

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED SIXTY-THIRD REGULAR MEETING
SEPTEMBER 2, 2003

3:30 P.M. Call to Order – YCCD Board Room

Administration of Oath of Office to recently appointed Trustee for Area One – Ms. Pat Dean

3:45 P.M. 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. 54957.6 - Collective Bargaining
 3. Pursuant to G. C. Section Pursuant to G. C. 54956.9 - Anticipated Litigation

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

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of August 5, 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. Diversity & Human Rights Conference

This is a reminder that MJC invites everyone to the Diversity & Human Rights Conference this Friday and Saturday, September 5-6 on the East Campus. For more details and registration information go to the MJC website at www.gomjc.org.

2. Jazz & Big Band Legend Maynard Ferguson in Concert at MJC

Big band and jazz trumpeter Maynard Ferguson and his Big Bop Nouveau Band will perform a concert on Thursday, September 11, at 8 p.m. in the MJC Auditorium. Tickets are \$12 general admission and \$10 for students and seniors and are available in the MJC Arts Division Office or at Gottschalks Music Center.

3. MJC Storytelling Festival

MJC's 4th Annual Storytelling Festival will be held on Friday, September 19, beginning with a Storytelling Workshop at 4 p.m., followed by a Family Concert at 7 p.m. in the Auditorium and winding-up with a Ghost Story Concert at 9 p.m. Tolerance tales from around the world will feature storytellers Steve Stanfield, Diane Ferlatte, and The Story Quilters: B.Z. Smith and Cynthia Resivo. For more information or tickets, contact the Arts, Humanities and Communications Division at 575-6081.

4. Columbia College Learning Resources Center Grand Opening

Columbia College will host the grand opening of its Learning Resources/Media Technology Center prior to the Board meeting on Wednesday, October 8 from 2:00 to 4:00 p.m. Staff, students and the public are welcome to join in the ceremony followed by refreshments, music, and facility tours.

5. New Learning Resource Center Earns Chamber Building Award

The Center was selected recently by the Tuolumne County Chamber of Commerce to receive its New Building Award for August. The facilities earning this award are entered into the Chamber's annual "Outstanding Building in the County" competition. The results of the competition will be announced at the Chamber's installation dinner to be held in November.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. Student Outcomes Workshop

Last month approximately 40 MJC Faculty, staff and administrators met in a retreat environment to focus their attention on strategies for enhancing student outcomes. Staff will present a brief summary of the event and future activities related to this topic.

2. State Budget

Details of the state's 2003-2004 budget are still not available. The State Chancellor's Office is working on their analysis of the budget and what it means to individual districts. That information will be presented at the budget workshop on September 5. Following that meeting, YCCD will prepare a new proposed annual budget. Fortunately, the Board of Governors has taken the unprecedented action of giving local districts until the month of October (versus September) to adopt their 2003-2004 budgets. Thus, YCCD's will appear on the October 8 agenda.

3. ☆Board of Trustees Priorities for 2003-2004

At the trustees' annual retreat in July one item of discussion was the Board's priorities for this academic year. Based on trustees' input, a draft statement of five items was presented at the August meeting. At that time, trustees approved the list and added a sixth item. The adopted Statement of Priorities is attached for everyone's information and reference.

II. ACTION ITEMS

A. Consent Agenda

1. ☆Purchase Orders

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

2. Acceptance of Gifts

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

- a. Thirty boxes of carbide inserts, holders and related tooling from Kennametal Inc. to be used for the Machine Tool Technology Program in the Technical Education Department at Modesto Junior College.

3. Special Appointment – Jeffery

RECOMMENDATION: That the Board of Trustees approve the appointment of Dr. Kathryn Jeffery to serve as a member of the ACCJC Evaluation Team visiting Brooks College on March 23-25, 2004.

4. Notice of Completion of Contract

The contract for the Carkeet Park Portable Toilets, Columbia College, Bid #03-1528, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Barham, Inc. for the Carkeet Park Portable Toilets, Columbia College, Bid #03-1528, 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 HVAC Upgrade at the Library, Forum, and Gymnasium, Modesto Junior College, East Campus, Bid #02-1501, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Champion Industrial Contractors, Inc., for the HVAC Upgrade at the Library, Forum, and Gymnasium, Modesto Junior College, East Campus, Bid #02-1501 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. Notice of Completion of Contract

The contract to Replace HVAC Equipment at the Agriculture Building at Modesto Junior College, East Campus, Bid #03-1523, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Silveira General Construction to Replace HVAC Equipment at the Agriculture Building at Modesto Junior College, East Campus, Bid #03-1523 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. Child Development Food Program – CC/MJC
Submitted to California Dept. of Education
- b. State Advisory Committee for Special Populations (Joint Special Populations Advisory Committee JSPAC) – CC
Submitted to California Community Colleges Chancellor's Office
Agency share: \$38,000; Proposer share: \$0
- c. Work Keys Job Profile for Maintenance Mechanic "B" – MJC
Submitted to Foster Farms Dairy
Agency share: \$2,000; Proposer share: \$0
- d. Child Development Permit Project (CDPP)
Submitted to First 5 California (formerly the California Children and Families Commission)
Agency share: \$1,000,000; Proposer share: \$0

II. ACTION ITEMS

B. Personnel Items

1. Probationary Appointment - Academic

RECOMMENDATION: That the Board of Trustees approve the probationary appointment (first year contract) of Brett Herren to the position of Instructor of Mathematics, Science, Mathematics and Engineering, Modesto Junior College, effective August 25, 2003.

2. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Leslie Duarte to Program Rep I, EOPS, Modesto Junior College, effective September 2, 2003, contingent upon funding.

3. Probationary Appointment – Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Ernesto Magdaleno to Laboratory Assistant II (50%), Science, Mathematics & Engineering, Modesto Junior College, effective August 27, 2003 (10-month work year).

4. Rescind Management Reduction in Force

RECOMMENDATION: That the Board of Trustees rescind reduction in force for the following classified managers due to receipt of state funding for the Child Development Training Center (CDTC):

1. Linda Butterfield, Director of CDTC
2. Catherine Cole, Professional Growth Project Manager, CDTC
3. Yvonne Schemper, Assistant Director of CDTC

5. Voluntary Reduction in Assignment – Management

RECOMMENDATION: That the Board of Trustees approve the voluntary reduction in assignment from 100% to 50% for Catherine Cole, Professional Growth Project Manager, Child Development Training Consortium, effective September 8, 2003 through October 31, 2003 and accept her resignation effective October 31, 2003.

II. ACTION ITEMS

B. Personnel Items

6. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Pamela Carsner, Account Technician I, Columbia College, effective July 31, 2003.

7. Resignation – Classified

RECOMMENDATION: That the Board of Trustees accept the resignation of Ron Edwards, Campus Security Office I, YCCD Security, effective August 18, 2003.

8. Termination of Probationary Employment – Classified

RECOMMENDATION: That the Board of Trustees approve the termination of probationary employment of Howard McDonald, Custodian, YCCD Facilities Operations, effective July 31, 2003.

9. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment from 10 months (75%) to 11 months (100%) for Aurora Sanchez, Instructional Assistant II, DSPS, Modesto Junior College, effective July 1, 2003 through May 31, 2004.

10. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for Lisa Yankovich, Child Development Center Master Teacher, Allied Health/Family & Consumer Science, Modesto Junior College from 87.5% to 100% effective July 1, 2003 through May 31, 2004.

11. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for Sandy Sample, Child Development Center Master Teacher, Allied Health/Family & Consumer Science, Modesto Junior College from 87.5% to 100%, effective July 1, 2003 through May 31, 2004.

II. ACTION ITEMS

B. Personnel Items

12. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment from 10 to 12 months for Claudia Mery, Instructional Assistant II, CalWORKS LD Program, Modesto Junior College, effective July 1, 2003 through June 30, 2004.

13. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment for Linda Menge, Program Representative II, Child Development Training Consortium, YCCD from 50% to 80%, effective August 1, 2003 through June 30, 2004.

14. Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve a temporary increase in assignment from 10 months to 11 months for Dave Wallace, Piano Accompanist, Arts, Communications & Humanities, Modesto Junior College, effective academic year 2003-04.

15. Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve an increase in assignment from 80% to 100% for Tomasia Drummond, Program Representative II, Financial Aid/CalWORKS, Modesto Junior College, effective September 1, 2003.

16. Placement On Reemployment List - Classified

RECOMMENDATION: That the Board of Trustees approve the placement of Jerry Morris, Media Production Photographer, Modesto Junior College, on a reemployment list for up to 39 months due to medical disability, effective August 12, 2003.

17. Professional Education Leave – Management

RECOMMENDATION: That the Board of Trustees approve up to forty (40) days of Professional Education Leave for Diane Wirth, Dean of Allied Health, Family Consumer Sciences, Modesto Junior College, during the period October 2003 to August 2005.

II. ACTION ITEMS

B. Personnel Items

18. ☆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.

II. ACTION ITEMS

C. Discussion Items

1. Capital Projects

On August 14, staff opened bids for the MJC pool and the low bid came in just under the two million the District had set aside for this project from the issuance of bonds last year. Previously the Board received an update that the bids for the West Campus Student Center came in about \$2.2 million greater than available funds. We do not have enough money for both projects at this time. The contractor and architect for the Student Center project have thoroughly examined the project and do not find areas to reduce costs significantly. Our consultants advise that if we delay the project by redesigning and reducing the project scope, it could be over a year before bids would go out, and increased construction cost over that time could bring the bids up to today's costs for a smaller building.

If we go forward with both projects, we will not need the final money for the Student Center for another year or more which would allow staff time to address the cash shortfall and identify other sources of revenue for this project.

RECOMMENDATION: That the Board of Trustees discuss this issue and provide staff with direction.

2. ☆Board Bylaws/Policies – Second Reading

At their annual retreat in June, the Board of Trustees reviewed eight Board bylaws (policies) for consideration of modifications or additions. The attached policies and proposed revisions are based on that discussion. A first reading was conducted in July. This is the second and final reading.

RECOMMENDATION: That the Board of Trustees conduct a second reading and approve the revised Board Bylaws/Policies 7310, 7320, 7340, 7345, 7346, 7360, 7430, and 7716.

3. ☆Resolution in Support of HR 2952 Healthy America Act

Congressman Dennis Cardoza recently contacted Trustee Neumann as Chair of the Board and asked that the YCCD Board of Trustees adopt a resolution in support of this legislation. The legislation is designed to promote and provide good nutrition to children and is being supported by many Central Valley leaders as well as national organizations.

RECOMMENDATION: That the Board of Trustees approve Resolution 03-04/03, support of HR 2952 – Healthy America Act.

II. ACTION ITEMS

C. Discussion Items

4. ☆Proposition 54, Racial Privacy Initiative

On the October 7 California ballot will be Proposition 54. If passed it would prohibit public agencies, including community colleges, from gathering any data on students or staff related to race, ethnicity, or national origin. Such a prohibition would eliminate our ability to monitor or track our efforts related to outreach, recruitment or student success. It is the antithesis of our stated mission and goals as well as accreditation standards. It also would make it impossible to apply and compete for many of our grants which require this demographic data. Many state organizations have formally registered their opposition to Proposition 54.

RECOMMENDATION: That the Board of Trustees adopt Resolution No. 03-04/04, in opposition to Proposition 54 on the October 7, 2003 ballot.

5. ☆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 June 30, 2003. 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 September 2 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 June 30, 2003;
- 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.

II. ACTION ITEMS

C. Discussion Items

6. Representatives to the VIP/JPA Board of Directors

The bylaws of the Valley Insurance Program Joint Powers Agency require that:

"Each member of the authority shall appoint two members to the Board of Directors. One Director for each member may be an elected official of the member's governing board. The other Director for each member shall be a management-level employee of the member.

In addition, each member shall designate one Alternate Director, who may either be an elected official of the member's governing body or a management-level employee of the member."

Based on the above, it is necessary for the Board of Trustees to appoint an elected official position and alternate director position to the VIP/JPA Board of Directors. Mr. Abe Rojas' (elected official position) and Mr. Richard Peralta's (alternate director position) terms expire September 30, 2003. Ms. Teresa Scott (management-level employee) is in the middle of a two-year term.

RECOMMENDATION: That the Board of Trustees appoint Mr. Abe Rojas to the elected official position and Mr. Richard Peralta to the alternate director position for two-year terms to begin October 1, 2003 and expire September 30, 2005.

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 - PLEASE NOTE NEW DATE

1. The next regular meeting of the Board of Trustees will be held on **Wednesday, October 8** at Columbia College. Prior to the Board meeting, there will be a grand opening ceremony for the new Columbia College Learning Resource Center. The activities on that day will be as follows:

- ❖ 2:00 p.m. Ribbon-Cutting Ceremony
- ❖ 2:00 – 4:00 p.m. Grand Opening Activities
- ❖ 3:30 p.m. Board Meeting - Closed Session
- ❖ 5:30 p.m. Board Meeting - Open Session