Purchasing, YCCD, (Management Salary Schedule, Range 38).

2. Purchasing Supervisor, YCCD, (Management Salary Schedule, Range 23).
 3. Purchasing Specialist, YCCD, (Classified Salary Schedule, Range 27).
 4. Risk Management Specialist, YCCD, (Classified Salary Schedule, Range 29).
- B. Create and Appoint staff to the following positions:
1. Director of Purchasing and Receiving Operations, YCCD, (Management Salary Schedule, Range 36) and appoint Howard Coit to the position.
 2. Purchasing Operations Coordinator, YCCD, (Classified Salary Schedule, Range 32) and appoint Kristin Hogan to the position.
 3. Risk Services Coordinator, YCCD, (Management Salary Schedule, Range 19) and appoint Dorothy Pimentel to the position.

Discussion Items

Resolution of Intent to Dedicate

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system. The Board intends to dedicate easement to California Limited Liability Company (CVIN) as identified on the legal description in Exhibits A & B (see attachment), which is located on **Columbia College Campus**. The Board must also set a date for a public hearing regarding the dedication.

Trustee Hallinan made a motion with a second from Trustee Rojas that the Board of Trustees adopts **Resolution No. 12-13/02**, Intent to Dedicate Easement, as described on the Grant of Easement and Exhibits A & B which is located on **Columbia College Campus**, to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system, and set December 12, 2012 for the public hearing on the matter.

The motion carried with a vote of 7-0.

Resolution of Intent to Dedicate

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system. The Board intends to dedicate easement to California Limited Liability Company (CVIN) as identified on the legal description in Exhibits A & B (see attachment), which is located on **Modesto Junior College, East Campus**. The Board must also set a date for a public hearing regarding the dedication.

Trustee DeMartini made a motion with a second from Trustee Flores that the Board of Trustees adopts **Resolution No. 12-13/03**, Intent to Dedicate Easement, as described on the

Grant of Easement and Exhibits A & B which is located on **Modesto Junior College, East Campus**, to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system, and set December 12, 2012 for the public hearing on the matter. The motion carried with a vote of 7-0.

Resolution of
Intent to Dedicate

Education Code 81310 authorizes the Board of Trustees to make a dedication of certain property for the purposes of installation, repair and maintenance of equipment and fiber for a transmission system. The Board intends to dedicate easement to (CVIN) as identified on the legal description in Exhibits A & B (see attachment), which is located on **Modesto Junior College, West Campus**. The Board must also set a date for a public hearing regarding the dedication.

Trustee Rojas made a motion with a second by Trustee Viss that the Board of Trustees adopts **Resolution No. 12-13/04**, Intent to Dedicate Easement, as described on the Grant of Easement and Exhibits A & B which is located on **Modesto Junior College, West Campus** to the California Limited Liability Company (CVIN) for the purpose of installation, repair and maintenance of equipment and fiber for a transmission system, and set December 12, 2012, for the public hearing on the matter.

The motion carried with a vote of 7-0.

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, 2012. A copy of the statement was attached to the Agenda. The Board is required by law to hold a public hearing to review the report and direct that it be filed with the California Community Colleges Chancellor's Office.

Executive Vice Chancellor Teresa Scott gave the Quarterly Report on the District's Financial Condition. Chair Riley conducted a public hearing to review the District's Financial Report for the quarter ended September 30, 2012.

Trustee Rojas made a motion with second by Trustee Flores that the Board of Trustees directs staff to submit a copy of the required report to the California Community Colleges Chancellor's Office.

The motion carried with a vote of 7-0.

Academic Calendars
2013-2014

The Academic Calendar 2013-2014 for Columbia College and Modesto Junior College has been completed by the District/Yosemite Faculty Association (YFA) Academic Calendar Committee and sent to the Board for their information and review.

Trustee Rojas made a motion seconded by Trustee Martin that the

Board of Trustees adopts the 2013-2014 Academic Calendar for Columbia College and Modesto Junior College.

The motion carried with a vote of 7-0.

2013 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, 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.

Trustee Hallinan made a motion, seconded by Trustee Flores, that the Board of Trustees authorizes the use of the 4/10 workweek for the period beginning May 6, 2013 and ending August 16, 2013.

Discussion ensued with comments and concerns from the Trustees regarding the effectiveness of this schedule. Previous reports were based on electrical savings. Comments were made regarding the energy efficiency and use of the completed new buildings on a 5 day schedule rather than the proposed 4 day summer schedule after the upcoming summer. The Board expressed concern regarding how this would affect all personnel and especially students. Board Chair Riley directed staff to address Board concerns and report back.

The motion carried with a vote of 6-1. (Trustee DeMartini dissenting).

COMMENTS

From the Board of Trustees

Student Trustee Doug Dyrssen was fulfilling his responsibilities at the California Community Colleges Trustees (CCCT) Board meeting and the CCLC annual conference. His report was read by Chair Riley. Student Trustee Dyrssen recently attended the Student Senate for California Community Colleges (SSCCC) fall general assembly, met with the student leadership of Columbia College, and they look forward to further collaboration in the near future. Trustee Martin reported she attended the Ag Pavilion open house event, the welcome reception in the Student Services building for President Jill Stearns, the Osher Columbia College Scholarships presentations, and helped with the voter registration table at Columbia College. Trustee Rojas reported attending the Ag Pavilion open house event, the RDA oversight committee meetings in Turlock and Hughson, the Turlock planning committee meeting, the TRIO meeting with 264 participants for minorities and low income students, the Salvation Army Kettle Dash and ran the 5K, the Kettle Kick Off in Turlock and the Italian Heritage event at the home of Trustee DeMartini. Trustee Hallinan reported working on the passage of Proposition 30, he will be attending two RDA oversight board meetings right after Thanksgiving. Trustee Viss reported

attending the Ag Pavilion open house event, the welcome reception for President Jill Stearns, and he commended President Gervin and Gene Womble for their work in establishing the culinary arts program in Oakdale. Trustee DeMartini reported attending two RDA oversight committee meetings and donating the pumpkins for the Ag Pavilion open house event. Trustee Flores reported attending the Ag Pavilion open house event, she has been back in the classroom teaching for someone who was on leave. She will finish that this week. Trustee Riley reported attending MJC football games, and parts of the MJC Foundation Strategic Planning meeting, the welcome reception for President Jill Stearns and the Ag Pavilion open house event. He also met with Team Chair Roquemore who conducted the accreditation followup.

ANNOUNCEMENTS

The annual reorganization meeting and the next regular meeting of the Board of Trustees will be held on Wednesday, December 12, 2012. Closed Session will begin at 3:30 p.m., Open Session begins at 5:30 p.m., in the Yosemite Community College District Board Room, 2201 Blue Gum Avenue, Modesto, California.

The meeting adjourned at 7:33 p.m.

Mike Riley, Chair
YCCD Board of Trustees

Joan E. Smith, Ed.D., Secretary
YCCD Board of Trustees

I. **REPORTS AND INFORMATION ITEMS**

D. **Presentations/Updates**

2. ☆ Bond Update

ATTACHMENTS

YCCD Measure E Budgets and Schedules ⁽¹⁰⁾	Measure E Budget (1)	Total Budget (2)	Total Construction Budget (3)	Bid Day Budget/ Construction Contract (4)	Cost/ Square Foot	2011		2012			2013			2014			2015						
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
						Gantt chart showing project completion status across quarters from 2011 to 2015. Blue bars indicate completion periods. Red dashed lines indicate bid dates. Yellow bars indicate ongoing or future work.																	
MODESTO JUNIOR COLLEGE																							
Auditorium	\$ 19,566,200	\$ 33,093,000	\$ 31,160,000	\$ 26,990,000	\$ 591	COMPLETE																	
Ag-Modular Living Units	\$ 3,149,907	\$ 3,149,907	\$ 2,332,422	\$ -	\$ -	COMPLETE																	
Site Units				\$ 655,000	\$ 65																		
Units				\$ 1,402,000	\$ 139																		
Ag-Animal Facilities Renovation	\$ 2,150,000	\$ 2,150,000	\$ 1,802,500	\$ 1,530,020	\$ 34	COMPLETE																	
Ag Multipurpose Pavilion Facility	\$ 17,659,690	\$ 17,659,690	\$ 11,252,827	\$ 8,243,000	\$ 137	COMPLETE																	
Allied Health Life Sciences Redbud Distance Education	\$ 25,360,225	\$ 25,360,225	\$ 16,396,678	\$ 10,266,000	\$ 294	COMPLETE Complete July 2013																	
Art Building	\$ 579,379	\$ 579,379				COMPLETE																	
Campus Way Parking Lot	\$ 1,565,028	\$ 1,565,028	\$ 565,000	\$ 320,623	\$ 5	COMPLETE																	
Founders Hall Modernization	\$ 12,065,000	\$ 12,065,000	\$ 8,945,078	\$ 6,598,000	\$ 93	COMPLETE																	
High Tech Center (North Hall)	\$ 16,000,000	\$ 16,000,000	\$ 12,589,366	\$ 9,811,997	\$ 179	Complete August 2014																	
Interim Housing	\$ 3,000,000	\$ 3,000,000	\$ 2,253,000	\$ 1,738,419	\$ 44	COMPLETE																	
Library/Learning Resources Ctr (6)	\$ 9,495,145	\$ 9,495,145	\$ 7,080,514	\$ 4,800,000	\$ 104	COMPLETE Complete September 2013																	
Loop Road/Infrastructure (Increment I)	\$ 4,480,122	\$ 4,480,122	\$ 3,850,000	\$ 2,099,000	n/a	COMPLETE																	
Loop Road/Infrastructure (Increment II)	\$ 4,480,122	\$ 4,480,122	\$ 3,850,000	\$ 2,555,000	n/a	COMPLETE Complete March 2013 PREVIOUSLY January 2013																	
Parking Structure/Lot	\$ 3,916,895	\$ 3,916,895	\$ 2,080,798	\$ 1,194,419	n/a	COMPLETE PREVIOUSLY December 2013																	
Patterson Educational Site	\$ 5,037,370	\$ 5,037,370	\$ 3,803,872	\$ 3,137,146	\$ 325	COMPLETE Complete March 2014																	
Science Community Center & GVM	\$ 70,000,000	\$ 70,000,000	\$ 51,050,342	\$ 35,212,250	\$ 321	COMPLETE Complete November 2012																	
Outdoor Education						COMPLETE Complete November 2013																	
Softball Complex	\$ 1,550,264	\$ 1,550,264	\$ 699,343	\$ 603,420	n/a	COMPLETE																	
Field Concessions			\$ 481,472	\$ 421,165	\$ 390	COMPLETE																	
Student Center/Career Transfer	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	n/a	COMPLETE Complete July 2013																	
Student Services New	\$ 14,523,403	\$ 14,523,403	\$ 12,078,487	\$ 6,716,223	\$ 280	COMPLETE Complete January 2012																	
Turlock Educational Site	\$ 937,185	\$ 937,185	\$ 937,185	\$ 937,185	n/a	COMPLETE Complete TBD																	
West Campus Parking Lot	\$ 850,000	\$ 850,000				COMPLETE Complete December 2012																	
College Contingency	\$ 3,294,065	\$ 3,294,065																					
SUBTOTAL - Modesto Junior College	\$ 220,110,000	\$ 233,636,800																					
COLUMBIA COLLEGE																							
Bike Lanes and Pedestrian Paths	\$ 18,957	\$ 18,957	\$ 484,703	\$ 478,858	n/a	COMPLETE																	
Bus Service Loop/Disabled Parking Lot	\$ 678,895	\$ 678,895				COMPLETE																	
Calaveras Educational Site	\$ 4,000,000	\$ 4,000,000	\$ 1,924,350	\$ 1,555,000	\$ 154	COMPLETE Complete March 2014																	
Child Development Center	\$ 8,934,757	\$ 8,934,757	\$ 6,809,538	\$ 5,804,000	\$ 397	COMPLETE																	
Madrone Building Modernization	\$ 2,922,998	\$ 2,922,998	\$ 2,767,566	\$ 1,695,552	\$ 224	COMPLETE																	
Manzanita Building	\$ 9,593,158	\$ 9,593,158	\$ 7,185,000	\$ 6,000,000		COMPLETE Complete July 2015																	
Oakdale Educational Site	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	n/a	COMPLETE Complete TBD																	
Parking Lots	\$ 198,190	\$ 198,190	\$ 198,190	\$ 198,190	n/a	COMPLETE																	
Public Safety Center	\$ 2,145,553	\$ 2,145,553	\$ 1,668,952	\$ 1,502,423	\$ 255	COMPLETE																	
Science Natural Resources	\$ 17,900,000	\$ 17,900,000	\$ 13,002,549	\$ 11,481,608	\$ 341	COMPLETE																	
Secondary Access Road	\$ 520,163	\$ 520,163				COMPLETE																	
Sequoia Building	\$ 1,377,725	\$ 1,377,725	\$ 912,000	\$ 750,000		COMPLETE Complete March 2014																	
College Contingency	\$ 3,204,604	\$ 3,204,604																					
SUBTOTAL - Columbia College	\$ 52,495,000	\$ 52,495,000																					

YCCD Measure E Budgets and Schedules ⁽¹⁰⁾	Measure E Budget (1)	Total Budget (2)	Total Construction Budget (3)	Bid Day Budget/ Construction Contract (4)	Cost/ Square Foot	2011		2012		2013		2014		2015									
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
						Gantt chart showing project completion status across quarters from 2011 to 2015.																	
CENTRAL SERVICES						COMPLETE																	
Ag Temp Housing	\$ 65,877	\$ 65,877			n/a	COMPLETE																	
Art Building (8)	\$ 600,000	\$ 600,000			n/a	COMPLETE																	
Capital Outlay Debt Service	\$ 14,435,000	\$ 14,435,000																					
Central Services Buildings	\$ 14,900,000	\$ 14,900,000			tbd	Complete June 2015																	
Central Services Master Plan	\$ 82,500	\$ 82,500			n/a																		
DTSC	\$ 1,300,000	\$ 1,300,000			n/a																		
Primary Data Center	\$ 8,000,000	\$ 8,000,000			tbd	Complete August 2013																	
Scheduled Maintenance	\$ 10,000,000	\$ 10,000,000			n/a	Complete December 2012																	
Secondary Data Center	\$ 3,500,000	\$ 3,500,000			tbd	Complete December 2013																	
Technology Infrastructure	\$ 10,000,000	\$ 10,000,000			n/a	COMPLETE																	
Shipping and Receiving [new]	\$ 5,500,000	\$ 5,500,000	\$ 4,257,067	\$ 3,831,879	\$ 220	Complete September 2013																	
CC Facilities Operations Office	\$ 1,000,000	\$ 1,000,000	\$ 675,000	\$ 675,000	\$ 703	COMPLETE																	
Patterson Planning	\$ 1,093,484	\$ 1,093,484																					
Central Services Contingency (7)	\$ 3,092,139	\$ 3,092,139																					
SUBTOTAL - Central Services	\$ 73,569,000	\$ 73,569,000	(includes \$20M investment income)																				
Total Projects Budget	\$ 346,174,000	\$ 359,700,800																					
Original Measure E Bond	\$ 326,174,000																						
LEGEND	FOOTNOTES																						
Design/ Approvals/ Bidding/ Site Procurement	Cost Estimate		(1) Total project budget as adopted by the Board of Trustees (1/11/2012).																				
Construction	Value Engineering		(2) Total project funding available to the project, including any local, state and grant funding.																				
	Cost Estimate		(3) Includes Group II, change order contingency and moving costs.																				
			(4) Bid day target that includes current day projected costs plus any escalation.																				
			(5) Not used.																				
			(6) Design duration includes state FPP submittal and review period from July 08 to January 2009.																				
			(7) Contingencies include both colleges and Central Services.																				
			(8) Art Building funded by MJC and Central Services.																				
			(9) Previous expenditures.																				
			(10) Document amended per Board of Trustees approved Program Management Plan (5/11/11).																				
Kitchell CEM 11/21/2012																							

**YCCD Measure E Bond
Quarterly Expenditure Report
Fiscal Year 2012 - 2013**

Expenditure Report By College	Current Budget 8/9/12	Previous Fiscal Years (2004-2012) Expenditures	Current Fiscal Year (2012-2013) Expenditures	Total Expenditures as of 10/31/12	Encumbrances	Unencumbered Balance
Modesto Junior College¹						
17 Auditorium Renovation/Addition	\$ 19,566,199.54	\$ 19,566,199.54	\$ -	\$ 19,566,199.54	\$ -	\$ -
15c Ag-Modular Living Units	\$ 3,149,906.74	\$ 3,149,906.74	\$ -	\$ 3,149,906.74	\$ -	\$ -
15d Ag-Animal Facilities	\$ 2,017,277.69	\$ 2,017,277.69	\$ -	\$ 2,017,277.69	\$ -	\$ 0.00
15e **Ag-Multipurpose Pavilion	\$ 17,659,690.00	\$ 15,581,146.82	\$ 660,380.47	\$ 16,241,527.29	\$ 676,300.66	\$ 741,862.65
16 **Allied Health & Life Sciences Building	\$ 25,360,225.00	\$ 22,992,466.76	\$ 316,115.97	\$ 23,308,582.73	\$ 300,335.65	\$ 1,751,306.62
**ART Building (from Contingency)	\$ 579,379.00	\$ 579,379.00	\$ -	\$ 579,379.00	\$ -	\$ -
Campus Way Parking Lot	\$ 1,300,480.29	\$ 1,300,480.29	\$ -	\$ 1,300,480.29	\$ -	\$ (0.00)
8 **Founders Hall	\$ 12,065,000.00	\$ 11,733,799.44	\$ 1,490.00	\$ 11,735,289.44	\$ 4,397.29	\$ 325,313.27
22 High Technology Center	\$ 16,000,000.00	\$ 1,753,965.12	\$ 89,636.27	\$ 1,843,601.39	\$ 619,052.69	\$ 13,537,145.92
**Interim Housing	\$ 3,000,000.00	\$ 2,571,181.27	\$ 33,500.28	\$ 2,604,681.55	\$ 60,191.44	\$ 335,127.01
23 Library & Learning Resources Center	\$ 9,495,145.00	\$ 1,057,751.51	\$ 308,953.98	\$ 1,366,705.49	\$ 5,762,643.41	\$ 2,365,796.10
Loop Road	\$ 4,480,122.00	\$ 3,292,958.76	\$ 45,294.28	\$ 3,338,253.04	\$ 184,197.76	\$ 957,671.20
Utility Infrastructure	\$ 4,480,122.00	\$ 3,328,746.71	\$ 21,335.84	\$ 3,350,082.55	\$ 146,110.98	\$ 983,928.47
2 **Parking Structure/Lot	\$ 3,916,895.00	\$ 3,760,946.80	\$ 28,946.00	\$ 3,789,892.80	\$ 14,631.99	\$ 112,370.21
32 Patterson Educational Site	\$ 5,037,370.00	\$ 1,429,678.46	\$ 6,078.00	\$ 1,435,756.46	\$ 62,319.31	\$ 3,539,294.23
27a Science Community Center	\$ 70,000,000.00	\$ 45,065,611.14	\$ 4,562,210.04	\$ 49,627,821.18	\$ 6,838,432.88	\$ 13,533,745.94
28 Softball Complex	\$ 1,531,512.90	\$ 1,531,512.90	\$ -	\$ 1,531,512.90	\$ -	\$ -
Student Center/Career Transfer	\$ 450,000.00	\$ 110,932.47	\$ 11,287.69	\$ 122,220.16	\$ 117,810.88	\$ 209,968.96
14 Student Services Building	\$ 14,523,403.00	\$ 12,073,881.23	\$ 24,234.97	\$ 12,098,116.20	\$ 32,428.15	\$ 2,392,858.65
31 Turlock Educational Site	\$ 937,185.00	\$ 42,354.84	\$ 3,877.50	\$ 46,232.34	\$ 7,311.00	\$ 883,641.66
West Campus Parking Lot	\$ 850,000.00	\$ 91,557.36	\$ 307,668.47	\$ 399,225.83	\$ 445,041.68	\$ 5,732.49
College Contingency	\$ 3,710,086.84	\$ -	\$ -	\$ -	\$ -	\$ 3,710,086.84
SUBTOTAL	\$ 220,110,000.00	\$ 153,031,734.55	\$ 6,421,209.76	\$ 159,452,944.61	\$ 15,271,205.17	\$ 45,385,850.22
Columbia College³						
33 **Bike Lanes & Pedestrian paths	\$ 18,956.83	\$ 18,956.83	\$ -	\$ 18,956.83	\$ -	\$ -
34 Bus Service Loop/Disabled Parking Lot	\$ 678,895.49	\$ 678,895.49	\$ -	\$ 678,895.49	\$ -	\$ -
49 Calaveras Educational Site	\$ 4,000,000.00	\$ 1,229,980.71	\$ 770.00	\$ 1,230,750.71	\$ 192,234.84	\$ 2,577,014.45
42 **Child Development Center	\$ 8,934,757.00	\$ 8,898,565.38	\$ 3,703.47	\$ 8,902,268.85	\$ -	\$ 32,488.15
39 Madrone Building	\$ 2,922,998.07	\$ 2,922,998.07	\$ -	\$ 2,922,998.07	\$ -	\$ 0.00
40 Manzanita Building	\$ 9,593,158.00	\$ 140,496.24	\$ 46,211.87	\$ 186,708.11	\$ 648,095.21	\$ 8,758,354.68
52 Oakdale Educational Site	\$ 1,000,000.00	\$ 43,576.64	\$ -	\$ 43,576.64	\$ 1,750.00	\$ 954,673.36
35 Parking Lots	\$ 173,189.54	\$ 173,189.54	\$ -	\$ 173,189.54	\$ -	\$ -
36 Public Safety Center	\$ 2,105,553.18	\$ 2,105,553.18	\$ -	\$ 2,105,553.18	\$ -	\$ -
45 **Science & Natural Resources Building	\$ 17,900,000.00	\$ 17,390,514.70	\$ 108,892.61	\$ 17,499,407.31	\$ 70,561.54	\$ 330,031.15
37 Secondary Access Road	\$ 520,163.48	\$ 520,163.48	\$ -	\$ 520,163.48	\$ -	\$ -
Sequoia Modernization²	\$ 1,377,725.00	\$ 14,000.00	\$ 48,900.89	\$ 62,900.89	\$ 172,225.00	\$ 1,142,599.11
College Contingency	\$ 3,269,603.41	\$ -	\$ -	\$ -	\$ -	\$ 3,269,603.41
SUBTOTAL	\$ 52,495,000.00	\$ 34,136,890.26	\$ 208,478.84	\$ 34,345,369.10	\$ 1,084,866.59	\$ 17,064,764.31

**YCCD Measure E Bond
Quarterly Expenditure Report
Fiscal Year 2012 - 2013**

Expenditure Report By College	Current Budget 8/9/12	Previous Fiscal Years (2004-2012) Expenditures	Current Fiscal Year (2012-2013) Expenditures	Total Expenditures as of 10/31/12	Encumbrances	Unencumbered Balance
Central Services¹						
Aq-Trailers (from CS Contingency)	\$ 65,876.48	\$ 65,876.48	\$ -	\$ 65,876.48	\$ -	\$ (0.00)
*Art Building (from CS Contingency)	\$ 600,000.00	\$ 588,283.64	\$ 205.00	\$ 588,488.64	\$ 3,605.68	\$ 37,905.68
Capital Outlay Debt Service	\$ 14,435,000.00	\$ 14,435,000.00	\$ -	\$ 14,435,000.00	\$ -	\$ -
50 Central Services Buildings	\$ 14,900,000.00	\$ 169,766.63	\$ 35,032.62	\$ 204,799.25	\$ 250,759.50	\$ 14,444,441.25
Central Services Master Plan	\$ 82,500.00	\$ 82,500.00	\$ -	\$ 82,500.00	\$ -	\$ -
DTSC (from CS Contingency)	\$ 1,300,000.00	\$ 935,309.91	\$ 13,101.28	\$ 948,411.19	\$ 139,588.52	\$ 212,000.29
Primary Data Center (from CS Bldgs)	\$ 8,000,000.00	\$ 617,935.27	\$ 62,873.81	\$ 680,809.08	\$ 4,688,813.95	\$ 2,630,576.97
Scheduled Maintenance	\$ 10,000,000.00	\$ 10,000,000.00	\$ -	\$ 10,000,000.00	\$ -	\$ -
Secondary Data Center (from CS Bldgs)	\$ 3,500,000.00	\$ 428,176.96	\$ 31,293.94	\$ 459,470.90	\$ 206,456.88	\$ 2,834,072.22
Technology Infrastructure	\$ 10,000,000.00	\$ 9,336,837.04	\$ 53,267.15	\$ 9,390,104.19	\$ 44,555.00	\$ 565,340.81
Shipping and Receiving (from T, R, & FO)	\$ 5,500,000.00	\$ 504,819.14	\$ 415,066.31	\$ 919,885.45	\$ 2,845,579.22	\$ 1,734,535.33
**Logistics Center (from T, R, & FO)	\$ 1,000,000.00	\$ 766,999.83	\$ 136,971.71	\$ 903,971.54	\$ 42,765.91	\$ 55,262.55
Patterson Planning	\$ 1,093,484.00	\$ 855,409.00	\$ -	\$ 855,409.00	\$ 238,075.00	\$ -
51 Transportation, Receiving and Facilities Operations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transportation (from T, R, & FO)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Central Services Contingency	\$ 3,092,139.52	\$ -	\$ -	\$ -	\$ -	\$ 3,092,139.52
SUBTOTAL	\$ 73,569,000.00	\$ 38,756,913.90	\$ 747,611.82	\$ 39,504,625.72	\$ 8,460,193.66	\$ 25,604,274.62
General Fund Program Wide	\$ -	\$ -	\$ 136,893.30	\$ 136,893.30	\$ 1,283,849.87	\$ (1,420,743.17)
TOTAL PROJECT BUDGET	\$ 346,174,000.00	\$ 225,925,539.01	\$ 7,514,193.72	\$ 233,439,732.73	\$ 26,100,121.29	\$ 86,634,145.98

PROJECT CLOSED
 **Construction Complete
 *Board Approved revised budget at January 2012 meeting
 *New Project per CC FMP
 *Board Approved revised budget at August 2012 meeting

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

1. ☆ Purchase Orders

ATTACHMENTS

Yosemite Community College District

Purchase Order Report - October

REPORT DATE: 11/06/2012 at 10:07:51AM

REPORT OF RECOMMENDATION

To: Board of Trustees
From: Dr. Joan E. Smith, Chancellor - Board Secretary
Submitted By: Teresa Scott, Executive Vice Chancellor of Fiscal Services
Prepared By: Howard Coit, Purchasing Supervisor
Subject: Purchase Order Listing

Background: Detail of the 338 purchase orders and change orders issued during the period of 10/01/2012 through 10/31/2012 is on file in the District Purchasing Office for review.

There are two types of purchase orders listed, blanket purchase orders which begin with a 'B' and regular purchase orders which begin with a 'P'. Blanket purchase orders are used to establish an order which will be recurrent throughout a period of time, normally a fiscal year. Regular purchase orders are for individual vendor purchases that generally do not recur on a regular basis.

Attached is fund level detail for each purchase order that equals or exceeds \$10,000.

Recommendation: It is recommended that the following Purchase Orders, issued as needed to meet operational demands, be received:

Summary of Purchase Orders issued from
10/01/2012 through 10/31/2012

Fund	Amount
Gen Unrestricted	167,345.00
Gen Restricted	1,611,617.00
Capital Outlay Projects	21,496.00
General Obligation Bond	5,516,149.00
TOTAL	\$7,316,607.00

Yosemite Community College District

Purchase Orders > \$10,000 Report - October

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Gen Unrestricted:			
B0024912	A Marilyn Kaplan	Legal Services - Vice Chancellor Human Resources (CO)	60,000.00
B0025681	C Thyssenkrupp Elevator Corp	Elevator Maintenance And Inspection Services At MJC And CC - Facilities Planning (CO)	1,124.00
B0025709	A Mello Truck Repair Co Inc	Repower Of YCCD Bus #1503 - Transportation (CO)	216.00
B0025847	C Dowden Associates Inc	Consulting Services, Title III Strengthening Institutions Grant - President	27,900.00
B0025860	A SirsiDynix Technology Center	Maintenance Services (1 YR) - Library	9,760.00
B0025860	B SirsiDynix Technology Center	Maintenance Services (1 YR) - Library	9,240.00
			<hr/> <u>\$108,239.00</u>
Gen Restricted:			
B0024914	C Airgas	Materials And Supplies - Technical Education (CO)	5,000.00
B0024969	B Office Depot Business Services	Supplies - Technology Services (CO)	3,000.00
B0025840	B PureSense	Irrigation Equipment - Agriculture	28,274.00
B0025848	B H G Makelim Co	Engines (8 EA) - Agriculture	22,501.00
B0025860	C SirsiDynix Technology Center	Maintenance Services (1 YR) - Library	9,000.00
B0025879	B Carpets Unlimited	Carpet And Vinyl Installation In The Me-Wuk Child Development Center - Family And Consumer Science	12,419.00

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
B0025886	A Los Rios Community College District	CIP Regional Coordinator (9 MO) - CDTC	18,074.00
B0025890	A Fresno City College	CIP Regional Coordinator (9 MO) - CDTC	27,118.00
B0025891	A Los Rios Community College District	CIP Regional Coordinator (9 MO) - CDTC	18,074.00
B0025892	A El Camino College	CIP Regional Coordinator (9 MO) - CDTC	19,651.00
B0025905	B RSC Applied Research	Provide Research Services For Water Environmental Scan Report (8 MO) - Center Of Excellence	25,000.00
B0025927	A Peggy Velasco	Class Observation Services (9 MO) - CDTC	71,000.00
B0025928	A Great Beginnings Early Care	Class Observation Services (9 MO) - CDTC	71,000.00
B0025929	A Laura Earley	Class Observation Services (9 MO) - CDTC	71,000.00
B0025930	A Martha Martinez	Class Observation Services (9 MO) - CDTC	71,000.00
B0025931	A Angela Ramirez	Class Observation Services (9 MO) - CDTC	71,000.00
B0025932	A Betty Rappaport	Class Observation Services (9 MO) - CDTC	71,000.00
B0025933	A Edna Rodriggs	Class Observation Services (9 MO) - CDTC	71,000.00
B0025934	A Pamela Salgado	Class Observation Services (9 MO) - CDTC	71,000.00
B0025935	A Danielle Singley	Class Observation Services (9 MO) - CDTC	71,000.00
B0025936	A Monique Villagran	Class Observation Services (9 MO) - CDTC	71,000.00
B0025937	A Jerilyn White	Class Observation Services (9 MO) - CDTC	71,000.00
B0025938	A Deborah Whitmer	Class Observation Services (9 MO) - CDTC	71,000.00
B0025973	A Los Rios Community College District	Curriculum Alignment Project Expansion (10 MO) - CDTC	18,074.00
B0025990	A Regents of the Univ of Calif	Subcontractor To Operate The Open Doors To College Project And Provide Support To The College To Career Sites (1 YR) - DSPTS/PADS	99,990.00
B0025997	A Rene Dahl	Consultant To Support The Development And Implementation Of The WebBased Application CIP Mapping Tool (9 MO) - CDTC	16,000.00

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
B0026010	A The Results Group	Subcontractor To Develop An Action Plan Resulting From The Other Disabilities Study With The Field And Chancellor's Office (8 MO) - DSPS/PADS	17,880.00
B0026025	A Cerritos College	Instructional Units - CDTC	21,250.00
B0026026	A Citrus College	Instructional Units - CDTC	25,000.00
B0026029	A East Los Angeles College	Instructional Units - CDTC	10,000.00
B0026031	A Long Beach City College	Instructional Units - CDTC	16,250.00
B0026032	A Los Angeles Southwest College	Instructional Units - CDTC	15,000.00
B0026034	A Mt San Antonio College	Instructional Units - CDTC	10,000.00
B0026035	A West Hills Comm College Dist	Instructional Units - CDTC	16,250.00
B0026039	A West Valley College	Instructional Units - CDTC	10,000.00
			\$1,315,803.00

Capital Outlay Projects:

B0025980	C Kleinfelder Inc	Geotechnical Services For The Receiving Building Project At MJC West Campus - Facilities Planning	12,000.00
			\$12,000.00

General Obligation Bond:

B0007625	B Petrulakis Law & Advocacy, APC	Legal Services For The Patterson And Calaveras Land Aquisitions - Facilities Planning (CO)	10,000.00
B0009850	A Krazan & Associates Inc	California Environmental Quality Act Services For The YCCD Measure E Bond Projects - Facilities Planning (CO)	22,245.00
B0012622	B Lionakis-Beaumont Design Group	Architectural Services For The Science Community Center Building Project At MJC West Campus - Facilities Planning (CO)	69,230.00

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
B0014569	B TBP Architecture	Design Services For The Utility Systems Infrastructure Project At MJC West Campus - Facilities Planning (CO)	32,300.00
B0014923	B ARC	Planwell For The Library Renovation Project At MJC East Campus - Facilities Planning (CO)	1,000.00
B0019752	B Brown Construction Inc	Materials, Labor And Equipment For The Science Community Center Building Project At MJC West Campus - Facilities Planning (CO)	84,224.00
B0019942	B Bank of Sacramento	Escrow Account For The Science Community Center Building Project At MJC West Campus - Facilities Planning (CO)	9,358.00
B0020881	A Architectural Nexus	Architectural Services For The Facilities Maintenance Office Modular Project At CC - Facilities Planning (CO)	7,440.00
B0021825	B Goodland Landscape	Materials, Labor And Equipment For The Infrastructure Increment II Project At MJC West Campus - Facilities Planning (CO)	17,705.00
B0024758	B Dryco Construction Inc	Materials, Labor And Equipment For The Ag Pavilion Parking Lot Improvement Project At MJC West Campus - Facilities Planning (CO)	49,603.00
B0024907	B Sinclair General Engineering	Materials, Labor And Equipment For The Parking Lot Project At MJC West Campus - Facilities Planning (CO)	15,928.00
B0024920	B Oceanside Photo & Telescope	Astronomy Equipment For The Science Community Center Building - Facilities Planning (CO)	5,042.00
B0025611	B Corovan Moving & Storage Co.	Moving Services For The Library Renovation Project At MJC East Campus - Facilities Planning (CO)	17,552.00
B0025866	B STERIS Corporation	Steam Sterilizer For The Science Community Center Building - Facilities Planning	75,333.00
B0025874	B Nexus IS Inc	Teleconference Equipment And Warranty For Glacier Hall - Facilities Planning	48,195.00

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
B0025877	B ACME Construction Co	Materials, Labor And Equipment For The Library Renovation Project At MJC East Campus - Facilities Planning	4,364,300.00
B0025882	B Corovan Moving & Storage Co.	Moving Services For The Science Community Center Building Project At MJC West Campus - Facilities Planning	136,409.00
B0025901	B Kleinfelder Inc	Materials Testing And Observation Services For The Library Renovation Project At MJC East Campus - Facilities Planning	30,000.00
B0025907	B Beckman Coulter Inc	Centrifuge For The Science Community Center Building - Facilities Planning	45,288.00
B0025940	A Associated Engineering Group	Consulting Services For Pavement Evaluation Of Existing Areas Of Traffic-Rated Roadways And Pedestrian Walkways At CC - Facilities Planning	28,480.00
B0025951	B Bank of Sacramento	Escrow Account For The Library Renovation Project At MJC East Campus - Facilities Planning	229,700.00
B0025975	B Vision Engraving Systems	Engraver, Accessories, Installation And Training - Facilities Planning	18,133.00
B0026004	C Lawson Mechanical Contractors	Materials, Labor And Equipment For Installation Of Exhaust Hood To Existing Fume Hood Duct System In The Science Natural Resource Building At CC - Facilities Planning	38,825.00
P0013554	B Dell Computer Corporation	Computer, Notebook (29 EA) For Science Community Center Building - Facilities Planning	29,551.00
P0013583	B CompView Inc	LCD Projector (27 EA) For Science Community Center Building - Facilities Planning	58,904.00
P0013584	B AVI-SPL Intergrated Solutions	Document Camera (27 EA) For Science Community Center Building - Facilities Planning	19,279.00
			\$5,464,025.00

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

<u>PO Number</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
		Total PO >= \$10.000	<u>\$6,900,067.00</u>
		Percentage of total P.O. dollars for October 2012	94%

Legend:

- A Yosemite Community College District
- B Modesto Junior College
- C Columbia College

II. ACTION ITEMS

C. Consent Agenda, Sabbatical Leave Reports

2. ☆ Sabbatical Leave Request 2013-2014

ATTACHMENTS

RESOLUTION

RESOLUTION NO. 12-13/05

WHEREAS the Education Code of the State of California, Section 87770, provides compensation may be paid to an employee while on leave of absence, in the same manner as if the employee were teaching in the District, and

WHEREAS to receive such compensation it shall be necessary that the employee submit to the Board of Trustees suitable bond indemnifying the Governing Board of the District against loss in the event that the employee fails to render at least a period of service equal to twice the period of the leave in the employ of the Governing Board following the return of the employee from leave of absence, or that s/he file with the Governing Board a written Agreement to return to the service of the District and to render service for a period equal to twice the period of the leave following return from the leave, and

WHEREAS _____ has filed with this Governing Board such written agreement agreeing to return to service in the Yosemite Community College District,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Yosemite Community College District finds that the interest of the District is protected by the written agreement of _____ to return to service in the Yosemite Community College District and to render service for a period equal to twice the period of the leave, following his/her return from sabbatical leave.

STATE OF CALIFORNIA)
) ss
COUNTY OF STANISLAUS)

I, Joan E. Smith, Secretary of the Board of Trustees of the Yosemite Community College District, do hereby certify that the above is a full, true and correct copy of a resolution passed by said Board at the regular meeting of the Yosemite Community College District Board of Trustees held **December 12, 2012** by the following vote:

- AYES:
- NAYES:
- ABSENT:

Joan E. Smith, Ed.D.
Secretary of the Board of Trustees
Yosemite Community College District

II. ACTION ITEMS

E. Discussion Items

2. ☆Tuolumne Public Power Agency (TPPA) Joint Powers Agreement Resolution

ATTACHMENTS

Governing Board for
Yosemite Community College District (YCCD)

State of California

**Resolution Approving Tuolumne Public Power Agency (TPPA)
Joint Powers Agreement Amendments**

WHEREAS, Member Agencies entered into the original Joint Powers Agreement (Original Agreement) on May 19, 1982; and

WHEREAS, In accordance with the TPPA Governing Board directives issued in July 2012, the Agency is to pursue full utilization of the Flood Control Act of 1962 (New Melones power) entitlement. Tuolumne County is entitled to power based upon a 20 year rolling average of generation at New Melones, which is shared with Sierra Conservation Center. Accounting for load growth of existing Member Agencies over the next two decades, there is unutilized New Melones power entitlement available for use by a broadened scope of members, and customers of TPPA. Subject to the consumption rights and preferences specified in Section III(C), the Governing Board shall seek to maximize the County's utilization of its New Melones entitlement through any means consistent with applicable federal, state and local laws; and

WHEREAS, This Member Agency desires to amend and restate the Original Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Yosemite Community College District, that this Member Agency hereby accepts the terms and conditions of the attached Amended and Restated TPPA Joint Powers Agreement; and

LET IT FURTHER BE RESOLVED that the YCCD Board of Trustees authorizes the signing of the attached Amended and Restated Joint Powers Agreement effective upon the approval by Resolution of two-thirds of all existing Member Agencies which currently consume at least two-thirds of TPPA's power, thereby authorizing continued membership in TPPA.

ON A MOTION by Trustee _____, seconded by Trustee _____, the foregoing Resolution was duly passed and adopted by the Governing Board of the Yosemite Community College District, this 12th day of December 2012 by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

Signature: _____

Chair (Print Name), _____
of the Governing Board **Date**

Attest

II. ACTION ITEMS

E. Discussion Items

3. ☆ Resolution of Intent to Dedicate

ATTACHMENTS

Yosemite Community College District

RESOLUTION NO. 12-13/07

DEDICATION OF EASEMENT

Whereas, the California Limited Liability Company (CVIN) has requested that the Yosemite Community College District dedicate an easement over certain property for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system more specifically described in Exhibits A & B located at the Columbia College Campus.

Whereas, Education Code section 81310 authorizes the Governing Board of the District to make such dedication after a properly noticed public hearing, if approved by a two-thirds vote;

Whereas, a public hearing on the question of such dedication will be held on December 12, 2012.

Therefore, Be It Resolved, this Board intends to adopt a resolution dedicating the easement described in the Grant of Easement on Exhibits A & B to the California Limited Liability Company (CVIN) for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system and authorizes the Chancellor to execute the Grant of Easement and deliver it to the California Limited Liability Company (CVIN).

Passed and Adopted by the Governing Board of Yosemite Community College District at its meeting held on December 12, 2012 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing was passed and adopted by the Board at a regularly called and conducted meeting held on said date, a copy of which is on file in the office of said board.

Clerk of the Governing Board

II. ACTION ITEMS

E. Discussion Items

4. ☆ Resolution of Intent to Dedicate

ATTACHMENTS

RESOLUTION NO. 12-13/08

DEDICATION OF EASEMENT

Whereas, the California Limited Liability Company (CVIN) has requested that the Yosemite Community College District dedicate an easement over certain property for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system more specifically described in Exhibits A & B located at the Modesto Junior College East Campus.

Whereas, Education Code section 81310 authorizes the Governing Board of the District to make such dedication after a properly noticed public hearing, if approved by a two-thirds vote;

Whereas, a public hearing on the question of such dedication will be held on December 12, 2012.

Therefore, Be It Resolved, this Board intends to adopt a resolution dedicating the easement described in the Grant of Easement on Exhibits A & B to the California Limited Liability Company (CVIN) for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system and authorizes the Chancellor to execute the Grant of Easement and deliver it to the California Limited Liability Company (CVIN).

Passed and Adopted by the Governing Board of Yosemite Community College District at its meeting held on December 12, 2012 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing was passed and adopted by the Board at a regularly called and conducted meeting held on said date, a copy of which is on file in the office of said board.

Clerk of the Governing Board

II. ACTION ITEMS

E. Discussion Items

5. ☆ Resolution of Intent to Dedicate

ATTACHMENTS

Yosemite Community College District

RESOLUTION NO. 12-13/09

DEDICATION OF EASEMENT

Whereas, the California Limited Liability Company (CVIN) has requested that the Yosemite Community College District dedicate an easement over certain property for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system more specifically described in Exhibits A & B located at the Modesto Junior College West Campus.

Whereas, Education Code section 81310 authorizes the Governing Board of the District to make such dedication after a properly noticed public hearing, if approved by a two-thirds vote;

Whereas, a public hearing on the question of such dedication will be held on December 12, 2012.

Therefore, Be It Resolved, this Board intends to adopt a resolution dedicating the easement described in the Grant of Easement on Exhibits A & B to the California Limited Liability Company (CVIN) for the purposes of installation, repair, and maintenance of underground conduit and fiber cable for telecommunications facilities and equipment for a multi-county transmission system and authorizes the Chancellor to execute the Grant of Easement and deliver it to the California Limited Liability Company (CVIN).

Passed and Adopted by the Governing Board of Yosemite Community College District at its meeting held on December 12, 2012 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing was passed and adopted by the Board at a regularly called and conducted meeting held on said date, a copy of which is on file in the office of said board.

Clerk of the Governing Board

II. ACTION ITEMS

E. Discussion Items

6. ☆ Board Policy – 1st Reading

ATTACHMENTS

Policy Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
Procedure Change	<input type="checkbox"/>	District Council	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	Board 1 st Reading	<input checked="" type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strikethrough=~~ delete language

Comments:

Update to reflect 7 trustee areas.

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Policy

2010 Board Membership

The Yosemite Community College District Board of Trustees shall consist of seven (7) members elected from ~~five (5)~~ **seven (7)** Trustee areas in the District. Members shall be elected as defined in Board Policy 2100 or appointed as defined in Board Policy 2110.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

An employee of the District may not be sworn into office as an elected or appointed member of the governing board unless he or she resigns as an employee.

No member of the governing board shall, during the term for which he or she is elected, hold an incompatible office.

References:

Education Code Sections [72023](#), [72103](#); [72104](#)

Adopted: May 7, 2002

Policy Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
Procedure Change	<input type="checkbox"/>	District Council	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	Board 1 st Reading	<input checked="" type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>

KEY:
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~~strikethrough=~~ delete language

Comments:

Edit to reflect the newly adopted YCCD trustee areas. Added hyperlink to maps.



Policy

2100 Board Elections

The term of office of each Trustee shall be four (4) years, commencing on the first Board meeting in December, following the November election. Elections shall be held every two years, in even numbered years in accordance with the Education Code and the State Elections Code. Terms of Trustees are staggered so that, as nearly as practical, one half of the Trustees shall be elected at each Trustee election.

In the event of a tie vote among two or more candidates for the governing board, the Board of Trustees hereby determines the method of deciding the winner to be by random drawing. The Board shall notify the candidates who have received the tie votes to appear before it either personally or by a representative at a time and place designated by the Board. The Board shall at that time and place determine the winner by random drawing.

The Board of Trustees has provided for the election of Trustees by Trustee areas. The election of a Board member residing in and registered to vote in the Trustee area he or she seeks to represent shall be only by the registered voters of the same Trustee areas. A detailed map and area description of each Trustee area are attached. **YCCD Trustee Area maps can be viewed at:** <http://www.yosemite.edu/Trustees/map.htm>.

Effective July 1, 2002 **2012** the Trustee areas are as follows:

- Area 1 District area comprised of Calaveras County, Tuolumne County, ~~and eastern portion of Stanislaus County,~~ **and a portion of eastern San Joaquin County**
- Area 2 District area comprised of northeastern portion of Stanislaus County (including the Cities of Oakdale, Riverbank, and Waterford) ~~and eastern San Joaquin County~~
- Area 3 District area comprised of southern portion of Stanislaus County (including the Cities of Turlock and Hughson) and northeastern portion of Merced County

- 1 Area 4 District area comprised of western portion of Stanislaus County (including the
2 Cities of Patterson and Newman, and a portion of the Cities of Ceres and
3 Modesto), Santa Clara County, and northwestern portion of Merced County
4 (including the City of Gustine)
5
- 6 Area 5 District area comprised of north-central portion of Stanislaus County (including
7 a majority of the Cities of Ceres and **Salida and a northwest portion of the City**
8 **of Modesto**) and south-central portion of San Joaquin County (**Ripon**)
9
- 10 Area 6 **District area comprised of central portion of Stanislaus County (including a**
11 **Central portion of the City of Modesto)**
12
- 13
- 14 Area 7 **District area comprised of central portion of Stanislaus County (including a**
15 **majority of the City of Ceres and the southwest portion of the City of**
16 **Modesto)**
17

18 The District is obligated by state law to adjust the boundaries of Trustee areas after each decennial
19 census in districts where Trustee areas have been established and in which each Trustee is elected by
20 the residents of the area.
21

22 The Chancellor shall submit recommendations to the Board regarding adjustments to be made
23 to the boundaries of each Trustee area, if any adjustment is necessary, after each decennial
24 federal census. The Chancellor shall submit the recommendation in time for the Board to act as
25 required by law.
26

27 Candidates who run for the office of Trustee of the Yosemite Community College District shall
28 cover the cost of printing, handling, and mailing candidates a statement of qualifications, if so
29 desired, and are responsible for submitting such statements to required officials.
30

31 **References:**

32 Education Code Sections [5000 et seq.](#), [72022](#), Education Code Section [5019.5](#)
33

34 **Adopted:** May 7, 2002

Policy Change	<input type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
Procedure Change	<input type="checkbox"/>	District Council	<input checked="" type="checkbox"/>
New Policy	<input checked="" type="checkbox"/>	Board 1 st Reading	<input checked="" type="checkbox"/>
New Procedure	<input checked="" type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strikethrough~~= delete language

Comments:

Legally required... recommendation to create separate policy addressing "animals on campus."

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NEW POLICY and PROCEDURE



Policy

3440 Service Animals/Therapy Animals

In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law.

Therapy animals are not permitted on campus without the written permission of the Chancellor or his/her designee.

References:

The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.; 28 Code of Federal Regulations Part 35; 28 Code of Federal Regulations Part 36; 34 Code of Federal Regulations Part 104.44(b)

Administrative Procedure

3440 Service Animals/Therapy Animals

The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law.

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

The District will allow an individual with a disability to be accompanied by his/her service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.

These procedures shall also be applicable to an individual who is training a service animal.

Service Animal Defined

A "service animal" for purposes of this procedure means any dog (or miniature horse, as provided herein) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Additional clarification on service animal definitions are found in the U.S. Department of Justice, Civil Rights Division, Disability Rights Section of ADA requirements as revised.

Therapy Animal Defined

Therapy animals are defined as animals trained to provide affection and comfort to people in hospitals, retirement homes, nursing homes, schools, people with learning difficulties, and stressful situations, such as disaster areas.

Therapy animals are not permitted on campus without the written permission of the Chancellor or his/her designee.

Exceptions

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

1 If a service animal is excluded under one of these exceptions, the District will give the individual with a
2 disability the opportunity to obtain goods, services, and accommodations or to participate in the service,
3 program, or activity without having the service animal on the premises.
4

5 **Assessment Factors for Miniature Horses**

6 The District shall consider the following factors:

- 7 • The type, size, and weight of the miniature horse and whether the facility can accommodate
8 these features;
- 9 • Whether the handler has sufficient control of the miniature horse;
- 10 • Whether the miniature horse is housebroken; and
- 11 • Whether the miniature horse's presence in a specific facility compromises legitimate safety
12 requirements that are necessary for safe operation.

13 **Control**

14 The service animal must have a harness, leash, or other tether, unless either the handler is unable
15 because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other
16 tether would interfere with the service animal's safe, effective performance of work or tasks, in which
17 case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or
18 other effective means).
19
20

21 **Care or Supervision**

22 The District is not responsible for the care or supervision of the animal.
23

24 **Inquiries by the District**

25 The District may make two inquiries to determine whether an animal qualifies as a service animal:

- 26 • Whether the animal is required because of a disability; and
- 27 • What work or task the animal has been trained to perform.

28
29 The District will not make either of these inquiries when it is readily apparent that an animal is trained to
30 do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an
31 individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with
32 stability or balance to an individual with an observable mobility disability).
33

34 An individual may choose to produce a county service dog license or identification tag as proof that the
35 animal is a service animal. Licensure or certification is not required in order to meet the definition of
36 service animal under this procedure. There are no licensing or certification requirements for miniature
37 horses.
38

39 The handler shall be responsible for ensuring the animal's vaccinations and inoculations are current.
40

41 **No Surcharge**

42 The District will not ask or require an individual with a disability to pay a surcharge, even if people
43 accompanied by pets are required to pay fees, or to comply with other requirements generally not
44 applicable to people without pets. If the District normally charges individuals for damage caused by
45 pets, an individual with a disability may be charged for damages caused by his or her service animal.
46

47 **References:**

48 Civil Code Sections 54 et seq.; Penal Code Section 365.5; The Americans with Disabilities Act of 1990 --
49 42 United States Code Sections 12101 et seq.; 28 Code of Federal Regulations Part 35; 28 Code of
50 Federal Regulations Part 36; 34 Code of Federal Regulations Part 104.44(b)

Policy Change	<input type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
Procedure Change	<input type="checkbox"/>	District Council	<input checked="" type="checkbox"/>
New Policy	<input checked="" type="checkbox"/>	Board 1 st Reading	<input checked="" type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>

KEY:
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~~strikethrough=~~ delete language

Comments:

New policy to match CCLC #

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Policy

7140 Collective Bargaining

Under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law.

References:

Government Code Sections 3540 et seq.