

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED SIXTIETH REGULAR MEETING
JUNE 3, 2003

3:30 P.M. Call to Order

Recess to closed session - YCCD Conference Room B

- 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 - Anticipated Litigation
 3. Pursuant to G. C. 54957.6 - Collective Bargaining

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 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

Moment of Silence - Mr. Joseph Mitchell, Trustee for Area One, died in a traffic accident on May 16, 2003. This tragedy has touched many lives, including the YCCD family. Trustees will take this opportunity to remember Joe and to conduct a Moment of Silence.

Recognition of Outgoing Student Trustee – Nicole Jansen

Swearing In New Student Trustee

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of May 6, 2003.

I. REPORTS AND INFORMATION ITEMS

- A. Student Activity Reports
- B. Academic Senate Activity Reports
- C. Activities and Announcements

1. Columbia College Congratulates Nursing Graduates

Six Columbia College students became the first nursing graduates of the College's distance education program at an April ceremony. As part of MJC's Nursing Program, these students attended classes at Columbia College via video conferencing and completed their clinical training through rotations at Tuolumne and Calaveras County hospitals. The distance education program was established two years ago at the urging of Trustee Joe Mitchell. Upon passing the State Board examinations, graduates from this program will receive registered nurse designation.

2. Colombia College Spring Review

For the eighth year, Columbia College English professor Meryl Brooks has been the driving force behind the publication of a wonderful collection of Columbia students' writings. Copies of the *Spring Review* will be available at the meeting and commendations are in order to Professor Brooks, staff, and students who contributed to this project.

3. A Summer Sonata Fundraiser

The Modesto Junior College Foundation will hold it's annual "A Summer Sonata" fundraiser on Friday, July 11 at the home of Jim and Sue Coleman. The social hour begins at 6 p.m., dinner is served at 7 p.m. and it is followed by a live auction. Reservations for this elegant dinner party are \$150 per person and proceeds will support valuable MJC programs, purchase books and equipment and provide students with scholarships. For reservations or more information contact the MJC Foundation Office at 575-6068. Foundation Executive Director George Retamoza will be present to share with trustees several items related to foundation activities.

4. MJC SpringFling!

MJC hosted over 1500 local high school students and their parents on April 12th for the 2nd Annual Welcome Day and SpringFling! The event highlighted MJC programs, services, and extra-curricular activities. A comprehensive program book was distributed to participants, and over 250 volunteers and staff assisted in the highly successful event. Staff look forward to hosting the 3rd Annual Welcome Day and SpringFling! on April 3, 2004. Dr. Wilma McLeod, MJC Vice President for Student Services, will have copies of the program book for the trustees.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. Board Policy Review Update

For the past two years, committees have been working to update the YCCD policy manual by comparing and contrasting existing policies against Community College League of California (CCLC) model policies. New policy recommendations for Section 7000 (Board of Trustees) were adopted by the Board in 2002. New policy recommendations for Sections 1000 (Community), 2000 (Administration), 3000 (Business), 4000 (Personnel), 5000 (Students) and 6000 (Instruction) are nearly complete and shall be forwarded to District Administrative Council/Chancellor for the next level of review by the end of June prior to submission to the Board in early fall. These committees included representatives from all employee organizations. Their work has been coordinated by Nick Stavrianoudakis who will provide an update.

2. Technology Conversion Update

Lynn Kubeck, Chief Information Systems Officer, and other key participants, will provide a brief status report on the technology conversion project as well as associated projects. Timelines and projected deliverable dates will be discussed. This demanding project is requiring a great deal of work on the part of many staff and they are commended for their valuable assistance.

3. Facility Master Plan Update

Since the last Facility Master Plan (FMP) update on April 2003, both college steering committees have been in the process of narrowing down facilities projects from over 500 ideas. In this next phase of idea assessment and evaluation, project recommendations are being formulated and refined prior to each college submitting their draft college plans to District Council.

Nick Stavrianoudakis will present a new timeline that shows the flow of the FMP leading to a possible bond campaign. As it stands today, the final FMP is expected to be completed by the end of this year. Campus, community and Board review will occur throughout the fall. The goal is for the Board to adopt the new plan no later than February 2004. This would meet the timeline for a bond campaign should the Board decide to pursue one in the November 2004 election.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from April 1, 2003 through April 30, 2003.

2. Columbia College Curriculum Report – 2002-2003

RECOMMENDATION: That the Board of Trustees approve curriculum additions, deletions, and modifications for Columbia College for the year 2002-2003.

(The report was previously provided to the Board of Trustees for their review.)

3. Special Appointment – Teresa Scott

RECOMMENDATION: That the Board of Trustees approve the election of Ms. Teresa Scott to serve a four-year term on the Schools Excess Liability Fund (SELF) Board of Directors.

4. Notice of Completion of Contract

The contract for Asbestos Abatement Project, Student Center, Modesto Junior College, East Campus, Bid #03-1526, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Janus Corporation for Asbestos Abatement Project, Student Center, Modesto Junior College, East Campus, Bid #03-1526, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

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. Excel Training – MJC
Submitted to Stanislaus County Housing Authority
Agency share: \$2,000; Proposer share: \$0
- b. Mobile Lab and Staff Support – MJC
Submitted to Hughson Ambulance
Agency share: \$120; Proposer share: \$0
- c. Technology Telecommunications Infrastructure Project – Videoconferencing Equipment – YCCD
Submitted to California Community Colleges
Chancellor's Office
Agency share: \$75,000; Proposer share: \$0
- d. Child Development Permit Project (CDPP) - MJC
Submitted to First 5 California (formerly California Children and Families Commission)
Agency share: \$442,000; Proposer share: \$0

II. ACTION ITEMS

B. Personnel Items

1. ☆Short-Term Appointee List

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

2. Temporary Reduction in Assignment - Classified

RECOMMENDATION: That the Board of Trustees approve a temporary reduction in assignment for Kim Kendrick, Support Staff II, Science, Mathematics & Engineering, Modesto Junior College, from 100% to 75% effective July 1, 2003 to June 30, 2004.

3. Administrative Transfer – Classified

RECOMMENDATION: That the Board of Trustees confirm the transfer of Rhonda Wolf, Secretary II, from Grant Development, YCCD Central Services, to Agriculture and Environmental Sciences/ Technical Education at Modesto Junior College, effective July 1, 2003.

4. Medical Leave of Absence - Classified

RECOMMENDATION: That the Board of Trustees approve an unpaid medical leave of absence for Barbara Hire, Food Service Specialist, Lead, Columbia College, effective June 26, 2003, for a period not to exceed six months.

5. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Janet Bryant, Support Staff II, Instructional Resource Center – Online Help Desk, Modesto Junior College, effective May 29, 2003.

6. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees accept the probationary appointment of Rachel Avery to Bookstore Buyer, MJC Bookstore, effective May 27, 2003.

II. ACTION ITEMS

B. Personnel Items

7. ☆Reduction in Force - Classified

The Child Development Training Consortium (CDTC) is a District administered program funded through a contractual arrangement with the State Department of Education. The CDTC employs ten (10) classified and three (3) administrative staff.

The CDTC contract expires July 31, 2003. Although contract renewal for 2003-04 is anticipated, confirmation of this decision remains uncertain. In light of the District's legal obligation to provide classified staff with at least 30 days notice of reduction in force, it is necessary to proceed with the notification process in June with an effective date of July 31, 2003. If the Board of Trustees does not take this action, and the contract is not renewed, the cost of the additional month (\$55,000) would have to be covered by YCCD. If the contract is renewed, this Resolution will not be implemented.

RECOMMENDATION: That the Board of Trustees approve Resolution No. 02-03/10, Classified Reduction in Staff, authorizing a reduction in classified personnel and appropriate notice to affected staff.

II. ACTION ITEMS

C. Discussion Items

1. Vocational Educational Academy

As the Board of Trustees learned at their April meeting, MJC leaders have been working with officials from the Stanislaus County Office of Education to begin a Vocational Education Academy for grades 9 through 12 on the MJC campus. This innovative program will benefit students and represents a strong partnership between two educational institutions. Staff are ready to begin marketing the program which will begin this fall.

RECOMMENDATION: That the Board of Trustees approve the Vocational Education Academy for Modesto Junior College.

2. ☆Fiscal Outlook and 2003-2004 Tentative Budget

State law requires that the Board of Trustees adopt a Tentative Budget and file it with the County Superintendent of Schools by July 1. Adoption of the Final Budget will occur at the Board's regular meeting on September 2, 2003, thus providing the Board and staff three months in which to further review the Tentative Budget and modify it when the 2003-2004 state budget is adopted and when the final District accounting for the current fiscal year is complete.

The amended 2002-2003 Budget includes adjustments to revenue and expenditures largely as a result of the state mid-year budget cuts which took place in March 2003. In addition, a statewide property tax shortfall of \$38 million translated to a \$1.2 million reduction to YCCD's apportionment revenue.

The colleges increased their 2002-2003 FTES growth goals from 3 to 5 percent. Apportionment revenue reflects growth to 5 percent. However, it is uncertain at this time if there will be adequate growth funding statewide to pay the District for all of this growth. Other adjustments to fiscal 2002-2003 revenue include one-time receipts for prior year state revenue re-allocation, a one-time workers compensation dividend distributed from the Valley Insurance Program Joint Powers Authority (VIPJPA), and increased lottery receipts.

The amended 2002-2003 budget also includes significant year-end savings which all three sites have worked hard to achieve. The District's deficit reduction plan counted on approximately \$2.5 million in budget savings being carried over to the 2003-2004 fiscal year to assist in balancing the 2003-2004 budget.

The Tentative 2003-2004 budget reflects information provided from the Governor's May budget revision. The May Revise is slightly better than what the Governor proposed in January but includes much greater cuts than the mid-year 2002-2003 state budget cuts. The May Revise reduces the cuts proposed in January for community colleges by about \$240 million statewide. Much of this reinstated support is used to cover the costs of reducing the student enrollment fee to \$18 per unit, instead of \$24, and reducing EOPS and DSPS programs by only 1%, instead of 45%.

II. ACTION ITEMS

C. Discussion Items

2. ☆ Fiscal Outlook and 2003-2004 Tentative Budget (continued)

Based on the May Revise budget proposal, YCCD's unrestricted revenue will be only about \$250,000 greater than had been estimated using the Governor's January budget proposal. While state apportionment is not cut as dramatically as proposed in January, the Partnership for Excellence Funding is scheduled to be cut in half. This alone represents about a \$2.2 million loss for YCCD.

Even so, the Governor's budget proposal is optimistic in several ways. It assumes that property tax revenue will increase by 6% next year. (This year the community college share of the state's property tax shortfall was \$38 million.) The Governor's proposal also includes issuing bonds in the amount of \$10.7 billion to cover existing debt, which would be repaid by a sales tax increase. Other tax increases and a deferral of an \$8 billion deficit to 2004-2005 also are included in the May Revise Budget proposal.

The YCCD Tentative Budget does not include growth or COLA revenue augmentations. It is a balanced budget due to the significant year-end savings, and major budget cuts in 2003-2004, including vacancies in approximately 85 positions.

The Tentative Budget will be modified in September as appropriate if the final state budget has been approved by then. Hopefully, that budget will include some growth funding.

RECOMMENDATION:

That the Board of Trustees:

- a. Amend the 2002-2003 budget as presented (Column 3).
- b. Adopt the 2003-2004 Tentative Budget (Column 5) for the Yosemite Community College District and direct staff to file it with the Stanislaus County Superintendent of Schools by July 1, 2003.

3. ☆ Resolution Authorizing Year-End Transfers

California Code of Regulations, Section 58199, provides that the District may, with the consent of the governing board, make transfers as are necessary to permit the payment of the District's obligations incurred during such school year. Transfers may involve modest General Fund and Special Project expenditure adjustments for 2002-03.

RECOMMENDATION:

That the Board of Trustees adopt Resolution No. 02-03/11 authorizing the transfer of appropriations necessary to balance expenditure classifications of the Yosemite Community College District budget for the 2002-03 fiscal year.

II. ACTION ITEMS

C. Discussion Items

4. ☆ Establishment of 2003-2004 Appropriations Limit

Section 7910 of the Government Code provides that ". . . each year the governing body . . . shall, by resolution, establish its appropriations limit for the following year . . ." The law further requires that the information relative to the action be available to the public fifteen (15) days prior to the meeting at which the determination of the appropriations limit is made.

RECOMMENDATION: That the Board of Trustees:

- a. Accept the report regarding the establishment of the 2003-2004 appropriations limit;
- b. Direct that the computation be publicly posted; and,
- c. Declare its intent to adopt the report at the next regular meeting of the Board of Trustees on July 11, 2003.

5. ☆ YCCD Bargaining Proposal to Yosemite Faculty Association (YFA)

On April 1, 2003, the Yosemite Faculty Association (YFA) presented its 2003-2004 bargaining proposal to YCCD and a public hearing was conducted on May 6. Consistent with state law and Board policy, it is necessary for the Board of Trustees to adopt the District's proposal to YFA.

RECOMMENDATION: That the Board of Trustees adopt the District's 2003-2004 proposal to YFA and schedule a public hearing on the proposal.

6. ☆ YCCD Bargaining Proposal to CSEA, Chapter 420 - Public Hearing

On May 6, 2003, YCCD presented its 2003-2004 negotiation proposal to CSEA, Chapter 420. Consistent with applicable code sections and district policy, it is necessary for the Board of Trustees to conduct a public hearing on the proposal.

RECOMMENDATION: That the Board of Trustees conduct a public hearing regarding the YCCD 2003-2004 negotiation proposal to CSEA, Chapter 420.

7. Board Meeting Time Change

This item is presented at the request of trustees. It will make a longer closed session feasible.

RECOMMENDATION: That the Board of Trustees approve the start time for Open Session at regular meetings to be generally 5:30 p.m.

II. ACTION ITEMS

C. Discussion Items

8. Trustee Vacancy

Due to the death of Mr. Joe Mitchell, Trustee for Area One, on May 16, trustees must make a decision regarding his replacement. They have sixty (60) days to call for a special election or to conduct and complete the appointment process. In the event that trustees determine they intend to appoint a replacement, a proposed timeline for that process has been prepared. That timeline meets the various required deadlines.

It should be noted that since Mr. Mitchell was just elected in November 2002, an appointee to this position would serve only until November 2004, at which time he/she would have to run for election to complete the last two years of this term. That trustee position would then be up for a full four-year term in the November 2006 election.

RECOMMENDATION: That the Board of Trustees decide the method for filling the vacancy in Trustee Area One (appointment or special election) and adopt schedule dates as appropriate.

9. ☆Local Agency Investment Signature Update

It is necessary to update the signatures to authorize the deposit and withdrawal of Yosemite Community College District monies in the Local Agency Investment Fund in the State Treasury in accordance with the provision of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

RECOMMENDATION: That the Board of Trustees adopt Resolution No. 02-03/12 and approve the signing and submission of this resolution.

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 MEETINGS

1. The July meeting of the Board of Trustees will be their annual retreat. The meeting will be held on July 11 at the City Hotel in Columbia State Park. Closed session will begin at 9:30 a.m. and will be followed by an open session.
2. Special meetings of the Board of Trustees to conduct the trustee vacancy appointment process will be announced on June 3, 2003, if the Board decides at this meeting to fill the vacancy by appointment instead of an election.
3. The meeting will be adjourned in memory of Trustee Joe Mitchell, who passed away on Friday, May 16, 2003.