

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED FIFTY-NINTH REGULAR MEETING
MAY 6, 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

5:00 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

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of April 1, 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. Summer Session Class Schedules

Summer classes will begin in May at MJC and in June at Columbia. MJC's summer session has several start dates between May 5 and July 14. Columbia College will hold two summer sessions with classes beginning June 9 for the first session and July 14 for the second session. Summer sessions end August 14 for both MJC and Columbia College.

2. Columbia College Hosts Educational Conference on Water

Several community members and organizations attended Columbia College's community service presentation on "Managing Water: An Educational Conference on Critical Issues" on April 11 and 12, 2003. This two-day conference, co-sponsored with the Central Sierra Watershed Coalition, was the culmination of a yearlong focus on state and local water issues. More than 50 guest speakers and panelists participated representing the various interests and viewpoints of water management.

3. MJC Foundation News

On March 27, the MJC Foundation published a two-page display of articles in the Modesto Bee. The articles were written by MJC President Jim Williams, MJC Foundation President Jim West and other MJC Alumni and described many of the exciting things that are happening at MJC.

4. Marketing Award – Modesto Junior College

Modesto Junior College has won a First Place award from the Community Colleges Public Relations Organization for the *Spring 2003 Schedule of Classes* which featured Maya Angelou on the cover and a quote from her presentation held at MJC. MJC also won a Second Place award for its promotional video "*Think Advantage.*" Congratulations to staff members Diane Weatherford and Letitia Senechal for their work on the Schedule of Classes and to Becky Plaza and Susie Agostini for their work on the video!

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. AACC Convention

In April, Chancellor Fisher, President Williams and staff attended the American Association of Community Colleges (AACC) 2003 Annual Convention in Dallas, Texas. The theme was "Investing in Futures" which focused on innovative learning models, informed policy, new technologies, and emerging issues. Chancellor Fisher presided as the national Board Chair and President Williams represented YCCD as a panel speaker. The Chancellor and President will share more on their activities.

2. MJC Nursing Program

The MJC Nursing Program has been graduating Registered Nurses (RN) for 40 years. In 2003, 215 students are enrolled in the 4-semester program, which boasts a higher pass rate of 93% for students taking the Board of Registered Nursing (BRN) than the average of 85%. The demand for nurses continues to grow as well as earnings potential. It is anticipated that our graduates will earn over \$40,000 in their first year. Diane Wirth, Dean of Allied Health/Family and Consumer Sciences, will provide an overview of the MJC Nursing Program.

3. Technology Conversion Update

Staff will provide a brief status report on the technology conversion project as well as associated projects. Timelines and projected deliverable dates will be discussed. The hard work put forth by the staff involved in this project also will be recognized. Presenting the report will be Lynn Kubeck, Chief Information Systems Officer.

4. Criminal Justice Training Center/Joint Powers Agreement (JPA)

In April, the City of Modesto Police Department, the Stanislaus County Sheriff's Department and YCCD voted unanimously to terminate the JPA effective July 1, 2003. A new version of the Academy, which would begin in July 2003 under the direction of MJC, is pending approval of a Peace Officer Standards and Training (POST) Certification. Although financial support from other parties may not be available, in-kind support from local law enforcement agencies is being sought. Dr. Jim Williams and Dr. Bill Scroggins will provide an update on plans for continuing the Academy in July or at a later date.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

5. State Budget Update

Subsequent to the March 18 mid-year community college budget cuts signed by the Governor, staff began the process of analyzing the fiscal impact to the 2003-2004 and 2004-2005 YCCD budget. The estimated shortfall this year and next year is estimated to be between \$8 and \$11 million. The colleges and Central Services have developed a plan to address \$11 million. However, the deficit projected for the 2004-2005 fiscal year is another \$5.2 million and does not include other possible new costs. This budget projection for 2004-2005 includes about 90 unfilled positions district wide. In the event that the Legislature and the Governor do not cut community colleges as severely as outlined in the January 2002 budget proposal, staff will revise the deficit reduction plans for the two upcoming fiscal years.

The May State budget revision will be released May 14 and will provide some indication of the likely outcome.

Ms. Teresa Scott, Vice Chancellor for Fiscal Services, will provide an update with the latest available information.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from March 1, 2003 through March 31, 2003.

2. Acceptance of Gifts – Columbia/MJC

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

- a. Stainless steel refrigerator, demonstration table, and sink unit donated by Pogacar Properties, for the Columbia College Hospitality Management program.
- b. GE refrigerator/freezer from Ms. Rose Shaffer, for use in the Biology Department at Columbia College.
- c. Various books of assorted titles from Kathleen Ennis, to be used in the Library at Modesto Junior College.
- d. A coordinate measuring machine from RSM Laboratories to be used for the Machine Tool Technology Program in the Technical Education Department at Modesto Junior College.
- e. A lathe tailstock turret, faceplate, 90 degree rotary table mount, and tailstock from Midcal Packaging Technologies, to be used for the Machine Tool Technology Program in the Technical Education Department at Modesto Junior College.
- f. Machinist and cutting tools from Ugo and Sally Lea, to be used for the Machine Tool Technology Program in the Technical Education Department at Modesto Junior College.
- g. A desk chair, computer monitor, keyboard and master key from Valori Lee, to be used for the Art Gallery in the Arts, Humanities & Communications Division at Modesto Junior College.
- h. Various pieces of metal from Modesto Steel, to be used for the Ag Field Day, Ag Mechanics contest at Modesto Junior College.
- i. Nursery plants from Westurf Nursery, to be used for the annual MJC plant sale in the Ag & Environmental Sciences Division at Modesto Junior College.

II. ACTION ITEMS

A. Consent Agenda

3. Modesto Junior College 2001-2002 Sabbatical Leave Reports

Final reports have been received and approved by the college president for the Modesto Junior College faculty who were on Sabbatical Leave in 2001-2002.

RECOMMENDATION: That the Board of Trustees accept the 2001-2002 Modesto Junior College Sabbatical Leave reports from the following faculty:

Academic Year 2001-2002

Bonnie Costello
Steve Murov
Wayne Wightman
Guy Van Cleave
Teri Nicoll-Johnson
Teri Jacobsen Curtis
Pam Crittenden

Fall Semester 2001

Douglas Smith
Rebecca Ganes
Jim Montalbano

4. Notice of Completion of Contract

The contract for the Asbestos Abatement and Lead Remediation Project, O'Brien Building, Modesto Junior College, West Campus, Bid #03-1525, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Systems Abatement Corporation for the Asbestos Abatement and Lead Remediation Project, O'Brien Building, Modesto Junior College, West Campus, Bid #03-1525, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

5. Notice of Completion of Contract

The contract for the Parking Lots at Modesto Junior College, West Campus, Bid #02-1504, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Ross F. Carroll, Inc. for the Parking Lots at Modesto Junior College, West Campus, Bid #02-1504, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

II. ACTION ITEMS

A. Consent Agenda

6. ☆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 Development Training Consortium - YCCD
Submitted to California Department of
Education, Child Development Division
Agency: \$3,707,740; Proposer: \$0
- b. Corporate College Logistic Services – MJC
Submitted to YCCD Head Start Hispanic Service
Partnership Grant
Agency Share: \$1,950; Proposer share: \$0
- c. GUIDE 110, YES Training – MJC
Submitted to YMCA of Stanislaus County
Agency share: \$21,299; Proposer share: \$0
- d. Front Office Staff – Customized Training and Support –
MJC
Submitted to Dutcher School – Turlock School District
Agency share: \$200; Proposer share: \$0
- e. Industry-Driven Regional Collaborative Information
Technology– CC
Submitted to California Community Colleges
Chancellor’s Office
Agency Share: \$136,043; Proposer share: \$378,607
- f. Learn and Serve America: MJC Service Learning
Center – MJC
Submitted to Corporation for National and Community
Services
Agency share: \$124,999; Proposer share: \$128,190
- g. Industry-Driven Regional Collaborative (IDRC) –
Economically Distressed Areas – MJC
Submitted to California Community Colleges
Chancellor’s Office
Agency share: \$78,530; Proposer share: \$161,000
- h. Industry Driven Regional Collaborative Grant – MJC
Submitted to California Community Colleges
Chancellor’s Office
Agency share: \$219,773 Proposer share: \$226,595

II. ACTION ITEMS

A. Consent Agenda

6. ☆Project Applications/Amendments (continued)

- i. AmeriCorps Local Emergency Readiness Teams (MJC Alert) - MJC
Submitted to California Community Colleges
Chancellor's Office
Agency share: \$138,779; Proposer share: \$87,000
- j. Job Profile for Maintenance Mechanic "C" – MJC
Submitted to Foster Farms Dairy
Agency share: \$1,650; Proposer share: \$0
- k. Customer Service Training – MJC
Submitted to Industrial Electrical Co.
Agency share: \$1,350; Proposer share: \$0

II. ACTION ITEMS

B. Personnel Items

1. Correction to Retirement Date – Classified

RECOMMENDATION: That the Board of Trustees grant retirement status to Adele Wikner, Media Technician II, Columbia College, effective June 5, 2003 and officially commend her for 17 years of valuable service to the District (*rescind prior June 9, 2003 date*).

2. Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the interim appointment of David Willson as Dean of Instructional Services, Columbia College, effective July 1, 2003 through June 30, 2004.

3. Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the administrative appointment (interim) of Alan Cover to the position of Dean of Agriculture & Environmental Sciences, Modesto Junior College, effective July 1, 2003 to June 30, 2004.

4. Interim Appointment of Educational Administrator

RECOMMENDATION: That the Board of Trustees approve the administrative appointment (interim) of Derek Madden to the position of Dean of Science, Mathematics & Engineering, Modesto Junior College, effective July 1, 2003 to June 30, 2004.

5. Professional Education Leave – Management

RECOMMENDATION: That the Board of Trustees approve up to forty (40) days of Professional Education Leave for John Chappell, Telecommunications Systems Manager, Modesto Junior College, during the period March 10, 2003 to December 19, 2003.

6. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Lilia Davis, Program Representative I, Workforce Training Center – Learning Disabilities, Modesto Junior College, effective April 7, 2003.

7. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Sandra Gonzalez, Food Service Cashier, Modesto Junior College Food Service, effective April 14, 2003.

II. ACTION ITEMS

B. Personnel Items

8. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Sheryl Canutt, Support Staff I (50%), Financial Aid, Columbia College, effective June 30, 2003.

9. ☆ 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 attached 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.

10. ☆ Reduction in Force - Classified

Expiration and/or reduction in state funding have created the need for a reduction in classified staff (nine positions district wide) effective June 30, 2003.

RECOMMENDATION: That the Board of Trustees approve **Resolution No. 02-03/07**, Classified Reduction in Staff, authorizing a reduction in classified personnel and appropriate notice to affected staff.

11. Classified Reduction in Force

On March 4, 2003, the Board approved a reduction in classified staff in Community Services Agency (CSA) funded positions and authorized appropriate notification to affected personnel. The notice was provided in a timely manner in accordance with state law and the classified negotiated agreement.

RECOMMENDATION: That the Board of Trustees confirm the following terminations of employment and placement on a reemployment list effective April 25, 2003:

1. Susanne McBride, Instructional Assistant II – ESL, Modesto Junior College
2. M. Alejandra Contreras, Instructional Assistant II – ESL, Modesto Junior College
3. Brenda Smith, Instructional Assistant II – GAIN, Modesto Junior College

II. ACTION ITEMS

C. Discussion Items

1. ☆ Classified School Employee Week

The California State Legislature and the California School Employees Association have designated May 18-24, 2003 as Classified School Employee Week in California. This designation is done in recognition of the valuable service provided to schools and colleges by these employees. Certainly the Yosemite Community College District could not function without the numerous tasks performed by these staff who bring to the district a wide variety of skills and knowledge. The attached resolution is being presented by Mr. Jeffrey Swank, President of the CSEA Chapter #420 (YCCD), for the Board's consideration.

RECOMMENDATION: That the Board of Trustees adopt **Resolution No. 02-03/08** and thank YCCD classified staff for their commitment and contribution to our colleges.

2. Study Abroad in Northeastern Thailand – Summer 2004

MJC is seeking Board approval of a one-month study opportunity in Northeastern Thailand during the summer of 2004. MJC is developing a summer program that would include, study, travel and cultural experiences, including a home stay with a Thai family. A group size of 25 students, including a faculty member will earn seven units consisting of English 101 or 103, Asian Literature and independent study taught by Professor Mara Fagin. MJC has an ongoing relationship with First Global Community College in Isan, Thailand. College President Dr. Williams will be available to answer questions.

RECOMMENDATION: That the Board of Trustees approve the study abroad program to Northeastern Thailand for Summer 2004 for Modesto Junior College.

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 March 31, 2003. A copy of the report 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 Office of the State Chancellor. Staff will be available 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 March 31, 2003; and
- b. Direct staff to submit a copy of the required report to the County Superintendent of Schools and the California Community Colleges Chancellor's Office.

II. ACTION ITEMS

C. Discussion Items

4. ☆Yosemite Faculty Association (YFA) Proposal to YCCD – Public Hearing

YFA previously presented its 2003-2004 negotiations proposal to YCCD. Consistent with state law 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 YFA 2003-2004 negotiation proposal to YCCD.

5. ☆YCCD Bargaining Proposal to CSEA, Chapter 420

The current YCCD/CSEA Chapter 420 agreement provides that either party may reopen negotiations for the 2003-04 contract year on salary and benefits only. YCCD has informed the Chapter of the District's intent to reopen negotiations. Consistent with state law and Board policy, it is necessary for the Board of Trustees to adopt the District's proposal to CSEA, Chapter 420.

RECOMMENDATION: That the Board of Trustees adopt the attached YCCD 2003-04 proposal to CSEA.

6. ☆Sabbatical Leave – Columbia College

Due to Professor William H. Wilson's decision to decline a sabbatical leave, the Columbia College Sabbatical Leave Committee has submitted a revised recommendation regarding 2003-2004 sabbatical leave recipients. The Committee's recommendation has been reviewed and approved by the college president.

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. 02-03/09** is attached.)

RECOMMENDATION: That the Board of Trustees approve a sabbatical leave for Patricia Harrelson for Fall Semester 2003 and Spring Semester 2004, in place of William H. Wilson who declined the sabbatical award for 2003-2004.

In addition, approve **Resolution No. 02-03/09** in lieu of a bond for this recipient.

II. ACTION ITEMS

C. Discussion Items

7. Non-Renewal of Extension on Leave Option

An option agreement between YCCD and KG-MN, LLC to develop and lease areas of West Campus will expire November 6, 2003. It provides that if notice to terminate the agreement is not given within 6 months of the expiration date (i.e., between May 6, 2003 and November 6, 2003), then the option term will automatically be renewed for an additional two years.

RECOMMENDATION: That the Board of Trustees direct staff to give notice to KG-MN, LLC that the District elects to terminate the option agreement as of November 6, 2003, the option termination date, unless an earlier termination date is agreed upon by mutual consent.

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 June 3. Closed session will begin at 3:30 p.m. and open session at 5:00 p.m. at 2201 Blue Gum Avenue, Modesto.