

**MINUTES**  
**YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**FOUR HUNDRED FIFTY-NINTH REGULAR MEETING**  
**MAY 6, 2003**

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Board Chair Paul Neumann called the meeting to order at 3:30 p.m. in YCCD Conference Room B. The Board of Trustees then recessed to closed session for the purpose of discussions pursuant to G. C. Section 54957 - Public Employee Discipline/Dismissal/Release; G. C. Section Pursuant to G. C. 54956.9 - Anticipated Litigation; and G. C. 54957.6 - Collective Bargaining.

The Board of Trustees reconvened to open session at 5:00 p.m. in the YCCD Board Room.

The Pledge of Allegiance to the Flag preceded formal Board action.

Board Members Present	Anne DeMartini Tom Hallinan ( <i>left the meeting at 6:15 p.m.</i> ) Joseph Mitchell Paul Neumann Abe Rojas Delsie Schrimp Nicole Jansen (student trustee) ( <i>left the meeting at 6:55 p.m.</i> )
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Board Members Absent	Linda Flores
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Others Present	M. Baker, J. Berg, A. Bethel, G. Boodrookas, D. Campbell, D. Clark, K. Clark, M. Climo, J. Codoni, R. Coffman, S. Conner, B. Costello, N. Dindral, T. Drummond, P. Fisher, R. Green, K. Haskin, R. Hickman, L. Hoile, B. Imbesi, D. Jamison, K. Jeffery, L. Kubeck, R. Lemos, R. Lovitt, T. Lyle, L. Martin, T. Mathias, L. Mayhew, W. McLeod, V. Metcalf, L. Miller-Finn, F. Osnaya, M. Ott, B. Page, W. Page, D. Partridge, G. Plasencia, R. Peralta, I. Ponder, T. Quayle, G. Railey, K. Ramos, J. Riggs, C. Rodriguez, L. Sammis, T. Scott, B. Scharffer, B. Scroggins, D. Solomon, N. Stavrianoudakis, S. Stroud, J. Swank, M. Turner, E. Vaca, M. Vargas, J. Walker, P. Wall, P. Wallace, E. Warn, J. Williams, D. Wirth, S. Woodside, E. Osnaya (recorder)
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Note: Approximately 50 additional classified staff members were present at the meeting but did not sign the attendance sheet.

14,666 Approval of the Minutes	A motion was made by Trustee Rojas, seconded by Trustee DeMartini, that the Board of Trustees approve the minutes of the regular meeting of April 1, 2003.
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The motion carried with a vote of 6-0.

**REPORTS AND INFORMATION ITEMS**

14,667 Student Activity Reports	On behalf of ASCC, Kathryn Jeffery, Columbia College Vice President for Student Services, reported that students held a very successful Multi-cultural Fair and Earth Day celebration. Dr. Jeffery said that Student Senate officers Doralyn Foletti and John Rush were part of the largest graduating class ever at Columbia College.
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Other student activities included a successful flower sale, student elections and participation in the Relay for Life event. Dr. Jeffery also reported that she is currently working on identifying a student trustee for the coming academic year.

Emilio Vaca, ASMJC President, reported that in April they had a successful election, a flower sale, assisted with the graduation ceremony, and held a recognition dinner for the MJC Associated Students. He also said that students will be participating in the following activities:

- ❖ Student rally in Sacramento – May 8
- ❖ Budget Cut Rally in San Francisco – May 9
- ❖ Student Budget Review – May 12
- ❖ Student Officer training - May 19-23
- ❖ Environmental issues forum in Patterson – May 20

Mr. Vaca said he will make his last report in June and will formally introduce in-coming ASMJC President Rebecca Freeman, as well as other new student senators. He said he has been honored to serve as the students' representative and privileged to have attended meetings on their behalf.

He then talked to trustees about the importance of communication at all levels and about the reduction in force of nine classified staff members. He expressed his views about why he felt laying off classified staff would hurt the service to students. He asked trustees to consider the impact layoffs would have on staff and students.

14,668  
Academic Senate Activity  
Reports

Terry Lyle, MJC Academic Senate President, thanked trustees for their participation in the graduation ceremony. Mr. Lyle reminded trustees that several years ago a district/senate committee was in place to address and coordinate the technology needs of the district. That committee eventually became defunct. With the upcoming implementation of the Datatel MIS system, Mr. Lyle said the Senate had passed a resolution stating it would be appropriate to reconvene a similar committee. Mr. Lyle said he had discussed that possibility with the Chancellor who agreed that it was a good idea. Mr. Lyle also reported that the Senate had discussed the development of procedures for discontinuing programs in the event that becomes necessary because of continued budget shortfalls. The Senate plans to present their recommendation on that topic to the Board in the fall.

Mr. Lyle reported that this is his last meeting as Senate President. Dr. Richard Hickman will replace him in June. He also announced that Michelle Christopherson was recently elected Senate President Elect.

Trustees thanked Mr. Lyle for his efforts as Senate President.

Professor Ida Ponder, the new Columbia College Academic Senate President, reported that one of her goals is to build a more cohesive Senate through increased communication and participation by

faculty and staff. One of the first steps toward her goal is holding a college retreat for all classified staff, faculty, managers and administrators at Columbia. The retreat will be sponsored by the Senate at Baker Station in August.

Ms. Ponder reported that Columbia College staff participated in the 4<sup>th</sup> Annual Relay for Life event. She said the event raised a total of \$110,000. Columbia College was recognized for the second highest fundraiser and presented with the Spirit Award. She also reported at the last Senate meeting they approved a revised constitution and election process.

Trustees thanked Ms. Ponder for her report.

14,669

Activities and  
Announcements

Summer Session Class  
Schedules

Chair Paul Neumann reported that 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.

Columbia College Hosts  
Educational Conference on  
Water

Community members and several organizations attended Columbia College's community service presentation on "Managing Water: An Educational Conference on Critical Issues" on April 11 and 12, 2003. President Jim Riggs reported that 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. He said more than 50 guest speakers and panelists participated representing the various interests and viewpoints of water management.

MJC Foundation News

President Jim Williams reported that on March 27, the MJC Foundation published a two-page display of articles in the Modesto Bee. Dr. Williams said it was well received. 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. Trustees said they had heard good comments about this publication.

Marketing Award –  
Modesto Junior College

Chair Neumann reported that Modesto Junior College had won two awards from the Community Colleges Public Relations Organization. First Place was awarded for the *Spring 2003 Schedule of Classes* which featured Maya Angelou on the cover and a quote from her presentation held at MJC. A Second Place award was received for MJC's promotional video "*Think Advantage*." Congratulations were expressed 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.

Presentations/Updates

## AACC Convention

Chancellor Fisher reported that in April she, 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. She said that some of the issues all colleges are struggling with are budget issues and the global situation in terms of anti-terrorism, support of students in the military, and support for global understanding. President Williams said he participated in a panel discussion about YCCD's Tolerance Initiative and serves on the AACC Commission on Economic and Workforce Development.

## MJC Nursing Program

Dr. Williams reported that the outstanding MJC Nursing Program has been graduating Registered Nurses (RN) for 40 years. He introduced Diane Wirth, Dean of Allied Health, Family & Consumer Sciences and Bonnie Costello, Nursing Director, who provided an update on the MJC Nursing Program. Dean Wirth stated that MJC's Allied Health Division represents 73 years of student success. Degrees and certificates are offered in seven different programs. Dean Wirth reported that MJC's program is the second largest in the state. 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%. Dean Wirth said the demand for nurses continues to grow as well as the earnings potential. She said it is anticipated that our graduates will earn over \$40,000 in their first year. Dean Wirth said that they are now starting to look at applicants for the fall semester. She said that for the 60 openings available for next term, they have received 205 applications.

Nursing Coordinator Bonnie Costello described the nursing Distance Education Service Program with Columbia College. Ms. Costello reported that this project started in 1999 with the Mother Lode Advisory Group, college staff and three hospital representatives. She said an industry driven collaborative grant of \$160,000 helped purchase the distance learning equipment. The program serves Tuolumne and Calaveras Counties students who attend Columbia College where they participate in theory classes videoconferenced from Modesto. These students then attend area hospitals for their clinical training. The first six students just graduated. Twelve other students will be graduating soon, and 20 have applied for the program in the fall program. Ms. Costello said this program is an exciting one that serves students well.

Student Trustee Nicole Jansen stated that as an MJC Student Ambassador she is often asked about our nursing program, and they promote our excellent nursing program. Dr. Williams also pointed out that this program highlights the work the colleges do with the community.

Trustees commended and thanked Dean Wirth and Professor Costello for their efforts.

#### Walk-In

At 6:05 p.m. trustees temporarily halted the meeting to recognize an organized walk-in by classified employees as a sign of opposition to the reduction-in-force of nine classified employees. Before returning to the meeting, Chair Neumann thanked the staff for their commitment to this important issue. He said the circumstances are unfortunate and assured them that the Board values classified staff.

#### Technology Conversion Update

This item was postponed to the June meeting.

#### Criminal Justice Training Center/Joint Powers Agreement (JPA)

In April, the City of Modesto Police Department, the Stanislaus County Sheriff's Office and YCCD voted unanimously to terminate the JPA effective July 1, 2003. President Williams reported that George Boodrookas, Dean of Community and Economic Development, and Bill Scroggins, Vice President of Instruction, have met with the representatives from the Sheriff's Office and the Modesto Police Department to plan strategies for continuing to offer law enforcement classes this coming year. Dr. Williams said that MJC is planning two basic academies and a regular program for reserves in PC 832 courses. He stated that he is optimistic about the progress and everyone's commitment to the continuation of the criminal justice program. A new version of the Academy would begin in July 2003 under the direction of MJC, 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. There were questions with regard to what would happen if POST certification were not in place by July. Chancellor Fisher explained that classes could not be offered until certification is in place.

#### State Budget Update

Teresa Scott, Vice Chancellor for Fiscal Services, reported that the fiscal outlook continues to be grim. Subsequent to the March 18 mid-year community college budget cuts signed by the Governor, Ms. Scott said staff began the process of analyzing the fiscal impact to the 2003-2004 and 2004-2005 YCCD budget. She added that staff should be commended for their hard work as they identified areas where funds could be reallocated, reduced, charged to restricted funds, etc. Ms. Scott said the estimated shortfall this year and next year is estimated to be as high as \$11 million. The colleges and Central Services have developed a plan to address this. 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. Vice Chancellor Scott provided an updated proposal from the statewide system to reduce statewide cuts from community colleges from \$350 million to \$75 million. She said the proposal is aggressive and optimistic, but she did not believe it would prevail with the Governor and Department of Finance. The Governor's May State budget revision is due May 14 and will provide more information. However, it does not look good.

Vice Chancellor Scott stated that a balanced tentative budget would be presented to the YCCD Board in June.

*(Trustee Hallinan left the meeting at 6:15 p.m.)*

Student Trustee Nicole Jansen asked when students will know if there will be an increase in fees. Vice Chancellor Scott explained that fees are part of the budget packet. Fee increases will not be known formally until the budget is set.

### **ACTION ITEMS**

#### **Consent Agenda**

14,671  
Purchase Orders

Trustee Schrimp had a question regarding purchase order number 65659 – CSU Institutional Fee. Vice Chancellor Scott explained that the purchase order is designated for an internet connection for statewide video broadcasting. Payment is made directly to CSU from a restricted fund specifically for this purpose.

A motion was made by Trustee Mitchell, seconded by Trustee Schrimp, that the Board of Trustees approve the purchase orders issued from March 1, 2003 through March 31, 2003.

The motion carried with a vote of 4 ayes (DeMartini, Flores, Rojas, Schrimp) and 1 abstention (Neumann).

A motion was made by Trustee Rojas, seconded by Trustee Schrimp, that the Board of Trustees take the following action on the remainder of the Consent Agenda, including the item on the addendum:

14,672  
Acceptance of Gifts  
Columbia/MJC

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.

Modesto Junior College  
2001-2002 Sabbatical  
Leave Reports

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

Notice of Completion of  
Contract

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.

Notice of Completion of  
Contract

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.

Project Applications/  
Amendments

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: **(Report #2082)**

- 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
- 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

Trustee DeMartini said she had some concerns with item f. (Learn and Serve America). She would like to discuss this further and asked that the item be pulled. Her concerns were with the matching funds and the appropriateness for the college to seek this type of grant. Dr. Williams explained that the matching funds would come from a HUD grant and not from the general fund. Dr. Scroggins described the types of training in which students would participate. He said this project is in line with Dr. Williams’ challenge to create a service mentality at MJC, which is one of the cornerstones of the Excellence Initiative, as well as part of their strategic planning process. Dr. Scroggins said they will prepare detailed reports to keep trustees informed on this project. Mrs. DeMartini thanked Dr. Scroggins for the information. Dr. Fisher added that submitting the application did not guarantee that the project would be funded.

ADDENDUM ITEM

MJC Child Development  
Program Additions/Revisions

Approve the additions and revisions to programs within the Child  
Development Department at Modesto Junior College.



With these additions and revisions to programs within the Child Development Department, MJC's certificates and degrees are now aligned with the state requirements for childcare permits and credentials. Previously, the college offered a 20 unit AA degree, a 30 unit AS degree, a locally approved 12 unit certificate for Family Life Educator, and two state approved certificates, 19 units in School Age Child Care and 22 units in Infant/Toddler Care. MJC students were previously required to take a separate set of courses to meet state permit and credential requirements. The proposed new certificates and revised degrees now align with state requirements as follows:

MJC Certificates of Achievement

Assistant	6-7 units
Associate Teacher	12-13 units
Master Teacher	32-33 units
Site Supervisor	32-33 units
Early Intervention Assist. 1	24-25 units
Early Intervention Assist. 2	32-33 units

State Permits and Credentials

- Assistant Permit
- Associate Teacher Permit
- Master Teacher Permit
- Site Supervisor Permit (Requires AA/AS)
- Child Development Assoc. Credential 1
- Child Development Assoc. Credential 2

Associate Degrees

Associate of Arts Degree:	24-25 units	Required for Site Supervisor Permit and optional for Master Teacher Permit
Assoc. of Science Degree	21-33 units	

The motion carried with a vote of 5-0.

- 14,673  
Personnel Items
  - Correction to Retirement Date  
– Adele Wikner
  - David Willson
  - Alan Cover
  - Derek Madden
- A motion was made by Trustee Mitchell, seconded by Trustee DeMartini, that the following nine personnel items be approved:
- 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*).
- Approve the interim appointment of David Willson as Dean of Instructional Services, Columbia College, effective July 1, 2003 through June 30, 2004.
- 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.
- 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.

John Chappell	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.
Lilia Davis	Accept the resignation of Lilia Davis, Program Representative I, Workforce Training Center – Learning Disabilities, Modesto Junior College, effective April 7, 2003.
Sandra Gonzalez	Accept the resignation of Sandra Gonzalez, Food Service Cashier, Modesto Junior College Food Service, effective April 14, 2003.
Sheryl Canutt	Accept the resignation of Sheryl Canutt, Support Staff I (50%), Financial Aid, Columbia College, effective June 30, 2003.
Short-Term Appointee List	<p>Approve the list of short-term appointees.</p> <p>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. This 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.</p> <p>The motion carried with a vote of 5-0.</p>
14,674 Classified Reduction in Force	<p>Vice Chancellor Richard Peralta asked that the Board of Trustees delete the recommendation to confirm the following terminations of employment and placement on a reemployment list effective April 25, 2003:</p> <ol style="list-style-type: none"> <li>1. Susanne McBride, Instructional Assistant II – ESL, Modesto Junior College</li> <li>2. M. Alejandra Contreras, Instructional Assistant II – ESL, Modesto Junior College</li> <li>3. Brenda Smith, Instructional Assistant II – GAIN, Modesto Junior College</li> </ol> <p>He explained that the special funding had been reinstated for these positions and recommended that the Board:</p>
Reinstatement of Positions	<p>Approve the reinstatement of M. Alejandra Contreras to Instructional Assistant II – ESL (50%), Modesto Junior College, effective May 5, 2003.</p> <p>Approve the reinstatement of John Has-Ellison to Instructional Assistant II – ESL (50%), Modesto Junior College, effective May 12, 2003.</p> <p>Approve the reinstatement of Brenda Smith to Instructional Assistant II – GED (50%), Modesto Junior College, effective May 5, 2003.</p>

Approve the reinstatement of Susanne McBride to Instructional Assistant II – ESL (50%), Modesto Junior College, effective May 5, 2003.

A motion was made by Trustee Rojas, seconded by Trustee Mitchell, that the Board of Trustees approve the deletion of the above reduction in force item; and approve the reinstatement of the Instructional Assistants' positions.

The motion carried with a vote of 5-0.

14,675  
Karen Rasmussen

A motion was made by Trustee Mitchell, seconded by Trustee Rojas, that the Board of Trustees grant retirement status to Karen Rasmussen, Software/Network Analyst, Columbia College, effective June 30, 2003 and officially commend her for 13 years of valuable service to the District.

The motion carried with a vote of 5-0.

14,676  
Reduction in Force –  
Classified

Chair Neumann received requests to address the Board of Trustees on this item from classified staff members Tomasia Drummond, Wes Page, Donna Jamison, Amy Bethel and Jeff Swank.

These classified staff members individually expressed their concerns about the reduction in force involving nine classified staff members. Their sentiment was that classified staff are willing to do their fair share to help the budget situation, but they felt they were being asked to do a full share. These staff members stated that if the district can afford not to layoff any full-time faculty, the district also should be able to retain all classified staff. Some indicated that classified staff do not have the protection of a March 15 layoff notice that faculty and administrators have, which gives them more than the 30-day notice given to classified staff. They all strongly stated that the decision to layoff is premature and urged the Board of Trustees to wait until after the Governor's May Revise of the budget to determine if the layoffs are necessary. Several of the speakers said that acting now on the reduction in force sends the message that classified staff are expendable and not worthy of further consideration. Jeff Swank, CSEA President of Chapter 420, concluded by saying that classified layoffs cut a broad swath, decrease faculty productivity, and hurt students. The speakers all thanked trustees for the opportunity to voice their opinions.

*(Student Trustee Nicole Jansen left the meeting at 6:55 p.m.)*

Trustee Rojas said that in good conscience he could not vote to layoff anyone. He said he understood the budget situation will most likely not improve. However, he said he believes in miracles.

Trustee Mitchell asked if there was a minimum time frame for notice to be given to classified staff. Vice Chancellor Peralta stated that there is a 30-day notice that is required under the negotiated contract with CSEA. Mr. Peralta explained that if the effective date of layoff is to be June 30, the notice needs to go out before the first

of June. He further explained that with regard to categorically funded classified positions, the Education Code dictates that those classified staff be given notice prior to May 31. Mr. Peralta said that it is possible to approve the resolution, proceed with the notice, and prior to June 30 depending upon further developments, the Board's action can be rescinded. (Three of the nine positions were funded by categorical/outside funding.)

Chancellor Fisher stated that everyone feels extremely bad about the layoffs. However, she said this layoff list could have been two or three times longer but the college presidents worked very hard to minimize the numbers. With regard to protecting faculty, Dr Fisher said that to provide instruction it is necessary to protect faculty as much as possible, but that many adjunct faculty will lose their jobs, in addition to about 10 administrators. This in no way diminishes the value of classified staff. Dr. Fisher said she did not believe that there will be any new, optimistic information after the May 14 Governor's budget revise. The Chancellor also stated that affected staff had not yet met with Mr. Peralta so they do not have all the information regarding bumping and employment services available. Trustee Mitchell asked about re-employment rights for staff. Mr. Peralta explained that classified staff that are laid off, under Education Code stipulation, are entitled to be placed on a reemployment list for 39 months which maintains all employment rights upon reinstatement.

Mrs. DeMartini thanked all the employees that attended and addressed the Board. She said she was impressed with their statements and their respectful conduct. She commented that there are more classified employees than any other group. She also pointed out that although no full-time faculty were laid off, there are hundreds of part-time faculty that no longer will be working. She indicated that faculty had been affected and did not agree that classified were the only ones affected.

Ms. Schrimp also thanked the staff that came in opposition of the resolution. She said the Chancellor, the presidents and their Cabinets had invested much time to figure out the best way to make these cuts and affect the least number of people. Ms. Schrimp said she felt bad because this affects people's lives but said she must vote for the resolution.

Trustee Mitchell said he had no confidence in the Governor and the Legislature and believed the situation is going to be worse. He said that there is no doubt that classified staff make the campus work. Unfortunately, he said he did not see any way around this decision. He said he was glad to hear that there is a 39-month reemployment provision.

Chair Neumann stated that this is a very painful time, and yet he also must think about responsibility. He thanked classified staff for speaking eloquently and for coming and showing their commitment. He said he knows that the Chancellor and her Cabinet worked hard to reduce the number of classified employees on the layoff list. He

said he would support the resolution.

Ms. Janice Walker, a member of the audience, made suggestions that trustees might consider instead of the reduction in force of classified staff members. Trustee Mitchell assured her that trustees had considered all viable alternatives.

A motion was made by Mr. Mitchell, seconded by Ms. Schrimp 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

*(The underlined text indicates addition requested by Trustee DeMartini at June 3, 2003 Board meeting.)*

The motion carried with a vote of 4 ayes (DeMartini, Neumann, Mitchell, Schrimp) and 1 no (Rojas).

### Discussion Items

14,677  
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. Chancellor Fisher stated that administrative leaders know the kind of pain that trustees are experiencing. They have been going through it for the last several months. Dr. Fisher said that although this resolution may seem ironic, as layoffs are discussed, it is very appropriate because the District certainly could not function without the numerous tasks performed by these staff who bring to the district a wide variety of skills and knowledge.

A motion was made by Trustee DeMartini, seconded by Trustee Mitchell, that the Board of Trustees adopt **Resolution No. 02-03/08** and thank YCCD classified staff for their commitment and contribution to our colleges.

The motion carried with a vote of 5-0.

14,678  
Study Abroad in  
Northeastern Thailand –  
Summer 2004

Dr. Williams reported that a month ago Professor Mara Fagin presented the idea 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. Student participants would have to raise the money to pay for their own travel expenses. Dr. Fisher stated that since there are several issues that still need to be cleared, this proposal is being submitted for conceptual approval only.

A motion was made by Mr. Rojas, seconded by Trustee Schrimp, that the Board of Trustees approve the study abroad program to Northeastern Thailand for Summer 2004 for Modesto Junior College.

The motion carried with a vote of 5-0.

14,679  
Quarterly Report on the  
District's Financial Condition

Consistent with prevailing fiscal practices and in compliance with current statute, staff prepared the quarterly statement of the District's financial condition for the quarter ended March 31, 2003. Vice Chancellor Scott formally presented the report and answered trustees' questions. **(Report #2083)** As required by law, the Board of Trustees held public hearing to review the report. There were no comments from the public and the public hearing was closed.

A motion was made by Trustee Mitchell, seconded by Trustee DeMartini, that the Board of Trustees direct staff to submit a copy of the required report to the County Superintendent of Schools and the California Community Colleges Chancellor's Office.

The motion carried with a vote of 5-0.

14,680  
Yosemite Faculty  
Association (YFA)  
Proposal to YCCD –  
Public Hearing

Chancellor Fisher explained that YFA previously presented its 2003-2004 negotiations proposal to YCCD. It is a proposal primarily dealing with salary increases. Dr. Fisher said this is the second step of a four-step process. Consistent with state law and district policy, it is necessary for the Board of Trustees to conduct a public hearing on the proposal.

Board Chair Neumann held a public hearing regarding the YFA 2003-2004 negotiation proposal to YCCD.

Mr. Mayhew said he wanted it understood that YFA's proposal is an opening proposal with a long-term goal.

Trustee Mitchell commented that he believed this proposal is unfortunate and disappointing.

As there were no further comments from the public, the hearing was closed.

Mr. Peralta clarified the four-step negotiations process. He said that the initial proposal is typically presented by the union followed by a public hearing, and then the district presents its proposal which also is followed by a public hearing. In this case, the CSEA and YFA processes are out of sync because the YFA submitted their proposal to the district first. Therefore, YFA is one step ahead in the sequence. Mr. Peralta stated that the next step on the YFA process is for the district to present its proposal to YFA in June. He added that it is very likely that the district's proposal to YFA will be very similar to the proposal being presented to CSEA.

14,681  
YCCD Bargaining  
Proposal to CSEA,  
Chapter 420

Vice Chancellor Peralta reported that 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 had informed the Chapter of the District's intent to reopen negotiations and presented the District's proposal to CSEA, Chapter 420. **(Report # 2084)** 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.

A motion was made by Trustee Schrimp, seconded by Trustee Mitchell, that the Board of Trustees adopt the attached YCCD 2003-04 proposal to CSEA.

The motion carried with a vote of 5-0.

14,682  
Sabbatical Leave –  
Columbia College

It was reported that due to Professor William H. Wilson's decision to decline a sabbatical leave, the Columbia College Sabbatical Leave Committee 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 motion was made by Trustee Schrimp, seconded by Trustee DeMartini, 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.

The motion carried with a vote of 5-0.

14,683  
Non-Renewal of  
Extension on Lease  
Option

Chancellor Fisher explained that a lease option agreement between YCCD and KG-MN, LLC to develop and lease areas of West Campus will expire November 6, 2003. She said that the agreement 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. Dr. Fisher asked trustees for direction on how to proceed with the lease option agreement.

A motion was made by Trustee Rojas, seconded by Trustee Schrimp, 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.

The motion carried with a vote of 5-0.

### **COMMENTS**

14,684  
Comments from the Public

There were no comments from the public.

14,685

Trustee DeMartini reported that she had attended various events in

Comments - Board of Trustees the last month. She attended the Fire Academy graduation, the student success ceremony, the Staff Recognition Dinner, the MJC graduation, and the Stanislaus County School Trustees dinner.

Mrs. DeMartini stated that when staff addressed the Board earlier, she kept track of the length of time spent on discussion and was glad that trustees had not invoked the time limit rule. She said she would like to discuss the time limit rule at the July Board Retreat.

14,686  
Changing Starting Time of  
Board Meetings

There was some discussion about changing the start time of regular Board meetings from 5:00 p.m. to 5:30 p.m. Dr. Fisher said that a permanent change will require Board action. However, trustees could move to change the start time of next month's meeting tonight. Dr. Fisher said she would then add a discussion item to the June Board agenda to discuss a permanent change for future meetings.

A motion was made by Trustee Rojas, seconded by Trustee Schrimp, that the Board of Trustees approve starting June's meeting at 5:30 p.m.

The motion carried with a vote of 5-0.

14,687  
Adjournment/Next Meeting

At 8:45 p.m. the meeting adjourned to closed session.

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

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Paul Neumann, Chair  
YCCD Board of Trustees

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Pamila J. Fisher, Secretary  
YCCD Board of Trustees