

**AGENDA**  
**YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**FOUR HUNDRED FIFTY-EIGHTH REGULAR MEETING**  
**APRIL 1, 2003**

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**2:30 P.M.** Optional tour of the Learning Resource Center

**3:30 P.M.** Call to Order

Recess to closed session - Fir 2

- Discussion:
1. Pursuant to G. C. Section 54957 - Public Employee Discipline/Dismissal/Release
  2. Pursuant to G. C. Section Pursuant to G. C. 54956.9
    - a. Clark vs. YCCD
    - b. Anticipated Litigation
  3. Pursuant to G. C. 54957.6 - Collective Bargaining

**5:00 P.M.** – Reconvene to open session – Dogwood Forum

**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 each. Thirty (30) minutes shall be the maximum time allotment for public comment on any one subject regardless of the number of speakers.

**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 each. Fifteen (15) minutes shall be the maximum time allotment for public comment on any one subject regardless of the number of speakers.

Pledge of Allegiance to the Flag

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of March 4, 2003.

**I. REPORTS AND INFORMATION ITEMS**

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

## **I. REPORTS AND INFORMATION ITEMS**

### **C. Activities and Announcements**

#### **1. Columbia College Child Care Center earns NAEYC accreditation**

The Child Care Center at Columbia College has received accreditation from the National Association for the Education of Young Children effective January 31, 2003. NAEYC accreditation is a rigorous, voluntary process by which early childhood programs demonstrate that they meet national standards of excellence. This national recognition substantiates that the Child Care Center is dedicated to providing excellent care and basic education to America's future generation.

#### **2. Columbia College presents J.S. Holliday**

Award-winning author, J.S. Holliday, will lecture at Columbia College on the "Origins of California's Risk-Taking Culture." Mr. Holliday is the highly acclaimed author of two best selling books on California's Gold Rush. The lecture will be held on Thursday, April 3, 2003, 7:00 p.m., in the Dogwood Forum.

#### **3. Dr. Jeff Loux lectures at Columbia College**

As part of our yearlong focus on state and local water issues, Dr. Jeff Loux, Director of Land Use and Natural Resources at U.C. Davis Extension, presented a lecture on Connecting Water Resources and Urban Growth on March 11, 2003. This lecture provided an overview of California's water issues and how recent legislation requires a linkage between growth proposals and water availability. Dr. Loux's presentation precedes a 2-day conference on water issues at Columbia College, which will be held on April 11 & 12, 2003.

#### **4. Multi-Cultural Earth Day Celebration at Columbia College**

The Columbia College Student Senate and Environmental Club will co-host the Multi-Cultural Earth Day Celebration on April 16, 2003 from 11:00 a.m.-3:00 p.m. The event will include Native American dancing, musical performances, food, and art. Information and literature on the environment will be available as well as plants offered for purchase.

#### **5. Hispanic Education Conference**

MJC's 19<sup>th</sup> Annual Hispanic Education Conference will be held on April 5 on MJC's East Campus. This is a free career conference for high school students that features a keynote speaker and over 45 different career and education workshops led by Hispanic professionals that represent a wide variety of occupations and careers. MJC co-sponsors this Conference with the Hispanic Leadership Council.

**I. REPORTS AND INFORMATION ITEMS**

C. Activities and Announcements

6. MJC Spring Fling!

Modesto Junior College's annual New Student Welcome Day & Spring Fling! will be held on April 12 on East Campus. Over 2,000 seniors from area high schools are expected and will be provided with an orientation, assessment tests, workshops and information on the College's many programs and services. The event is free and registration begins at 7 a.m., with the first orientation starting at 8 a.m. in the Auditorium. The day includes "mock classrooms," entertainment, food and special information sessions for parents in both English and Spanish.

7. Native American Powwow

MJC's 13<sup>th</sup> Annual Native American Powwow will kick off with a presentation by former Olympic track star, Billy Mills, on April 19, 7:30 p.m. in the MJC Auditorium. On April 20, the Powwow where Native Americans traditionally gather together for cultural singing, dancing and drumming will be held on the East Campus Quad. This is a celebration of the rich cultural heritage of Native Americans and includes vendors selling arts and crafts, food and other cultural wares. The event is free and open to the public.

8. Chamber of Commerce Leadership Classes

On March 7, MJC hosted the Modesto Chamber of Commerce's 2002-03 Class of Leadership Modesto. President Williams, Bill Scroggins, and George Boodrookas took a group of 23 on an afternoon tour of the West Campus and provided a lunch prepared by the Culinary Arts program students.

On April 11, the College will host the Turlock Chamber of Commerce's 2002-03 Class of Leadership Turlock. Trustee Rojas and President Williams will address the group as they tour MJC's east and west campuses for a morning program.

Both events provide an opportunity for local leaders to become more familiar with MJC programs and services.

9. "Change for Children" Fundraiser

The MJC/YCCD Chapter of AAWCC is continuing its creative fundraiser in support of the MJC Child Development Center. Their goal is to collect \$5,000 from donated change. Donna Jamison, MJC Support Staff Technician in Counseling, is leading this activity and will describe how the proceeds will be used.

**I. REPORTS AND INFORMATION ITEMS**

C. Activities and Announcements

10. "Keep the Doors Open" March and Rally

On March 17, over 100 students and staff from MJC and Columbia College participated in what was, according to several media and legislative sources, the largest Capitol student rally ever. Many legislators came out of their offices at the Capitol to participate in the rally and speak to the crowd, conveying their support of community colleges. In addition to the rally, student representatives from both colleges met with four YCCD legislators personally to express their concerns with budget cuts. Several staff from YCCD, MJC and Columbia also attended as student advisors.

## **I. REPORTS AND INFORMATION ITEMS**

### **D. Presentations/Updates**

#### **1. Excellence Initiative in Action – Columbia College**

As part of the Columbia College Excellence Initiative, several program changes and new activities have been implemented to meet the goals of the College's five Centers of Excellence. Instructional Deans George Railey and Gary Mendenhall will give a brief overview of a variety of activities associated with the Centers of Excellence. In addition, this presentation will feature two unique programs that faculty have developed to strengthen critical thinking skills within science and occupational programs. Included will be a program that makes innovative use of technology in the chemistry classroom to strengthen science laboratory experiences. Another component is a special course which focuses on the development of important, but often overlooked, employability skills in vocational programs including team building, organizational techniques, communications, workplace ethics, and leadership skills.

#### **2. Facilities Master Plan Update**

The process for developing a new Facilities Master Plan has been underway for the past several months. Steering committees at Modesto Junior College and Columbia College were formed and the idea generation phase of the plan is nearly complete. The process began with a review of the goals and scope of the plan, core values and guiding principles of the plan, and a review of existing facility conditions and data. In the idea generation phase, a variety of methods were used to collect suggestions. They included: formal requests and surveys, website feedback form, Educational Master Plan questions, campus-wide and community forums and brainstorming sessions, and public information disseminated through internal and external media sources. Once all of the input has been collected, the next phase will be to assess and evaluate the information and develop a draft Facilities Master Plan. Nick Stavrianoudakis will provide trustees with an overview of what has been accomplished thus far and how the timeline may unfold in the coming months.

#### **3. Vocational Education Academy**

The Stanislaus County Office of Education and the Yosemite Community College District have a long history of partnership activities. A current discussion is taking place between our institutions about a Vocational Education Academy that would provide a "learn by doing" accelerated education for a diverse student population in grades 9 through 14. The Vocational Education Academy would provide a fundamentally different experience for secondary students and would involve secondary and college faculty in its design and implementation. The academic-centered, performance-rich setting will support team research and application of concepts in a project-based, highly structured, self-directed environment. Graduates of the Vocational Education Academy will be prepared as independent, critical thinkers and decision-makers that recognize that learning is a lifelong process. Dr. James Williams, MJC President, and Dr. Bill Scroggins, MJC Vice President of Instruction, will present a summary of this partnership.

**I. REPORTS AND INFORMATION ITEMS**

D. Presentations/Updates

4. State Budget Update

On Tuesday, March 18, the Governor signed the mid-year cuts for community colleges (SB 18X). SB 18X makes cuts to various community college programs over the remaining three months of the 2002-2003 fiscal year. Selected categorical programs will be cut \$90.2 million and the projected property tax and enrollment fee shortfall of approximately \$71.1 million will not be backfilled. The categorical programs that will be cut this year include instructional equipment, scheduled maintenance, partnership for excellence (PFE), economic development and telecommunications and technology. The mid-year cuts do not cut most of the student support service categorical programs such as EOPS, DSPS, Foster Care, and CalWORKS.

Much of our planning to date has focused on reductions to the student support service programs as initially proposed both by the Governor and the Community College Board of Governor's budget working group. SB 18X shifts the cuts from the restricted programs to the unrestricted funds of the District, which provides for less flexibility in the areas that the colleges and central services may cut this year. College and central services saving plans implemented during the 2002-2003 will allow the District to end the year with carry-over budgets, which will help to balance the 2003-2004 budget.

At this time there is no resolution regarding a compromise on the Governor's proposed community college reductions for 2003-2004 which calls for major cuts once again to the student support service programs. While many of the categorical programs for 2002-2003 were not cut, it is unlikely that these programs will be similarly spared in 2003-2004. As we plan for 2003-2004, we continue to be faced with many unknowns. Tentative plans are in place for 2003-2004, but it is likely the rules will change. The plans will require flexibility depending on where the cuts will be mandated. As a result, we will delay most classified reductions longer than we had planned due to the ambiguity of the programs that will be reduced.

Staff has begun the process of analyzing the fiscal impact to the 2004-2005 budget year. It is critical that we project and address fiscal year 2004-2005. Unless statewide funding improves significantly, the implications for the 2004-2005 fiscal year could easily be as bad as the current situation.

Staff will be available to provide an update with the latest information.

## II. ACTION ITEMS

### A. Consent Agenda

#### 1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from February 1, 2003 through February 28, 2003.

#### 2. Acceptance of Gifts

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

- a. Two lithograph sets of "Seasons in the California Hills" and a glicee print of "Sierra's Crown," signed and numbered, donated by Professors Dan and Carole Petersen to YCCD. The paintings are valued at \$3,000.
- b. Various books of assorted titles from Nancy Erwin, Wendy Nipper, and 49-99 Cooperative Library Systems, Central Association of Libraries, to be used in the Library at Modesto Junior College.

#### 3. Rejection of Claim

The District has received an Application for Leave to Present a Late Claim from Huong Bell for \$650 for auto repairs and \$4,396.95 for medical bills allegedly resulting from an accident that occurred April 19, 2002 on MJC West Campus.

RECOMMENDATION: That the Board of Trustees reject the Application for Leave to Present a Late Claim presented by Huong Bell and refer the claim to the District's claims administrator.

#### 4. Rejection of Claim

Yosemite Community College District and Modesto Junior College separately have received a claim from Nicole M. Edington of Cousins and Edington, Attorneys at Law, on behalf of Mr. David Ortega for an undetermined dollar amount for an illness Mr. Ortega claims is due to contaminated water he ingested on or about September 30, 2002 when he allegedly washed his hands and face and also drank water from a water fountain located on the West Campus.

RECOMMENDATION: That the Board of Trustees reject the claim filed by Nicole M. Edington of Cousins and Edington, Attorneys at Law, on behalf of Mr. David Ortega and refer the claim to the District's claims administrator.

## II. ACTION ITEMS

### A. Consent Agenda

#### 5. Notice of Completion of Contract

The contract for the Propane Upgrade at Columbia College, Bid #03-1517, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Meeder Equipment Company for the Propane Upgrade at Columbia College, Bid #03-1517, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

#### 6. Notice of Completion of Contract

The contract for the Sierra Hall Instructional Facility, Bid #00-1468, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by ACME Construction Company for the Sierra Hall Instructional Facility, Bid #00-1468, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

#### 7. ☆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. Work Keys Assessments – MJC  
Submitted to Foster Farms Dairy  
Agency share: \$1,650; Proposer share: \$0
- b. Coordination for Training Logistics - MJC  
Submitted to Administrative Office of the Courts,  
San Francisco  
Agency share: \$600; Proposer share: \$0
- c. Work Keys Scoring Services – MJC  
Submitted to Job Link  
Agency share: \$4,500; Proposer share: \$0
- d. MJC Workforce Investment Act Youth Services  
Submitted to Stanislaus Economic Development  
and Workforce Alliance  
Agency share: \$303,981  
Proposer share: \$50,000 (Federal TRIO funds)



**II. ACTION ITEMS**

A. Consent Agenda

7. ☆Project Applications/Amendments (continued)

- e. MJC Workforce Investment Act Youth Services – Project TOOLS  
Submitted to Stanislaus Economic Development and Workforce Alliance  
Agency share: \$598,892  
Proposer share: \$20,000 (AmeriCorps funds)
- f. Modesto Junior College TRIO Upward Bound Program  
Submitted to U. S. Department of Education  
Agency share: \$393,022 annually for five years  
Proposer share: \$0
- g. Computer Numeric Control Technology – MJC  
Submitted to the Chancellor's Office California Community Colleges  
Agency share: \$99,596  
Proposer share: \$15,352

## II. ACTION ITEMS

### B. Personnel Items

1. Retirement – Certificated

RECOMMENDATION: That the Board of Trustees grant emeritus retirement status to Carole Petersen, Counselor, Modesto Junior College, effective April 25, 2003 and officially commend her for 14 years of valuable service to the District.

2. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Robert Jensen, Grounds Maintenance II, Yosemite Community College District, Facilities Operations, effective June 30, 2003, and officially commend him for 39 years of valuable service to the District.

3. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Delbert Cutsinger, Grounds Maintenance II, Yosemite Community College District, Facilities Operations, effective June 30, 2003 and officially commend him for 24 years of valuable service to the District.

4. Revised Retirement – Certificated

RECOMMENDATION: That the Board of Trustees grant emeritus retirement status to Francis “Jack” Bracken, Men’s Tennis Coach, Physical, Recreation & Health Education, Modesto Junior College, effective April 25, 2003 (rescinds prior Board approval effective May 9, 2003), and officially commend him for 33 years of valuable service to the District.

5. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Robin Frazier to Registered Nurse (47.5%), Health Services, Modesto Junior College, effective April 2, 2003, contingent upon funding.

6. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Anthony Pivarunas, Food Services Specialist Lead, Modesto Junior College Food Services, effective March 10, 2003.

## II. ACTION ITEMS

### B. Personnel Items

7. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of David Eberhardt, Campus Security Officer (40%), Columbia College, effective March 30, 2003.

8. Termination of Probationary Employment – Classified

RECOMMENDATION: That the Board of Trustees confirm the termination of classified employment of Kelly Duluoz, Instructional Assistant II-CalWORKS Learning Disability Assessment Program (50%), Modesto Junior College, effective at the end of the workday, Wednesday, March 5, 2003.

9. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the temporary increase in assignment of Mary Anne Parker, Program Representative III, Workforce Training Center, Modesto Junior College from 10 months to 12 months, effective March 1, 2003 to June 30, 2004.

10. Medical Leave of Absence – Classified

RECOMMENDATION: That the Board of Trustees approve an unpaid medical leave of absence for Eileen Cupit, Custodian, Columbia College, effective February 27, 2003, for a period not to exceed six months.

11. Placement on Reemployment List – Classified

RECOMMENDATION: That the Board of Trustees approve the placement of Robert Christian, Custodian, Columbia College, on a reemployment list for up to 39 months due to medical disability, effective March 11, 2003.

## II. ACTION ITEMS

### C. Discussion Items

#### 1. ☆Sabbatical Leaves

The Columbia College and MJC Sabbatical Leave Committees have submitted their recommendations regarding 2003-2004 sabbatical leave recipients. The Committees' recommendations have been reviewed and approved by the college presidents.

Applicable Education Code sections require that employees who are granted sabbatical leaves either post a bond in an amount equal to the salary received during the period of the leave, or enter into an agreement with the Board of Trustees for the proportional repayment of the amount received during the leave if service is not provided the District in an amount twice the length of the leave. (A copy of **Resolution No. 02-03/06** is attached.)

RECOMMENDATION: That the Board of Trustees approve 2003-2004 sabbatical leaves for the following YCCD Academic employees:

#### **Academic Year – 2003-2004**

William H. Wilson – CC  
Richard Anderson – MJC  
Kimberly Gyuran – MJC  
Daniel Keller – MJC  
Rose LaMont – MJC

#### **Fall Semester 2003**

Micha Miller – CC  
David Baggett – MJC

In addition, approve **Resolution No. 02-03/06** in lieu of a bond for the recipients.

#### 2. ☆Yosemite Faculty Association (YFA) – Bargaining Proposal

The current YCCD/YFA negotiated agreement provides that either party may reopen negotiations for the 2003-04 contract year for salary and benefits only. Attached is YFA's negotiation proposal to the District.

RECOMMENDATION: That the Board of Trustees:

- a. Receive the YFA negotiation proposal.
- b. Schedule a public hearing on the proposal.
- c. Refer the proposal to administrative staff for review.

### 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 each. Fifteen (15) minutes shall be the maximum time allotment for public comment on any one subject regardless of the number of speakers.

#### 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. NEXT MEETING

The next regular meeting will be held on May 6. Closed session will begin at 3:30 p.m. and open session at 5:00 p.m. at 2201 Blue Gum Avenue, Modesto.