

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED SEVENTY-SECOND REGULAR MEETING
JUNE 9, 2004

3:30 P.M. Open Session - Call 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
Interim Chancellor's terms of contract
 2. Pursuant to G. C. Section 54956.9 – Litigation
Case: ACE v. YCCD, No. F042272
Case: Hearing concerning intended faculty termination
Case: Hearing concerning intended faculty termination
 3. Pursuant to G. C. Subdivision (b) of Section 54954.5 – Significant Exposure to Litigation: Two cases
 4. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release
 5. Pursuant to G. C. Section 54957.6 -Conference with Labor Negotiations
District representatives: J. Williams, T. Scott, D. Wirth, G. Railey
Employee Organization: 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 May 12, 2004.

I. REPORTS AND INFORMATION ITEMS

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

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

1. Lakeside Jazz and Wine

Lakeside Jazz and Wine will be hosted by the Columbia College Foundation on Sunday, June 27, from 1:00 to 5:00 p.m. on the shores of the 4-½ acre campus lake. Guests will enjoy an afternoon of jazz, performed by the George Railey Quartet and Rod Harris and the Columbia College Big Band. Wine tasting will be provided by statewide wineries and hors d'oeuvres will be prepared by the Columbia College Culinary & Pastry Arts Department and local restaurant chefs. Tickets are \$40 per person and can be obtained from the Foundation Office at 588-5360 or the President's Office at 588-5115.

2. British Fulbright Scholar Teaches at Columbia College

As part of the Fulbright teacher program, Leuan Davies of Matthew Boulton College of Further & Higher Education in Birmingham, England, is teaching a five-week biology course this summer at Columbia College. Through this international educational exchange program, Dr. Micha Miller of Columbia College is teaching at the same time at Professor Davies' school in England. The grant was awarded by the U. S. Department of State and the J. William Fulbright Foreign Scholarship Board.

3. Staff Recognition at Columbia College

Columbia College held its annual end-of-year staff recognition and celebration on April 30. Music professor John Carter was honored as the Teacher of the Year and computer science professor Ida Ponder was named Faculty Member of the Year. Other honorees included Ken Lucas (President's Award), Terrill Deatsch (Classified Staff Member of the Year), Jim Toner (Community Service Award), Kathy Smith (Leadership Person of the Year), and Dr. Pam Fisher (Central Services Person of the Year). Karyn Calhoun was recognized for her service as the outgoing Classified Senate president, and Ida Ponder was also commended for her role as president of the Academic Senate.

D. Presentations/Updates

1. TRIO Pre-College Programs – MJC

During the 2003-2004 academic year, 755 students participated in MJC's TRIO pre-college programs (60 in Upward Bound and 695 in Educational Talent Search). These federally funded programs are designed to help young people stay in school, improve their grade point average, graduate from high school and go to college. The TRIO programs have been at MJC for over ten years and have served a conservative estimate of 1,785 students. Francisco Bañuelos, Director of TRIO/Pre-College Programs, will provide an update and highlights of the program.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from April 1, 2004 through April 30, 2004.

2. Acceptance of Gifts

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

- a. Pastels, paints, equipment, and art history books from Bell Bettincourt and Melanie Fisher to be used for the Art Department at Modesto Junior College.
- b. A Spinette Piano-Kimball from Carl Hornberger to be used for the music program at Modesto Junior College.
- c. Carpet seaming from James Sharrock to be used for the scenic design for the residency of the Tibetan Monks at Modesto Junior College.

3. Appointment – Dr. Williams

At the annual organizational meeting of the Board of Trustees in December 2003, Dr. Pamila Fisher was appointed Secretary to the Board of Trustees for the 2004 year. As Dr. Fisher is retiring and Dr. James Williams has been appointed Interim Chancellor, it is appropriate to appoint Dr. Williams as Secretary to the Board of Trustees.

RECOMMENDATION: That the Board of Trustees appoint Dr. James Williams as Secretary to the Board of Trustees.

4. Columbia College Curriculum Report 2003-2004

RECOMMENDATION: That the Board of Trustees approve curriculum additions, deletions, and modifications for Columbia College for the year 2003-2004.

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

5. ☆Resolution Authorizing Signatures

In order to conduct the district's day-to-day business, it is necessary for the Board of Trustees to authorize selected employees to act as agents for the Board.

RECOMMENDATION: That the Board of Trustees adopt Resolution No. 03-04/25 authorizing selected employees to act as agents for the Board of Trustees.

II. ACTION ITEMS

A. Consent Agenda

6. ☆Local Agency Investment Fund 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. 03-04/22 and approve the signing and submission of this resolution.

II. ACTION ITEMS

B. Personnel Items

1. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Denise Deatsch, Administrative Secretary, Columbia College, effective August 12, 2004 and officially commend her for 26 years of valuable service to the District. (PERS Golden Handshake).

2. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Janet Beuving, Payroll Technician III, YCCD, effective August 19, 2004 and officially commend her for 32 years of valuable service to the District. (PERS Golden Handshake).

3. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Reynaldo Cabusas, Laboratory Assistant II, Business, Behavioral & Social Sciences, Modesto Junior College, effective August 2, 2004 and officially commend him for 32 years of valuable service to the District. (PERS Golden Handshake).

4. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Judy Doty, Fiscal Analyst I, YCCD, effective August 19, 2004 and officially commend her for 21 years of valuable service to the District. (PERS Golden Handshake).

5. Retirement – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Doryene Rapini, IMC Coordinator, Columbia College, effective July 29, 2004, and commend her for 29 years of valuable service to the District. (PERS Golden Handshake).

6. Retirement – Academic

RECOMMENDATION: That the Board of Trustees grant retirement emeritus status to Brian Lomax, Instructor, Technical Education, Modesto Junior College, effective May 1, 2004, and officially commend him for 18 years of valuable service to the District (STRS Golden Handshake).

II. ACTION ITEMS

B. Personnel Items

7. Retirement – Academic

RECOMMENDATION: That the Board of Trustees grant retirement emeritus status to Mary (Margo) Sasse, Computer Lab Instructor, Literature & Language Arts, Modesto Junior College, effective May 1, 2004, and officially commend her for 10 years of valuable service to the District (STRS Golden Handshake).

8. Appointment – Classified Management

RECOMMENDATION: That the Board of Trustees approve the appointment of Shawna Cramton to the position of Research Manager, Educational Services, YCCD, effective June 1, 2004.

9. Appointment – Classified (Contract) Management

RECOMMENDATION: That the Board of Trustees approve the appointment of Gizel Ebrahimoff to the position of Human Resources Supervisor, effective June 14, 2004.

10. Promotional Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the promotional appointment of Bobbie Jantz to Administrative Secretary, Criminal Justice Training Center, Modesto Junior College, effective June 14, 2004.

11. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Richard Price, Campus Security Officer I, Columbia College, effective May 1, 2004.

12. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Necia Putnam, Mailroom/Facilities Technician, Public Information & Facilities, Modesto Junior College, effective June 1, 2004.

13. Voluntary Demotion – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary demotion of Leslie Duarte, from Program Rep I, EOP&S (100%) to Support Staff II, EOP&S (50%), Modesto Junior College, effective June 14, 2004.

II. ACTION ITEMS

B. Personnel Items

14. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Debbie Honea, Secretary II, Child Development Training Consortium, Allied Health/Family & Consumer Sciences, Modesto Junior College, effective May 26, 2004, contingent upon funding.

15. Promotional Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the promotional appointment of Linda Menge to Fiscal Analyst III (50%), Child Development Training Consortium, Modesto Junior College, effective July 1, 2004, contingent upon funding.

16. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the temporary increase in assignment for Linda Menge, Fiscal Analyst III, Child Development Training Consortium, Modesto Junior College, from 50% to 80%, effective July 1, 2004 to June 30, 2005, contingent upon funding.

17. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment from 19 hours/9 months to 30 hours/9 months for Heather Gillis, Academic Achievement Center Instructional Aide, Columbia College, effective August 16, 2004, through June 30, 2005.

18. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 95% (38 hours per week) for Nadia Vartan, YCCD Software/Network Analyst, effective August 30, 2004 through December 18, 2004.

19. Voluntary Reduction in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 10% to 0% for David Boone, Instructional Assistant II, Technical Education, Modesto Junior College, effective August 30, 2004, to December 18, 2004.

II. ACTION ITEMS

B. Personnel Items

20. ☆Reduction in Force – Classified

Expiration of CASS funding has created the need for a reduction in program staff (.5 position) at Modesto Junior College, effective August 1, 2004.

RECOMMENDATION: That the Board of Trustees approve Resolution No. 03-04/25, Classified Reduction in Staff, authorizing a reduction in classified personnel and appropriate notice to affected staff.

21. ☆Short-Term Appointee List

Recently adopted state law (AB500-Goldberg) pertaining to the employment of short-term employees provides that the governing board, at a regularly scheduled Board meeting, shall specify the service to be performed and certify the ending date of service. The enclosed list of short-term appointees is intended to bring the District into compliance with AB500. Subsequent lists of short-term appointees will be submitted for Board approval on a monthly basis.

RECOMMENDATION: That the Board of Trustees approve the list of short-term appointees.

22. Vice Chancellors' Salaries

Although the vice chancellors' salaries were discussed at the May 12 meeting, it is necessary for the Board of Trustees to formally adopt the salaries in the public session.

RECOMMENDATION: That the Board of Trustees approve the salaries for the Interim Vice Chancellor, Human Resources, and Interim Vice Chancellor, Educational Services, at \$120,000 annually; the salary for the Executive Vice Chancellor at \$139,000 annually.

23. Interim Chancellor's Salary

RECOMMENDATION: That the Board of Trustees approve a compensation package for the Interim Chancellor.

II. ACTION ITEMS

C. Discussion Items

1. ☆2004-2005 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 8, 2004, thus providing the Board and staff three months in which to further review the Tentative Budget and modify it when the 2004-2005 state budget is adopted and when the final District accounting for the current fiscal year is complete.

The amended 2003-2004 Budget includes adjustments to revenue due to increased growth funds in the current budget year and in the prior budget year. Statewide deficits to funding did not materialize to the extent the State previously estimated.

The amended budget also includes significant year-end balances which all three sites have worked hard to achieve. The District's deficit reduction plan counted on approximately \$2 million in budget savings being carried over to the 2004-2005 fiscal year to assist in balancing the 2004-2005 budget.

The Tentative 2004-2005 budget reflects information provided from the Governor's May budget revision. The May Revise is slightly better than what the Governor proposed in January. Equalization funding is included at \$80 million. If this funding source remains in the final budget, the District's allocation will be approximately \$800,000. However, there may be restrictions on spending the equalization dollars.

The Tentative Budget includes FTES growth revenue at 3%. The college expenditure budgets have been augmented to cover the cost to grow 3%. The Tentative Budget also includes health benefit increases for both active employees and retirees. Retiree benefits have increased significantly due to approximately 55 new retirees.

Included in the Tentative Budget is the first year cost to pay for the "Golden Handshake" that the District offered. The Tentative Budget includes unfilled positions which will provide one time savings estimated at \$1.7 million. The budget does not include a transfer to the retiree liability fund which will be required in fiscal year 2005-2006.

The YCCD Tentative Budget does not include a COLA augmentation. It is balanced due to the significant planned year-end savings and a large number of unfilled positions. This budget will be modified in September, as appropriate, based on the final state budget.

RECOMMENDATION: That the Board of Trustees adopt the 2004-05 Tentative Budget for the Yosemite Community College District and direct staff to file it with the Stanislaus County Superintendent of Schools by July 1, 2004.

II. ACTION ITEMS

C. Discussion Items

2. ☆ Establishment of 2004-2005 Appropriation 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 appropriation limit is made.

RECOMMENDATION: That the Board of Trustees:

- a. Accept the report regarding the establishment of the 2004-2005 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 14, 2004.

3. ☆ Resolution Authorizing End-of Year 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 2003-04.

RECOMMENDATION: That the Board of Trustees adopt Resolution No. 03-04/23 authorizing the transfer of appropriations necessary to balance expenditure classifications of the Yosemite Community College District budget for the 2003-04 fiscal year.

4. ☆ Governing Board Member Election

A Governing Board Member Election for the positions in Trustee Areas 1, 3 and 5 of the Yosemite Community College District will be conducted on Tuesday, November 2, 2004.

In order to properly schedule the election, the Board of Trustees must adopt a resolution including Specifications of the Election Order and file same with the County Superintendent of Schools prior to June 30, 2004.

RECOMMENDATION: That the Board of Trustees adopt Resolution No. 03-04/24 ordering an election to be conducted on November 2, 2004 in the Yosemite Community College District, and direct that the adopted resolution be filed with the Stanislaus Superintendent of Schools prior to June 30, 2004.

II. ACTION ITEMS

C. Discussion Items

5. Facilities Master Plan (FMP)

At the February 2004 Board of Trustees meeting, the new YCCD Facilities Master Plan (FMP) was adopted. In March the Board provided additional input based on further review of the plan and requested more detail to some of the project descriptions to include a more specific breakdown of the high-cost projects and suggested elimination of projects not addressing our most pressing needs. Nick Stavrianoudakis, Director of External Affairs, will provide a report to the Board detailing cost estimate revisions and project description modifications made to the plan since last discussed.

RECOMMENDATION: That the Board of Trustees review and approve the report as an addendum to the 2004 YCCD Facilities Master Plan.

6. Draft Facility Project List

In July, the Board of Trustees will vote on pursuing a community college facilities bond. In preparation for a possible bond measure, a draft project list has been developed based on educational needs, fiscal considerations, college president priorities, community and campus feedback, and public opinion polls. This draft project list will be provided to the Board of Trustees and reflects projects already identified in the Facilities Master Plan.

RECOMMENDATION: That the Board of Trustees review the draft project list and provide additional input and direction to staff.

7. Local Hazard Mitigation Plan

44 Code of Field Regulation (CFR) §201 requires that local Governments must have a Local Hazard Mitigation Plan (LHMP), or participate in a multi-jurisdictional LHMP, to be eligible for future federal funding for hazard mitigation through specific FEMA grants. The local planning process requires coordination with State and Federal Agencies and neighboring communities. It should also provide an opportunity for public comment. The California Office of Emergency Services (OES) and FEMA must both approve the LHMP prior to November 1, 2004. The requirement is addressed with the proposed Board Policy 6500-Emergency Preparedness/Hazard Mitigation. Mr. Willie McDaniel, Director of Campus Security and Employee Safety, will be available to answer questions.

RECOMMENDATION: That the Board of Trustees authorize the Yosemite Community College District to:

- a. Coordinate efforts with the Stanislaus County Office of Emergency Services and submit an addendum to the Stanislaus County Local Hazard Mitigation Plan covering the Modesto Junior College campuses.

II. ACTION ITEMS

C. Discussion Items

7. Local Hazard Mitigation Plan – continued

- b. Coordinate efforts with the Tuolumne County Office of Emergency Services and submit an addendum to the Tuolumne County Local Hazard Mitigation Plan covering the Columbia College campus.

8. Board Policies Update (Sections 1000-6000 – Second Reading)

The comprehensive YCCD Policy Manual review process began in 1999 at the direction of the Board of Trustees with the goal of revising, updating or deleting existing YCCD policies as appropriate. Upon completion of this task in 2001, the Community College League of California (CCLC) also produced a set of model policies and procedures that were either legally required for accreditation, legally advised, or suggested as good practice. After the CCLC model policies were distributed, it was decided that the YCCD Policy Manual committees would reconvene to compare and contrast the committee's original recommendations with the CCLC model policies. Section 7000 (Board of Trustees) has already been adopted.

Recommended policies for Sections 1000-6000 are available on the YCCD website for anyone to review. These policies were presented in March and April as a first reading. Since that time, editing suggestions have been incorporated.

RECOMMENDATION: That the Board of Trustees conduct a second and final reading, adopt the proposed policies in Sections 1000-6000 and delete the policies they replace.

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 next regular meeting of the Board of Trustees will be held on Wednesday, July 14. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. at YCCD Board Room, 2201 Blue Gum Avenue, Modesto.