

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED EIGHTIETH REGULAR MEETING
FEBRUARY 9, 2005

3:30 P.M. - Open Session - Call meeting to order in the YCCD Board Room; adjourn to closed session in YCCD Conference Room B

CLOSED SESSION AGENDA:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointment
Chancellor Search Update
Executive Vice Chancellor of Fiscal Services Contract
 2. Pursuant to G. C. Section 54956.9(a) - Litigation
Case: Lyon v. YCCD
Case: Grievance Appeal Hearing
 3. Pursuant to G. C. Section 54956.9(b)
Significant Exposure to Litigation: Two Cases
 4. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiations
District Representatives: J. Williams, T. Scott, D. Wirth, G. Railey
Employee Organizations: CSEA, YFA

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

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

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

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

Pledge of Allegiance to the Flag

Report out from Closed Session (if any)

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of January 12, 2005.

I. REPORTS AND INFORMATION ITEMS

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

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

1. Author Highlights Black History Month

Author Sylvia Roberts will take a look at African Americans in the Gold Rush through her presentation, "Mining for Freedom" on February 24 at 7:00 p.m. in the Dogwood Forum. Coordinated by the Associated Students Columbia College (ASCC), Roberts will highlight Black History Month at Columbia College. In addition, an African American exhibit in the Manzanita Rotunda will feature a music display, historical photos, rare books, biographical posters and a film on the underground railroad.

2. Women's History Month Celebrated in March

Associated Students Columbia College (ASCC) plans are underway to recognize March as Women's History Month at Columbia College. Photos, posters and poetry depicting prominent women in history will be on display at Columbia College in the Manzanita Rotunda, starting on March 1.

3. MJC Management Training Opportunity

Modesto Junior College is offering a management training day at the NASA Challenger Learning Center on Thursday, February 10. Participants will earn a ½ unit of college credit for the class, *Decision Making and Problem Solving Mgmt 50G*. In conjunction with the Challenger Learning Center Mission, simulator participants will be exposed to active training utilizing the experiential model. Team building, communication and problem solving areas will be covered during the "mission" exercise. Up to 35 MJC managers will participate in this professional development exercise.

4. MJC to Host Annual African American Education Conference

Modesto Junior College will host the 17th Annual African American Education Conference & Teen Summit on Saturday, February 12, from 8:00 a.m. to 5:00 p.m., on MJC's East Campus. The free conference is aimed at inspiring youth of all backgrounds, ages 12-19, to pursue a college education. The keynote speaker will be local businessman Emerson Johnson speaking on "Self Determination." A variety of workshop topics will include "Preparing for College," "Developing Good Study Skills," "Financial Aid," "Attending a Historically Black College" and "Where the Real Bling Bling Is." A special Parents' Workshop will be held 11:00 a.m. to 2:00 p.m. on "How to Prepare Students for ACT/SAT Test & College Prep Courses." A complimentary continental breakfast and lunch will be provided for all registered participants. Pre-registration is requested and registration forms are available in activity offices at high schools in the Modesto City School District, online at www.mjc.edu and by calling 575-6700.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

5. MJC Mediator Skills Training Workshop

Modesto Junior College has scheduled a communication, conflict resolution and mediation skills course for managers and staff members on February 23-25, 1:00 to 5:00 p.m. This 12-hour course, lead by the Mediation Center of San Joaquin County, is designed to give participants a basic knowledge of the mediation process of solving disputes using a neutral third party through lecture presentation, role playing and group discussion. Approximately 20 MJC employees will participate, with CSEA and YFA each selecting six participants and the remainder coming from the MJC leadership team.

6. CCLC Legislative Conference

On January 30-31, the Community College League of California held its annual Legislative Conference. Representatives from YCCD attended to receive the latest information regarding proposed legislation, the Governor's budget proposal, and to discuss issues that directly affect YCCD with our local representatives. Six trustees, the MJC Interim President, the YCCD Interim Chancellor, and the Director of External Affairs met with YCCD's six area legislators and/or their representatives (Senators Jeff Denham, Chuck Poochigian, Dave Cox; and Assemblymembers Dave Cogdill, Greg Aghazarian, and Barbara Matthews). Trustees will comment on their observations.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. CampusWorks and Datatel Update

Datatel, CampusWorks and YCCD IT staff members will give the Board of Trustees a brief progress report on efforts to solve our software problems.

2. State Budget Update

The Governor released the 2005-2006 proposed State Budget on January 10, 2005. On January 13, 2005, the Association of California Community College Administrators held a workshop on the Governor's proposed budget with a focus on the budget's impact for community colleges. The primary factors affecting community colleges favorably include 3% growth, 3.93% COLA, backfill to the Partnership for Excellence funding reduction, and no student fee increase. A proposed 2% increase to the STRS employer contribution will impact community colleges negatively. The increased cost to cover the 2% increase is estimated to be approximately \$40 million statewide. Also, the Governor did not include equalization funding in his proposal. The District received \$975,000 in equalization funding this year.

Despite the state's ongoing budget challenges and a \$2.3 billion cut to Proposition 98, the budget shows the commitment of the Governor to provide access to community colleges.

3. Ag Pavilion Learning Center Project

The Ag Center Foundation is designing a high-tech interactive science center dedicated to educating school children and urban visitors about the science and technology of California agriculture. The Foundation is currently exploring partnership opportunities with Modesto Junior College. MJC provides important project success factors: freeway visibility, accessibility, and opportunity for exposure to a variety of students, parents and visitors. Also, the availability of livestock is very important to enable Ag Pavilion visitors to be introduced to the breadth of the agricultural industry and create memorable experiences for students and children. The Ag Center Foundation would like the YCCD Board of Trustees to consider continuing discussions regarding the possibility of the Ag Pavilion Learning Center being located on MJC's West Campus and working in cooperation with the MJC Agriculture Department.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from December 1, 2004 through December 31, 2004.

2. Acceptance of Gifts

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

- a. 290 bales of pasture grass from Bud Fisher to be used for the Animal Science Program at Modesto Junior College.
- b. Video camera and underwater housing from Joel Tuttle to be used in the TV/Film Department at Modesto Junior College.
- c. Donation of \$160 from Suzanne Forrest to be used to pay a harpist for the November 22 and 23, 2005 rehearsal and concert for the Music Department at Modesto Junior College.
- d. 100 pounds of garnet abrasive blasting material from Edwards Heat Treating Service to be used in the Machine Tool Technology program at Modesto Junior College.
- e. Pregnancy check services from John Openshaw to be used in the Sheep Unit – Animal Science Program in the Ag and Environmental Sciences & Technical Education Division at Modesto Junior College.
- f. Donation of \$150 from Lou Barton to be used to assist in the purchase of new instruments and in improvements in the band room at Modesto Junior College.
- g. Pick up, elevator setup, hulling and field hauling services for 26,980 pounds of walnuts from Alan Cover to be used in the Beckwith Instructional Lab in the Ag and Environmental Sciences & Technical Education Division at Modesto Junior College.
- h. Ten (10) Huntsman welding helmets, 15 sets of heavy welding gloves and 15 sets of light welding gloves from Modesto Steel to be used in the Ag and Environmental Sciences & Technical Education Division at Modesto Junior College.

II. ACTION ITEMS

A. Consent Agenda

2. Acceptance of Gifts

- i. Source 1 Altamont Plastics, a plexiglass display box to be used in the biology program at Columbia College.
- j. Donation of \$50 from Gina Wells to purchase supplies in the biology program at Columbia College.
- k. Donation of \$1,000 from David Dillabo to be used for the Livestock Judging Team in the Ag & Environmental Sciences Division at Modesto Junior College.
- l. Donation of \$500 from Mr. & Mrs. Ray Rodgers to be used for the Dairy Judging Team in the Ag & Environmental Sciences Division at Modesto Junior College.

3. Notice of Completion of Contract

The contract for the Domestic Water Valve Additions at Columbia College, Bid #05-1546, in the amount of \$25,708.14, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Land Technology, Inc., on the Domestic Water Valve Additions at Columbia College, Bid #05-1546, as having been completed in accordance with the plans and specifications, and authorize final payment of \$2,570.82 to be made.

4. Nonresident Tuition Fee

The Board of Trustees is required to establish annually a nonresident student tuition fee for the succeeding year. The 2004-2005 nonresident student tuition fee is \$149. The 2005-2006 nonresident student tuition fee must be at or between the statewide average expense per unit and the Yosemite Community College District's expense per unit. Historically, the Board has adopted the statewide average rate for the following reasons: 1) The District rate is usually more than the statewide average rate, and 2) our neighboring districts normally charge the statewide average.

RECOMMENDATION: That the Board of Trustees adopt a 2005-2006 nonresident student tuition fee of \$151, consistent with the statewide average.

II. ACTION ITEMS

A. Consent Agenda

5. ☆Project Applications/Amendments

RECOMMENDATION: That the Board of Trustees authorize the Yosemite Community College District to submit the following project applications/amendments and to enter into a contract with the appropriate donor agencies when the projects are selected for funding:

- a. Child 25 Infant/Toddler Caregiver Training - CC
Submitted to Human Resources Council
Calaveras Headstart/State Preschool
Agency share: \$7,425; Proposer share: \$0
- b. Temporary Assistance for Needy Families
(TANF) Careers in Child Development - MJC
Submitted to Foundation for California
Community Colleges
Agency share: \$49,585; Proposer share: \$0
- c. Tech Prep Local Networks and Collaboratives
Project - MJC
Submitted to California Department of Education
Agency share: \$196,618; Proposer share: \$0

6. Notice of Non-Renewal of Contract – Classified Management

RECOMMENDATION: That the Board of Trustees approve the non-renewal of the classified management contract for System Programming Manager, Yosemite Community College District.

II. ACTION ITEMS

B. Personnel Items

1. Retirement - Classified Management

RECOMMENDATION: That the Board of Trustees accept the retirement of **Alice Noriega**, Director of Benefits, Yosemite Community College District, effective February 4, 2005 and officially commend her for over 20 years of valuable service to the District.

2. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Tawn Angela LaBarbera** to the position of Research Analyst, Educational Services, Yosemite Community College District, effective January 24, 2005.

3. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of **Elaine Thornton** to Support Staff III, Counseling, Modesto Junior College, effective February 10, 2005, contingent upon funding.

4. Promotional Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the promotional appointment of **Sandy Stretch** to Foundation Group Coordinator, MJC Foundation, Modesto Junior College, effective February 1, 2005.

5. Appointment - Educational Administrator, Amended

RECOMMENDATION: That the Board of Trustees approve the appointment of **Carolyn Buck** to the position of Dean of Learning Support Services, Columbia College, effective February 22, 2005 rather than February 1, 2005, as previously approved.

6. Interim Appointment - Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the administrative appointment (interim) of **John Zamora** to the position of Dean, Business, Behavioral and Social Sciences, Modesto Junior College, effective January 18, 2005, not to exceed one year.

II. ACTION ITEMS

B. Personnel Items

7. Lateral Transfer - Academic

RECOMMENDATION: That the Board of Trustees approve the lateral transfer of **Rick Rivera**, Counselor, from Instructor of English, Modesto Junior College, to Instructor of English, Columbia College effective Fall 2005.

8. Lateral Transfer - Academic

RECOMMENDATION: That the Board of Trustees approve the lateral transfer of **Eric Ivory**, Counselor, from EOP&S Counselor to General Counselor, Counseling, Modesto Junior College, effective with the 2005/2006 academic year.

9. Temporary Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Todd McClintock**, Art Instructor, Arts, Humanities & Communications, Modesto Junior College, from 60% to 90% effective January 10, 2005 through April 29, 2005.

10. Temporary Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Carole Cameron**, Art Instructor, Arts, Humanities & Communications, Modesto Junior College, from 60% to 80% effective January 10, 2005 through April 29, 2005.

11. Temporary Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Linda Johnson**, Humanities Instructor, Arts, Humanities & Communications, Modesto Junior College, from 60% to 80% effective January 10, 2005 through April 29, 2005.

12. Temporary Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Richard Colla**, Music Instructor, Arts, Humanities & Communications, Modesto Junior College, from 60% to 62.5% effective January 10, 2005 through April 29, 2005.

II. ACTION ITEMS

B. Personnel Items

13. Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Dawn Stout-Fernandez**, Nursing - Clinical/Skills Lab Instructor, Allied Health, Modesto Junior College, from 60% to 100% effective January 10, 2005 through December 31, 2005.

14. Temporary Increase in Assignment - Academic

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Gladys Schmitt**, Nursing – Skills Lab Instructor, Allied Health, Modesto Junior College, from 60% to 100% effective January 10, 2005 through December 31, 2005.

15. Temporary Increase in Assignment - Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for **Maria “Luisa” Adams**, Library Media Technician II, Learning Resources/Library, Modesto Junior College, from 75% to 95%, effective January 29, 2005 through March 26, 2005.

16. Voluntary Reduction in Assignment - Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 83.75% for **Bobbie Jantz**, Administrative Secretary, Criminal Justice Training Center, Modesto Junior College, effective January 25, 2005 to April 30, 2005.

17. Voluntary Reduction in Assignment - Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 84% for **Gary Fair**, Instructional Assistant II, Arts, Humanities & Communications, Modesto Junior College, effective January 24, 2005 to April 29, 2005.

18. Voluntary Reduction in Assignment - Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 79% for **Anne Shanto**, Performing Arts Costume Specialist, Arts, Humanities, & Communication, Modesto Junior College, effective January 10, 2005 to April 29, 2005.

II. ACTION ITEMS

B. Personnel Items

19. Leave of Absence - Classified

RECOMMENDATION: That the Board of Trustees approve the unpaid leave of absence for **Koni Bicknell**, Administrative Secretary, Columbia College, effective February 7, 2005 to April 30, 2005.

20. Resignation - Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Taisha King**, Campus Security Dispatcher, 40%, Yosemite Community College District, effective January 1, 2005.

21. Resignation - Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of **Kay Lor**, Fiscal Analyst III, Workforce Training Center, Modesto Junior College, effective January 31, 2005.

22. Termination of Probationary Employee - Classified

RECOMMENDATION: That the Board of Trustees approve the termination of probationary employment of **Asia Keil**, Food Service Specialist – 60%, at Columbia College, effective January 27, 2005.

23. ☆Short -Term Appointee List

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

II. ACTION ITEMS

C. Discussion Items

1. ☆YCCD and The Alliance Small Business Development Center (SBDC) Partnership

During the past two semesters business development classes have been offered at MJC through the community education program. These classes are a joint venture between the Alliance Small Business Development Center and YCCD. There is potential to expand this collaboration.

YCCD staff and representatives from the SBDC will give a brief historical overview of the existing partnership and explore opportunities for expanding this economic development opportunity in our community.

RECOMMENDATION: That the Board of Trustees review the attached letter from the Alliance Small Business Development Center and provide staff with direction.

2. Request For Qualifications For Program Management Services

As announced at the January 12, 2005 Board of Trustees meeting, ten firms responded to the Request For Qualifications (RFQ) for Program Management Services. Two firms elected to submit a joint proposal. Therefore, only nine proposals were received.

The initial screening of the applications by the screening committee is now complete. Interim Chancellor Williams, with assistance from Maria Baker, will review the screening process and present the results to the Board of Trustees.

RECOMMENDATION: That the Board of Trustees accept the recommendation by the RFQ Screening Committee to interview the top three program management candidates.

II. ACTION ITEMS

D. Discussion Items

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

Consistent with prevailing fiscal practices and in compliance with current statute, staff have prepared the quarterly statement of the District's financial condition for the quarter ended December 31, 2004. A copy of the statement is attached. The Board is required by law to hold a public hearing to review the report and direct that it be filed with the Stanislaus County Superintendent of Schools and the California Community Colleges Chancellor's Office.

Staff will be available during the February 9 Board meeting to formally present the report, respond to questions and to amplify where necessary.

RECOMMENDATION: That the Board of Trustees:

- a. Conduct a public hearing to review the District's financial report for the quarter ended December 31, 2004;
- b. Direct Staff to submit a copy of the required report to the Stanislaus County Superintendent of Schools and the California Community Colleges Chancellor's Office.

4. Sexual Harassment Awareness Training

Government Code § 12950.1 (a) states, "By January 1, 2006, an employer having 50 or more employees shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees who are employed as of July 1, 2005, and to all new supervisory employees within six months of their assumption of a supervisory position. (f) The training and education required by this section is intended to establish a minimum threshold and should not discourage or relieve any employer from providing for longer, more frequent, or more elaborate training and education regarding workplace harassment or other forms of unlawful discrimination in order to meet its obligations to take all reasonable steps necessary to prevent and correct harassment and discrimination."

RECOMMENDATION: That the Board of Trustees review and accept the Human Resources, Sexual Harassment Awareness Training program for all Yosemite Community College District employees.

III. COMMENTS

A. Comments from the Public

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

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

B. Comments from the Board of Trustees

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

IV. ANNOUNCEMENTS

A. The Board of Trustees will adjourn to a retreat on Thursday, February 24, 2005, at the Red Lion Hotel, Vineyard I Meeting Room, 1612 Sisk Road, Modesto. Closed session will begin at 10:00 a.m. followed by an open session. No action will be taken at this meeting.

B. The next regular meeting of the Board of Trustees will be held on March 9, 2005. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. at Columbia College.