BOARD OF TRUSTEES
REGULAR MEETING AGENDA

MAY 12, 2009
The Board shall act on posted items and shall not deliberate items that are not on the posted agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Bob Balestreri at 485-9414. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak, complete card available at entrance, give card to recording secretary, get recognition from the Chair. Persons desiring to address the Board on items not on the agenda may speak under item number “B.3” on the agenda. Public comment presentations will be limited to no more than 3 minutes each.

Government Code §54957.5 states that public records which relate to any item on the open session agenda for a regular Board meeting should be made available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Office of the Superintendent/President at 835 College Avenue, Administrative Center 123, Kentfield for the purpose of making those public records available for inspection.

A. Closed Session – 5:00 p.m. in AS 101, Indian Valley Campus

1. Call to Order, Roll Call and Adoption of Agenda
   a) Request for Public Comment on Closed Session Agenda

2. Closed Session: To consider and/or take action upon any of the following items:

   (a) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:
       CONFERENCE WITH LABOR NEGOTIATOR
       Relative to the following organizations representing employees: United Professors of Marin (AFT/UPM), California School Employees Association (CSEA), Service Employees International Union (SEIU), Unrepresented Employees (Confidential, Supervisors, Managers)
       Agency Negotiator: Larry Frierson

   (b) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:
       CONFERENCE WITH LEGAL COUNSEL-Potential & Existing Litigation
       Eight cases – Complaint filed by Ms. Mize-Kurzman under Education Code 87164
Mize-Kurzman vs. MCCD (Marin Superior Court)
UPM/T. Fung, P. Christensen vs. MCCD Grievance
UPM/D. Rollison vs. MCCD Grievance/Arbitration
UPM/Christensen vs. MCCD Arbitration
UPM/P. Christensen, D. Martin, G. Hriz, B. Wilson, R. Pagani vs. MCCD Grievance
UPM/P. Christensen, D. Martin, R. Pagani, and S. Weldon vs. MCCD Grievance
Facts creating a significant exposure to litigation, specifically the demand to cure or
correct action pursuant to Government Code Section 54960.1(b) received from Roberto
Valdivia on April 15, 2009 and Todd McCleary on April 16, 2009

(c) PUBLIC EMPLOYEE DISCIPLINE/DISCUSSION/DISMISSAL/RELEASE/SEPARATION

(d) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Title: Superintendent/President

3. Recess to Open Session

REGULAR MEETING AGENDA
6:30 p.m. – Ohlone 106, Indian Valley Campus

B. Reconvene to Regular Meeting
1. Call to Order, Roll Call and Adoption of Agenda
2. Approval of Minutes (4 minutes)
   a. Minutes of April 21, 2009 Board Meeting
   b. Report of Closed Session for May 12, 2009
3. Citizens’ Requests to Address the Board on Non-Agenda Items (3 minutes)
4. Board Reports and/or Requests (15 minutes)
   a. Commendation Resolutions and Other Resolutions
      1. Resolution in Support of Classified School Employees Week
      2. Resolution in Recognition of Todd McCleary’s Service as Student Trustee
   b. Legislative Report
   c. Committee Chair Reports
   d. Individual Reports and/or Requests
   e. WASC Report Status
5. Chief Executive Officer’s Report (5 minutes)
   a. Staff Reports (20 minutes)
1. Branson Agreement Update (*Al Harrison*)
2. Modernization Report (*V-Anne Chernock*)
3. Update on 08/09 and 09/10 Budgets (*Al Harrison*)

6. Academic Senate Report (5 minutes)
7. Classified Senate Report (5 minutes)
8. Student Senate and Student Association Report (5 minutes)

9. Board Study Session (20 minutes)
a. Strategic Resource Development Report (*Patricia Stirling*)

10. Consent Calendar Items (Roll Call Vote) (10 minutes)

_The Superintendent/President recommends that the Board of Trustees approve the following Consent Calendar Items:_

A. Calendar of Upcoming Meetings

B. **Classified Personnel Recommendations.** Approve the Classified Personnel Recommendations:
   1. Appointment of Classified Personnel
   2. Appointment of Hourly Personnel
   3. Temporary Reassignment of Classified Personnel

C. **Academic Personnel Recommendations.** Approve the Academic Personnel Recommendations:
   1. Retirement of Academic Personnel

D. **Short-Term Hourly Positions**

E. **Budget Transfers – Month of April - FY 2008/09**

F. **Warrant Approval**

G. **Modernization (Measure C)**
   1. Ratify/Approve Modernization Contracts, Changes and Amendments
   2. Accept Owner Project Requirements (OPR) Document
   3. Authorize Lease Renewal for PE Complex Portables

H. **Approve Revised Board Policies**
   1. BP 2315 Closed Sessions
   2. BP 4250 Academic Probation, Disqualification, and Readmission
   3. BP 5190 Student Activities
   4. BP 5200 Student Health Services
   5. BP 5205 Student Accident Insurance
6. BP 5210 Communicable Diseases
7. BP 5570 Student Credit Card Solicitation
8. BP 6250 Budget Management
9. BP 6330 Purchasing
10. BP 6520 Security for District Property
11. BP 6550 Disposal of District Property
12. BP 6630 Facilities Graphics
13. BP 6900 Bookstore

I. Approve New Community Services Courses
J. Approve New Credit Courses
K. Approve Credit Course Revisions
L. Approve New Non-Credit Courses
M. Approve Non-Credit Course Revisions
N. Approve Curriculum Revisions
O. Approve Credit Course Deletions
P. Approve Revisions in AS Certificate and Skills Certificates
Q. Approve Less Than 18 Unit Credit Certificate

11. Other Action Items (10 minutes)

The Superintendent/President recommends that the Board of Trustees approve the following Action Items:

A. Approve Memorandum of Understanding – Marin Community College District and Peralta Community College District – Career Pathway Support in Multimedia and Sustainable Food Systems

B. Approve Memorandum of Understanding – Napa Valley Community College with Marin Community College District – Green Career Pathway Development - Sustainable Food Systems

C. Approve Memorandum of Understanding – Dominican University of California with College of Marin – Support to Marin Simulation Center

D. Approve Resolution for Temporary Building – Solar Charging Shade Structure

E. Approve Resolution of the Governing Body of the Marin Community College District Proposing an Election Be Held in its Jurisdiction; Requesting the Board of Supervisors to Consolidate with any Other Election Conducted on Said Date; and Requesting Election Services by the Registrar of Voters

F. Modernization (Measure C)
   1. Diamond PE Center Pool Repair Project (#308F)
      Initiate Project and Approve New Professional Services Agreement
Design Services
Aquatic Design Group, Inc. ($22,500)

2. Science/Math/Central Plant Building Project (#305A)
   Approve New Professional Services Agreement
   Testing and Inspection Services (includes geotechnical testing services)
   Consolidated Engineering Laboratories ($350,000)

3. Science/Math/Central Plant Building Project (#305A) & Diamond PE Center
   Alterations Project (#308B) & West Campus Bridge Project (#301A)
   Approve New Professional Services Agreement
   DSA Project Inspector Services
   4Leaf, Inc. ($1,249,750)

4. New Fine Arts Building Project (#306C)
   Approve New Professional Services Agreement
   DSA Project Inspector Services
   Gary Proctor Construction Consultation ($336,452)

5. Award Exterior Site Signage Construction Contract

G. Approve Notice of Completion – Administrative Center Courtyard Paving
   Rehabilitation Project

H. Public Hearing on MCCD/CSEA Chapter 196 Collective Bargaining Agreement

12. Items for Possible Future Board Action (5 minutes)
   A. Bid Award for Learning Resource Center Cooling Tower Installation Project
   B. Revised Board Policies (June)
      1. BP 3100 Organizational Structure
      2. BP 3200 Accreditation
      3. BP 3275 Annual Report
      4. BP 5300 Student Equity

13. Information Items (5 minutes)
   A. Contracts and Agreement for Services Report – April, 2009
   B. Modernization Update
      1. Director’s Report
      2. Master Schedule with Spent to Date through April 2009
      4. Quarterly Progress Report for Period Ending March 31, 2009
   C. Sustainability Report
   D. Revised Administrative Procedures
      1. AP 3100 Organizational Structure
      2. AP 3200 Accreditation
3. AP 5300 Student Equity

E. Advisory from Marin County Office of Education and Sonoma County Office of Education – Advisory on Programs of Study Articulated to College of Marin and Santa Rosa Junior College

F. Calendar of Special Events

COM Retiree Reception – May 14, 2009, 4:00 to 6:00 p.m., Marin Art and Garden Center, 30 Sir Francis Drake Blvd., Ross

COM Transfer Recognition Reception – May 15, 2009, 6:00 p.m., Student Services Cafeteria, Kentfield

RN Program Pinning Ceremony – May 21, 2009, 6:00 p.m., Fine Arts Theater, Kentfield

Commencement – May 23, 2009, 10:00 a.m., Kentfield Campus Lawn

Golden Bell Awards Dinner – May 28, 2009, 4:30 p.m., Angelico Hall, Dominican University

Fine Arts Groundbreaking – June 23, 2009, 2:30 p.m.

ACCT Congress – October 7-10, 2009 – San Francisco Hilton

14. Correspondence
   Correspondence in Board Packets

15. Board Meeting Evaluation

16. Adjournment
A. Closed Session

1. Call to Order, Roll Call, Adoption of Agenda, Closed Session

The Board of Trustees of the Marin Community College District met in the SS A&B conference room on the Kentfield campus, members having received notice as prescribed by law. Board President Kranenburg called the meeting to order at 5:39 p.m. All publicly elected Trustees were present except Trustee Hayashino. Fran White, Al Harrison, Nick Chang, and Linda Beam were also in attendance.

M/s (Long/Treonor) to adopt the agenda as presented. The motion passed unanimously (6-0).

There was no one present who wished to address the Board on the items listed to be discussed in closed session, and the Board went into closed session.

The closed session recessed at 6:28 p.m.

B. Regular Meeting

1. Call to Order, Roll Call and Adoption of Agenda

The meeting of the Board of Trustees of the Marin Community College District was reconvened at 6:45 p.m. by Board President Kranenburg. He announced that the meeting was being recorded to facilitate the preparation of minutes. All publicly elected Trustees were present except Trustee Hayashino. Student Trustee McCleary was also in attendance.

2. Approval of Minutes and Report of Closed Session

Trustee Treanor moved to approve the minutes of the March 17, 2009 Board meeting. After discussion about possible additions/changes to the minutes and the lack of a second, Trustee Treanor withdrew her motion.

M/s (Long/Paterson) to approve the minutes of the March 17, 2009 Board meeting with these changes: 1) Trustee Long’s statement made at the March 17 meeting giving her reasons for voting no on agenda item B.11.H (Approve Discontinuance of Football Program) is to be included (transcribed verbatim from the tapes of that meeting) in the minutes of the March 17 meeting; 2) the written statement Trustee Namnath
brought to the April 21 meeting, but not made at the time the motion was made at the March 17 meeting, giving his reasons for voting no on B.11.H will be placed in the minutes of the April 21 meeting under Individual Reports and/or Requests (B.4.d). The motion passed by a vote of 4 to 2 with Trustees Dolan and Namnath voting no. Student Trustee McCleary cast an advisory aye vote.

Vice President Paterson reported that no action was taken in closed session.

3. **Citizens’ Requests to Address the Board on Non-Agenda Items**
Antoinetta Di Meo and Louise Wright addressed the Board regarding dissatisfaction with the scheduling of the fall jewelry classes taught by Lisa D’Agostino. The proposed change of class time to 8:00 a.m. except on Fridays would preclude many of the current students from continuing their participation. They advocated for preservation of the Tuesday/Thursday 11:10 to 2:00 class. Copies of Ms. Di Meo’s statement and a petition regarding the proposed schedule change are attached to the minutes as part of the official minutes.

Bill Hough suggested that we implement an electronic system for renewing library books in our college library and also encouraged the Board to support the U.S. and World Education Act.

The following individuals (coaches, football players, members of the community) addressed the Board and expressed their unhappiness with the poor condition of our athletic fields and the discontinuance of COM’s football program: George Adams, Eric Famene, Rick Davey, Arthur Robinson, Arslan Erdinc, Jeff Zell, William Maltez, Justin Leitner, and Noah Harney. Mr. Adams distributed several handouts to the Board (memos from former COM Athletic Director Jim Brovelli, a letter from COM’s head athletic trainer Joseph Scarcella, and information related to our agreement with Branson School) which are attached to the minutes. Mr. Famene distributed copies (attached) of information related to COM’s Measure C bond and the Survey of COM Athletic Program Faculty Regarding the Continuance of the Football Program. The football players expressed their disappointment at finding out that they won’t be able to play football at COM any more and asked the Board to give more notice if they ever discontinue another program so that students will have time to line up alternate plans.

4. **Board Reports and/or Requests**
   a. **Commendation Resolutions and Other Resolutions**
      None
   
   b. **Legislative Report.**
      Trustee Paterson reviewed the April 13 Legislative Update from the Community College League, calling the Board’s attention to pending bills on Title IX compliance and textbook costs. She also noted that Governor Schwarzenegger has created a “Federal Economic Stimulus Task Force,” the Federal DREAM Act has been reintroduced in the U.S. House of Representatives, and the League has endorsed all six budget-related initiative measures on the May 10 Special Election Ballot. Trustee Paterson announced that Martha Kanter, Chancellor of the Foothill-De Anza Community College District, is President Obama’s choice for undersecretary of education.
c. Committee Chair Reports
Board President Kranenburg reported that he would be sending out a revised list of Board committee assignments.

Trustee Long, our representative to the Marin Teaching Network, stated that she is saddened that 28 years of the history of this group will come to an end at least for this year due to a lack of funding. She encouraged our Board to send a letter of support for a continuation of this program with the Marin Community Foundation.

d. Individual Reports and/or Requests
1. Government Code Section 54954.2 (a)(1) Clarification (Trustee Namnath)
   Trustee Namnath stated that during his time on our Board he has observed that Board members are not allowed to question or ask for clarification when public speakers make comments. He distributed a copy of Government Code Section 54954.2(a)(1), a portion of the Brown Act which governs the conduct of our meetings, and noted that it contains a provision for brief responses to statements made or questions posed by persons exercising their public testimony rights. A copy of this handout is attached to the minutes as part of the official record.
   M/s (Namnath/Dolan) to comply with the Brown Act and to allow members of the Board of Trustees from here on to briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.2.
   Board President Kranenburg thanked Trustee Namnath for his request and stated that this is not an action item and that it will be taken under advisement.

2. Trustee Namnath’s written statement giving his reasons for voting no on B.11.H (Discontinuance of COM Football Program) at the March 17, 2009 Board meeting is attached to the minutes as part of the official record of the April 21, 2009 Board meeting.

e. WASC Report Status
President White reported that our Addendum to the Progress Report is being prepared for submission to WASC May 1st. We have now completed our WASC requirements related to our Educational Master Plan, Strategic Plan and integrated planning. We have started on our Self-Study and WASC will be on campus for a comprehensive visit in October of 2010.

f. Ethics Certification – Community College League Annual Trustees Conference, May 1
Board President Kranenburg encouraged all Trustees to attend the upcoming Ethics Certification Training scheduled for May 1 at the CCLC Annual Trustees Conference.

5. Chief Executive Officer’s Report
President White called the Board’s attention to her report in their packets.

a. Staff Reports

1. Citizens’ Oversight Committee Annual Report (Bill Levinson and Bill Scott)
Bill Levinson, the chair of COM’s Citizens’ Oversight Committee for the past four years, stated that as citizens the committee feels comfortable that the college is doing a great job of spending the $250 million of bond money and complimented President White, Vice President Harrison and Modernization Director Chernock for their management of this program. He introduced Bill Scott who will take over as chair of the committee. Dr. Levinson was thanked by Board members for his time, energy, dedication and professionalism during his tenure as committee chair.

2. Student Learning Skills and Basic Skills Update (Sara McKinnon & Susan Andrien)
Sara McKinnon, ESL instructor and SLO Coordinator, updated the Board on the development of Student Learning Outcomes (SLO’s). College Learning Outcomes have been developed and were approved at the January 29 Academic Senate meeting. Ms. McKinnon has gone through every course outline in the Office of Instruction binders and noted which ones need to be updated and which ones already include SLO’s. She demonstrated the COM Academic Senate SLO’s Wikispace she developed to centralize the evidence we have to prove we have worked on SLO’s. Copies of her presentation are attached.

Susan Andrien and Becky Reetz, co-chairs of the Basic Skills Initiative (BSI), a statewide initiative to improve basic skills instruction, updated the Board on the projects COM’s Basic Skills Initiative Steering Committee has been working on. These efforts include: learning communities, piloting an instructional support model for Math 95, math department research, Scholar Baller, student athlete study hall, and professional development. Copies of their presentation are attached.

3. Integrated Planning Process and Timelines (Fran White)
President White reviewed the integrated planning process and timelines that have been developed in response to WASC requirements. She noted that WASC will be happy to see that we now have a resource allocation process and that we are using TracDat as the assessment tool.

6. Academic Senate Report
Yolanda Bellisimo, Academic Senate President, stated that the Academic Senate followed the procedure specified in the Program Revitalization and Discontinuance Policy when the Athletic Department and the Academic Senate tackled the subject of the football program following its Program Review. She also noted that the discontinuance of programs falls under the first ten of 10 + 1 which, in the case of College of Marin, is an area where the Board is to rely primarily upon the advice and judgment of the Academic Senate. She thanked the Board members who respected the expertise and commitment of the faculty and staff in the difficult decision to discontinue the football program. A copy of Ms. Bellisimo’s statement is attached to the minutes as part of the official record.

7. Classified Senate Report
Jon Gudmundsson presented Kathleen Kirkpatrick’s Classified Senate report. He announced that fifteen outstanding classified staff members were nominated by their colleagues for consideration for the Golden Bell Awards given annually by the Marin County Office of Education. The Golden Bell Award Nomination Committee selected Becky Reetz and Kathleen Kirkpatrick to be the first COM classified staff to be honored at
the Golden Bell Awards Ceremony that will take place at Dominican University on May 28. A copy of the Classified Senate Report is attached to the minutes as part of the official record.

8. Student Senate and Student Association Report
   No report.

   Trustee Dolan left the meeting at 8:10 and Student Trustee McCleary left the room at 8:25 p.m. Both Trustees returned to the meeting at 8:35 p.m.

9. Board Study Session

   a. Budget Update (Al Harrison)
      Vice President Harrison reviewed the budget update in the Board packets. He noted that salaries and benefits constitute the lion's share of the budget and that benefit costs are continuing to rise. He also called the Board's attention to the fact that we have been deficit spending the last couple of years and we currently have a 7.6% reserve, the minimum reserve level that the Board wants.

   b. Unfunded Liability (Al Harrison)
      Vice President Harrison introduced Geoffrey Kischuk of Total Compensation Systems, Inc. who reviewed COM's unfunded liability situation. A copy of his presentation is attached. Mr. Kischuk noted that our Board has been ahead of the curve in dealing with this issue and that we have kept all options open. We will have to take some action this year to comply with GASB 43/45 requirements.

   c. Kentfield Campus Pool Scope (V-Anne Chernock)
      Modernization Director Chernock reported that the Kentfield pool is currently closed for repairs. The Modernization team has met with an aquatics group which is interested in funding work on the pool in exchange for priority rights to use the pool. This proposal will be investigated and Director Chernock will come back next month with an update on this.

   Student Trustee McCleary left the meeting at 9:00 p.m.

10. Consent Calendar Items

    M/s (Treanor/Paterson) to approve all items on the Consent Calendar. Requests were made to pull I.3, I.6 and I.7 from the Consent Calendar and to move them to the Action Calendar. Trustee Treanor accepted the proposed amendments and the motion passed by a roll call vote of 6-0.

   A. Calendar of Upcoming Meetings

      June 9, 2009 – Board Retreat Instead of Evening Board Meeting
      Marin Community Foundation - Oak Room
      5 Hamilton Landing, Suite 200, Novato
      9:00 a.m. to 3:00 p.m.

      June 23, 2009 – Change of Location of Board Meeting from IVC to Kentfield
B. **Classified Personnel Recommendations.** Approve the Classified Personnel Recommendations:
   1. Temporary Increase/Decrease in Assignment for Classified Personnel
   2. Resignation/Retirement of Classified Personnel

C. **Classified Management Personnel Recommendation**

D. **Short-Term Hourly Positions**

E. **Budget Transfers – Month of March - FY 2008/09**

F. **Warrant Approval**

G. **Declaration of Surplus Property – Miscellaneous Equipment**

H. **Modernization (Measure C)**
   1. Ratify/Approve Modernization Contracts, Changes and Amendments
   2. Approve Substitution of Subcontractor, Main Building Complex, IVC
   3. Approve Consulting Contract Allocation of Funds

I. **Approve Revised Board Policies**
   1. BP 2000 Board Title and Authority
   2. BP 2010 Board Membership
   4. BP 2305 Annual Organizational Meeting
   5. BP 2310 Regular Meetings of the Board
   8. BP 6700 Civic Center and Other Facilities Use

J. **Approve Sabbatical Leave Revision**

K. **Approve Revisions in Associate Degrees**

L. **Approve Academic Calendar 2009-2010**

11. **Other Action Items**

   **Approve Revised Board Policies**

   M/s (Trenor/Paterson) to Approve BP 2210 Officers (formerly 10.1.3).
   Attention was called to the provision of the new policy which calls for the Board President to set the Board agenda.
   The motion passed by a unanimous vote of 6-0.

   M/s (Trenor/Paterson) to Approve BP 2315 Closed Session (formerly 10.1.6).
   Clarification was requested regarding the section of the policy regarding removal of a Board member from office for reported violations of the confidentiality of closed sessions. M/s (Trenor/Paterson) to table the motion until the next meeting. The motion to table passed by a unanimous vote of 6-0.

   M/s (Trenor/Dolan) to Approve BP 4010 Academic Calendar (formerly 10.1.7).
A suggestion was made to call this calendar the Students’ Academic Calendar and to establish a separate employee work calendar. Dr. White said this would be taken under advisement.

The original motion passed by a unanimous vote of 6-0.

A. M/s (Treonar/Long) to Approve College of Marin Mission Statement. The motion passed by a unanimous vote of 6-0.

B. M/s (Treonar/Long) to Approve the following slate of candidates for the 2009 (CCCT) Board Election: Cy Gulassa, Janet Chaniot, Manny Ontiveros, Christopher Stampolis, Jeanette Mann, Carmen Avalos, and Louise Jaffe. The motion passed by a unanimous vote of 6-0.

C. M/s (Namnath/Treonar) to Approve Appointments to Citizens’ Oversight Committee. The motion passed by a unanimous vote of 6-0. Returning member Nancy McCauley and new members Donna Reeve and Diane Ascher were introduced.

D. M/s (Long/Treonar) to Approve Authorization to Bid for Purchase and Replacement of Learning Resource Center Chiller. The motion passed by a unanimous vote of 6-0.

E. M/s (Treonar/Long) to Approve Resolution to Enter into Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and Designation of Personnel to Sign Contract Documents for Fiscal Year 2008/09. The motion passed by a vote of 5-0. Trustee Namnath recused himself from the vote as he is doing some work for the California Department of Education.

F. M/s (Treonar/Paterson) to Approve Agreement with Community College League of California for Board Policy and Procedures Consultation Services – Year 3. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote.

12. Items for Possible Future Board Action

A. Notice of Completion – Administration Paving (May)

B. Revised Board Policies (May)
   1. BP 4250 Academic Probation, Disqualification, and Readmission
   2. BP 5190 Student Activities
   3. BP 5200 Student Health Services
   4. BP 5205 Student Accident Insurance
   5. BP 5210 Communicable Diseases
   6. BP 5570 Student Credit Card Solicitation
   7. BP 6250 Budget Management
   8. BP 6330 Purchasing
   9. BP 6520 Security for District Property
10. BP 6550 Disposal of District Property
11. BP 6630 Facilities Graphics
12. BP 6900 Bookstore
C. College Development Plan (May)

13. Information Items
   Board members were asked to review the information items.
   A. Contracts and Agreement for Services Report – March, 2009
   B. 3rd Quarter Financial Statements 311Q
   C. Modernization Update
      1. Director’s Report
      2. Master Schedule with Spent to Date through March 2009
   D. Sustainability Report
   E. Revised Administrative Procedures
      1. AP 4226 Multiple and Overlapping Enrollments
      2. AP 5200 Student Health Services
      3. AP 5210 Communicable Diseases
      4. AP 5570 Student Credit Card Solicitation
      5. AP 5610 Voter Registration
      6. AP 6250 Budget Management
      7. AP 6322 Employee Indemnity Bonds
      8. AP 6360 Contracts – Electronic Systems & Materials
      9. AP 6365 Contracts – Accessibility of Information Technology
     10. AP 6370 Contracts – Personal Services
     11. AP 6520 Security for District Property
     12. AP 6535 Use of District Equipment
     13. AP 6550 Disposal of District Property
     14. AP 6700 Civic Center and Other Facilities Use
   F. IPC Approved Faculty Hire Recommendations
   G. College of Marin Strategic Plan 2009-2012
   H. Calendar of Special Events

   Alpha Gamma Sigma Teacher Appreciation Dinner – May 1, 2009,
   6:00 p.m., Student Services Cafeteria, Kentfield

   CCLC Trustees Conference – May 1-3, 2009, Sonoma County Doubletree
   President’s Breakfast – May 6, 2009, 7:30 a.m., Embassy Suites,
   101 McInnis Parkway, San Rafael

   Marin Education Fund Scholarship Night – May 7, 2009, 6:00 p.m.,
Marin Civic Center

COM Retiree Reception – May 14, 2009, 4:00 to 6:00 p.m.,
Marin Art and Garden Center, 30 Sir Francis Drake Blvd., Ross

RN Program Pinning Ceremony – May 21, 2009, 6:00 p.m., Fine Arts
Theater, Kentfield

Commencement – May 23, 2009, 10:00 a.m., Kentfield Campus Lawn

Golden Bell Awards Dinner – May 28, 2009, 4:30 p.m., Angelico Hall,
Dominican University

Fine Arts Groundbreaking – June 23, 2009, 2:30 p.m.

ACCT Congress – October 7-10, 2009 – San Francisco Hilton

14. Correspondence
Board members were asked to review the correspondence in their Board
packets.

15. Board Meeting Evaluation

16. Adjournment
M/s (Toreanor/Paterson) to adjourn the meeting. The motion passed unanimously
(6-0) and Board President Kranenburg adjourned the meeting at 10:10 p.m.
Open letter Regarding Scheduling of Jewelry Classes at College of Marin  April 2009

It is with extreme dismay that we students learned that the Fall schedule for Jewelry class will offer only 8 AM classes other than Friday. And once again, we are requesting you preserve our TuTh 11-2 class.

It was only 6 months ago that we learned of plans to eliminate mid day and afternoon Jewelry classes. Instead of being offered 8-11 am MW, 2-5 MW pm and 11 Am-2 PmTTh, the schedule would be altered to 8 am MW, Tu Th, and Friday 8-11 and 1-4pm. And so we students spoke out, as you can read in the attached petition we presented. We offered solid and concrete reasons why the change would be difficult for many of us. When contacted individually, we explained our positions at length to both Dean Snyder and Rick Hall. In addition, as a group, we met as a group with the Dean and Rick Hall. We felt certain we had conveyed our concerns.

And for the Spring quarter, although the MW afternoon class was omitted, the TTH class was offered at 11-2, allowing many of us to continue developing our skills.

However, we learned recently how short the reprieve was: The Fall schedule was finalized with the TTh class moved to 8am, and no late morning or afternoon classes offered MW or TTh.

Why schedule the classes in such a way as to deliberately exclude a group of students, who have been quite forthcoming about their conflicts? We can only conclude that the faculty will not maintain, create, or offer a schedule that meets student’s clearly expressed needs or priorities. And leave the studio closed and empty half the day?

The jewelry studio is a fantastic resource that will now sit closed and half the day, while students who might otherwise attend College of Marin, will look elsewhere for metalsmithing and jewelry programs. Is this efficient use of resources?? And at a time when COM enrollment is falling, is deliberately excluding an active, interested portion of the student body in the College’s best interest?

Yes, offering the class in more time slots is a great idea. The Friday class and the Summer short intensive offer flexibility and may open the studio to new comers.

But we ask again that you offer the Tuesday Thursday class in the 11-2 time slot. And while you may not enlist COM students as full partners in departmental planning, at the very least, we ask that you solicit and strongly consider the needs of students in your academic planning.

April 20, 2009
Regarding: Proposed Schedule Change to Tue/Thu Jewelry Design Class, I,II, III, IV  
Art 116,117, 216, 217  Spring 2008-9

We, the undersigned students in the Tuesday, Thursday sections of Jewelry Design want the current scheduled class hours, of 11:10-2 pm to continue without change for Spring and ensuing semesters, as the proposed change of class time to 8 am would mean many of us could not continue to study.

We are a diverse group of part time, full time and lifelong learners, with a handful of “core” students. Many of us have scheduling constraints, which is why we enrolled in the 11-2 section. Not the least of these is caring for school age children, dependent adult children and ailing parents. Our days for ourselves begin only after we have addressed our caretaker responsibilities, which means we cannot attend early morning classes. In addition, many drive from as far as Santa Rosa and Vallejo, and due to the added commute traffic, would be unable to attend an 8 am class.

The Tuesday, Thursday division is only 4 semesters old, yet it is the class with the highest enrollment. Part of the reason is that it is the only section offered on the mid day schedule.  

Our teacher, Lisa D’Agostino, has brought a fresh, energetic, enthusiastic, presence to the department, and a fresh skill set. Many students returned to COM Jewelry Design class when she joined the faculty. She is quite committed, and generous with her office hours and extended lab times, however a schedule change to 8 am would make her day unbearably long considering she teaches Community Ed. Why jeopardize such a great addition to the department?

We understand you are juggling issues of scheduling and declining attendance with the core classes. The M/W afternoon jewelry sections have been cancelled, and rescheduled to Friday afternoon, as an experiment for Spring. Why change the one class where the majority of current students could not reenroll at the same time? Why not wait and see how the new strategy works? It would be much less radical, much more scientific, and much less risky to make one change and observe the consequences.

As students, we feel it is important that our voices be solicited and heard before major changes like this are implemented. Why not involve us in the deliberations? We are left with reactive mode, where petitions and grievances are the only way to speak. With summer a planning time for fall semester, we also ask that any major issues affecting us as Jewelry students be shared in advance, so future proposals/solutions can be made with a fuller understanding of the students’ perspectives.

September 23, 2008
August 15, 2006

Al Harrison, Vice President of College Operations

The purpose of this letter is to supply information regarding the condition of the College of Marin football field and track surface at the Kentfield campus. Both surfaces, due to years of use and weather conditions, have slowly deteriorated beyond repair. This growing problem has become a safety hazard for all users.

The football field is unstable and the liability for severe injury has increased over the years. The weather-torn track surface has buckled in some areas particularly on the inside lanes.

In order to protect the College of Marin against potential litigation due to unsafe conditions, new surfaces for both the football and track area is recommended.

Attached you will find possible solutions for improving these areas.

Thank you for your consideration in this matter.

Jim Brovelli
Athletic Director

Robert Thompson
Director Maintenance & Operations

Tom Burke
Supervisor Grounds
August 23, 2006

Al Harrison

This is a follow up letter regarding the condition of the football field and track area.

Additional areas of concern:

1. Rest Rooms
   • At this time, there is no available rest room facility in the immediate area of the football field. This creates a problem for all users and attendants at scheduled contests for both football and track.

2. Platform for Filming Events
   • There is no area for filming contests or other outside events. The press box roof is a safety hazard. Currently, we lease a Hertz lift for all football contests. The approximate cost is $3000 per year.

3. Bleachers
   • The bleachers are old and weather torn. Some wooden sections have been repaired several times. A new set of safe bleachers is recommended.

4. P.A. System
   • P.A. system is outdated.

Again, this letter is only written to give you additional insight as to the condition of the football – track area.

Many thanks for your concern.

Jim Provelli
Athletic Director

Robert Thompson
Director of Maintenance & Operations
October 29, 2007

To Whom It May Concern:

My name is Joseph Scarcella, and I am a full time staff in the Physical Education Department at College of Marin. My position is Head Athletic trainer. As the Certified Athletic trainer I specialize in athletic health care at the college in helping to prevent, recognize, manage, and rehabilitate sports injuries. As part of a complete health care team, I work under the direction of a licensed physician.

I am writing to you in regards to the football field at College of Marin. The football field needs serious renovation. While examining the field it has wear and tear, but more dangerously holes in the ground. These holes have been causing injuries to student athletes’ participation. The maintenance crew has been trying to solve the problem by filling the holes with sand, but this does not seem to help. As the Athletic Trainer for the last three years at College of Marin I am constantly dealing with injuries to the ankles, knees and hips which I have documented due to the field’s conditions. I feel we need to deal with this problem so that we can prevent and minimize the amount of injuries to our student athletes. With the renovations going on within the college this would be a perfect opportunity to upgrade the field as well.

If you have any questions please feel free to contact me at 485-9588
Thank you for your time

Sincerely
Joseph Scarcella, M.S., A.T.C
athletic fields and facilities and related facilities (such as restrooms, bleachers, irrigation, fencing and parking improvements), as depicted on plans prepared by Arnold/Abbey dated April 11, 2000 (hereafter generally referred to as "the Project"). Branson shall secure appropriate performance and payment bonds securing the contractor's performance of the construction contract between Branson and contractor. The Project shall consist of, but shall not be limited to, renovation of the existing baseball facility; renovation of the existing auxiliary field into a multipurpose women's soccer/softball practice and game facility; development of golf cages for instructional use in the corner of the auxiliary field; renovation of Mackey Field (including upgrading softball diamond); renovation of a portion of an area beyond Mackey Field into an additional soccer facility; repaving and resurfacing contiguous pavement area between the physical education complex and baseball facility; renovation of the football (Pieper) field. All construction, drawings, plans and specifications must be approved by the District and comply with state law, including but not limited to Education Code §§ 81130 – 81134 (Field Act), and Branson and the District must mutually agree on the final plans and specifications. In the event Branson and the District cannot agree on the final plans and specifications, this Agreement shall be deemed cancelled and of no force or effect.

C. The Project shall be subject to phasing of construction, to be spread over a period of not more than four (4) years. In Branson's discretion, the actual phasing and construction of each phase (as hereinafter described) may be combined and/or accelerated in order to facilitate construction efficiency, however, the construction of each phase shall not extend beyond four (4) years from the commencement of the construction of the first phase. The first phase shall include renovation of the baseball facility and construction of a softball diamond.
• Develop a better tracking and oversight system, probably involving a quarterly meeting that includes representatives and Athletic Directors from the College and Branson to review the previous quarter’s use and problems, and plan for the next quarter.

• Have respect for each other’s schedules. As an example, each party’s scheduled games should occur, if at all possible. However, as per the original Agreement, College of Marin has “bumping” (priority of use) privileges for its league games. Both parties agree that each party’s games shall take precedence over practices or other uses, e.g. that College of Marin will alter its practice times to accommodate a Branson game, and vice versa.

• Establish a renewed commitment to flexibility on the part of both parties, to maximize the effective use of the facilities.

• In the event of MCAL change to uniform season of soccer to Winter, scheduling of field use and maintenance will be adjusted accordingly and with sensitivity to insuring any dormancy period or additional requirements for maintenance be modified to implement the long-term goal of protective maintenance of the fields.

5. Other Items to be Agreed To

Parking Tickets

Parking tickets will not be issued to Branson attendees to Branson School games for a period ½ hour before the start to ½ hour after the end of any Branson game played at the College. Game schedules must be provided in a timely manner to the College Chief of Police and the Athletic Director to ensure coordination with College police. The exemption from ticketing will not apply during practices.

Snack Bar

The parties agree that the snack bar that was originally planned to be built (behind the gym and near the baseball field) will not be built. The restrooms originally planned will be built, with an extended timeframe. Both parties agree to explore the practicality of portable toilets, set up with appropriate visual screening, and etc. in this area.

Portable Toilets at Fields

There is a serious need for toilet facilities both at Mackey Field and near the track. Mackey Field is a considerable distance from the toilets at the Physical Education (PE) Complex, so persons using the field are seriously inconvenienced. The area near the track is a problem because, in the times when the PE Complex is closed, casual users of the track and the homeless are urinating and defecating in adjacent areas where they are shielded from view. This situation is a problem for the District and for Branson. The parties agree to share equally the costs of installing and
maintaining a portable toilet at each location. Once the portable toilet in the area originally planned for the Snack Bar is in place, the track and baseball field can be served from that facility.

**Football Field**
Under the original phase 3 provision of the Agreement, the football field was to be renovated. Based on current field maintenance demands (and due to understaffing of COM maintenance staff) renovation of the football field shall be postponed indefinitely and until mutual agreement by the parties.

**Gardening Storage Shed**
The gardening storage shed (renovation of the old electrical shop behind the PE complex) will be built/renovated. Branson will be provided a reasonable amount of space in the shed for storage of athletic equipment, subject to the demands of gardening equipment storage.

**Additional Uses**
Use of the fields for summer camps by Branson is provided by the Agreement at “reasonable” rates. Branson and the College agree to negotiate rates on a case-by-case basis. The object is to provide a fair rental return to the College while making summer camps economically practical for Branson. Branson agrees to limit the proposed usage to 3 summer camps per summer.

Certain other uses (to be determined) will be available to Branson at negotiated rates following the same reasoning as above.

**Branson to Pay Additional Custodial Charges for Games**
The College of Marin agrees to rent to Branson the college’s theater, auditorium and/or other facilities for day use as available at the District’s then prevailing non-profit rental rates.

Due to the considerable additional custodial work required to clean up after major games in the gymnasium, Branson will be charged 4 hours of custodial time at overtime rates for all games taking place in the gymnasium, but not for games taking place on the athletic fields. The charge does not apply to practices. Branson has paid (and will continue to pay) for security, at overtime rates, for major games played in the gymnasium.

6. **Record Keeping and Accountability**
The District will ensure that proper records are kept:

- All maintenance activities will be planned and scheduled in reference to the master maintenance plan for the fields. The performance of all such activities will be documented in such a way as to record the timing and extent of the specified activity performed, adequate both to demonstrate compliance with the maintenance master plan,
activities and for use outside the normal school year (June through August), when such facilities are not being used by the District and upon payment of reasonable fees for such use. Branson will have use of the District gymnasium for interscholastic basketball games upon mutually agreed dates and times.

B. After July 1, 2002, Branson will have prescheduled use of the baseball, auxiliary and renovated fields, and Mackey Field and the gymnasium for interscholastic activities during the normal school year (September through May) when such facilities are not being used by the District. Branson will have prescheduled use of the baseball, auxiliary and renovated fields and Mackey Field for summer camp activities and for use outside the normal school year (June through August) upon reasonable fees being paid for such use.

C. Upon the completion of the football (Pieper) field renovation, Branson will have prescheduled use of the field for interscholastic activities during the normal school year (September through May) when not being used by the District. Branson will have prescheduled use of Pieper Field for use outside the normal school year (June through August) upon reasonable fees being paid for such use.

D. The parties to this Agreement will use all best efforts to seek opportunities for Branson to have access to the track, swimming and tennis facilities for interscholastic activities during the normal school year when such facilities are not being used by the District, however, Branson's use will be dependent upon availability and subject to the provisions of the Community College Civic Center Act.

E. The District will be responsible for and retain all revenues from rentals of its athletic facilities.
EDUCATION CODE
SECTION 81420-81423

81420. A community college district may enter into a lease or agreement with a city, county, or city and county for the joint occupancy, or a private education institution for its sole occupancy, of the real property and buildings of the district, in accordance with the provisions of this article.

81421. As used in this article, "building" includes onsite and offsite facilities, utilities and improvements which as agreed upon by the parties are appropriate for the proper operation or function of the building to be jointly occupied and used. It also includes the permanent improvement of school grounds.

81422. Prior to entering into a lease or agreement pursuant to this article, the community college district governing board shall determine that the proposed joint occupancy and use of district property or buildings will not interfere with the educational program or activities of any school or class conducted upon the real property or in any such building.

81423. No such lease or agreement shall exceed a term of five years, but may be renewed on the same or different conditions at the end of such term.

30 year lease
illega/
82537. (a) There is a civic center at each and every community college within the state where the citizens, Camp Fire Girls, Boy Scout troops, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts may engage in supervised recreational activities, and where they may meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside. Governing boards of the community college districts may authorize the use, by citizens and organizations of any other properties under their control, for supervised recreational activities.

(b) The governing board of any community college district may grant the use of college facilities or grounds for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest upon terms and conditions which the board deems proper, and subject to the limitations, requirements, and restrictions set forth in this article.

(c) No use shall be granted in a manner that constitutes a monopoly for the benefit of any person or organization.

(d) The use of any community college facility and grounds for any meeting is subject to reasonable rules and regulations as the governing board of the district prescribes, and shall not interfere with the use and occupancy of the community college facilities and grounds, as is required for the purposes of the community colleges of the state.

(e) The management, direction, and control of the civic center is vested in the governing board of the community college district.

(f) The governing board of the community college district shall make all needful rules and regulations for conducting the civic meetings and for such recreational activities as are provided for in this chapter and which aid, assist, and lend encouragement to the activities.

82542. (a) Except as provided in subdivision (b), the governing board of any community college district shall grant without charge the use of any college facilities or grounds under its control, pursuant to the requirements of this article, when an alternative location is not available, to nonprofit organizations and clubs and associations organized for general character building or welfare purposes, such as:

1. Student clubs and organizations.
2. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the district.
4. School-community advisory councils.
MEASURE SUBMITTED TO THE VOTERS

SCHOOL

MARIN COMMUNITY COLLEGE DISTRICT
COLLEGE OF MARIN JOB TRAINING, CLASSROOM
PRESERVATION, ENVIRONMENTAL,
SAFETY IMPROVEMENT BOND
MEASURE C

To provide affordable job training and four-year college preparation by using environmental building practices to improve science labs, classrooms, libraries, maintaining educational facilities, updating technology, wiring, improving energy efficiency, fire safety, campus security, disabled access, and repairing, constructing, acquiring, equipping classrooms, labs, sites, facilities, shall Marin Community College District Issue $249,500,000 in bonds, at legal rates, with annual audits, citizen oversight, no money for administrator salaries?

MARIN COMMUNITY COLLEGE DISTRICT
COLLEGE OF MARIN JOB TRAINING, CLASSROOM
PRESERVATION, ENVIRONMENTAL,
SAFETY IMPROVEMENT BOND
FULL TEXT OF MEASURE C

RESOLUTION OF THE BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") has determined that certain facilities and equipment within the Marin Community College District (the "District"), within Marin County ("Marin County") need to be maintained, acquired, constructed, improved, equipped and furnished to enable the District to maintain both of its Kentfield and Indian Valley campuses as valuable community resources, to train and retain local residents for higher-paying and skilled jobs, and to enhance the educational opportunities of the students in the District who desire to transfer to four-year colleges; and

WHEREAS, due to the age and condition of many of the District's facilities, the District has been less able to provide necessary education programs and thus College of Marin must act to maintain its campuses and provide a balance of job training and general education classes; and

WHEREAS, the Board has determined that the maintenance, modernization and replacement of worn-out classrooms, buildings, laboratories and instructional equipment; the provision of state-of-the-art computer technology; the installation of fire safety equipment; the improvement of electrical, lighting, ventilation and fire detection systems in existing classrooms; the need for pedestrian, cyclists, and disabled student access improvements; and the improvement of campus safety are also among the highest priorities of the Board; and

WHEREAS, notwithstanding ongoing efforts to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately maintain the College of Marin's campuses in Kentfield and Indian Valley for all their students; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for such facility, technology, safety and accessibility needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 11 of Article XIIIA of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classrooms, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that the restrictions in Proposition 39 which prohibit any bond money to be used for administrator salaries and expenses be strictly enforced by a Citizens’ Oversight Committee; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on November 2, 2004, and to request the Marin County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Marin County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below;

NOW THEREFORE, THE BOARD OF THE MARIN COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 33056, hereby requests the Marin County Registrar of Voters to call an election under the provisions of Proposition 39 and the Act and submit to the voters of the District the question of whether bonds of the District in the aggregate principal amount not to exceed $249,500,000 (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits "A" and "B" hereto.

Section 2. That the date of the election shall be November 2, 2004.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries and other college operating expenses;

MEASURE C CONTINUED ON NEXT PAGE
Survey of COM Athletic Program Faculty Regarding the Continuance of the Football Program

College of Marin is in the process of making important decisions regarding the future of its Athletic Programs which would have a profound effect on its Football Program. Per AP 4021 Program Revitalization and Discontinuance Policy, I am polling you to see if you agree with the recommendation to discontinue the Football Program. The reasons for this recommendation are the following:

- The Football facility is woefully inadequate when compared to facilities of other colleges (and even local high schools), and needs to be remodeled or rebuilt at a cost estimated to be several million dollars, money that are not identified.
- The COM Football Program is funded between $20,000 (San Jose City College) to $100,000 (De Anza College) less than the other teams that we played against in 2008. Additional resources will have to be allocated if our program is to stay competitive. Resources will have to come from other existing programs and sources.
- Resources allotted to the football program for coaching staff is very low and additional staffing for football would be needed to field a truly viable program, including a full-time head coach, an athletic trainer and assistant equipment manager.
- Football team serves primarily out of county students. It has had an average (in the last four years) of only about 25% of its players coming from Marin county high schools.
- Retention of players from year to year is very low.
- Transfer rate of football players is very low in the last three years: 2% in 2005, 6% in 2006 and 28% in 2007.
- The number of associate’s degrees earned by football players is very low: 1 in 2005, 3 in 2006 and 1 in 2007.
- There is little or no academic support staff for football players, who tend to be basic skills students.
- The won-loss record of recent teams has been very poor resulting in declining community support judging from the attendance at games.
- COM is now under Title IX federal mandate for gender balance in its athletic programs. In order to meet this requirement, two additional women’s sports are being added. Source of funding will have to come from other sources.

PLEASE RESPOND TO ME BY 5:00PM ON FRIDAY, FEBRUARY 6, 2009.

THANK YOU.

Sincerely,
Matt Markovich

<table>
<thead>
<tr>
<th>The College of Marin football program should be discontinued: Yes_____ No_____</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature</td>
</tr>
<tr>
<td>------------------------------------------------</td>
</tr>
</tbody>
</table>
including auxiliary aids or services, may be made by a
person with a disability who requires a modification or
accommodation in order to participate in the public
meeting.

No action or discussion shall be undertaken on any item
not appearing on the posted agenda, except that
members of a legislative body or its staff may briefly
respond to statements made or questions posed by
persons exercising their public testimony rights under
Section 54954.3. In addition, on their own initiative or in
response to questions posed by the public, a member of
a legislative body or its staff may ask a question for
clarification, make a brief announcement, or make a brief
report on his or her own activities. Furthermore, a
member of a legislative body, or the body itself, subject to
rules or procedures of the legislative body, may provide a
reference to staff or other resources for factual
information, request staff to report back to the body at a
subsequent meeting concerning any matter, or take action
to direct staff to place a matter of business on a future
agenda.

(b) Notwithstanding subdivision (a), the legislative body
may take action on items of business not appearing on
the posted agenda under any of the conditions stated below.
Prior to discussing any item pursuant to this subdivision,
the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the
legislative body that an emergency situation exists, as
defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the
members of the legislative body present at the meeting,
or, if less than two-thirds of the members are present, a
unanimous vote of those members present, that there is a
need to take immediate action and that the need for action
came to the attention of the local agency subsequent to
the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a
prior meeting of the legislative body occurring not more
than five calendar days prior to the date action is taken on
the item, and at the prior meeting the item was continued
to the meeting at which action is being taken.
Addition to minutes of meeting: College of Marin Board of Trustees March 17, 2009

Item B 11 H: Discontinuance of football. This Trustee voted against the motion for the following reasons:

- The Stated Policy AP 4021 “Program Revitalization and Discontinuance” was not properly applied by the faculty, Academic Senate and Board of Trustees. AP 4021 has only two minor provisions for Discontinuance without program rejuvenation: when a grant supported program has lost its funding (not the case here) or when 60% of faculty in a discipline agree to submit to the Academic Senate a request for discontinuance. In addition no program may be discontinued when students are currently enrolled in the program. No clear evidence was provided that 60% of faculty made the request. It has been seen that a “survey” or “Poll” was conducted by the Administration with a question concerning shift of funding from football to other programs. But in any case this “survey” was not submitted to the Senate as a required “request for discontinuance”. The College President and Athletic potentially mislead the general public as quoted in a Marin IJ article in February 2009 that the Football program would have at least one more year to prove itself. In a potential violation of the Brown Act the meeting Agenda item listed “B1 H” misleads the public that use of AP 4021 Program Revitalization and Discontinuance would be followed but instead the Board acted on a narrow and tenuous interpretation of the Policy and Academic Senate action to immediately cancel the program.

Trustee Namnath
Hi! My name is Sara McKinnon and I am the SLO coordinator this year at College of Marin. I was joined this spring semester by Becky Brown from Biology who is taking care of the disciplines on the other side of the creek as it were... We were asked to do a number of things this year. The first was to work with a subcommittee of the Senate to create general “College Learning Outcomes” that would provide a framework for more specific discipline and course level SLOs. These were approved at the January 29th Academic Senate meeting and are as follows:

1. **Written, Oral and Visual Communication:** Communicate effectively in writing, orally and/or visually using traditional and/or modern information resources and supporting technology.

2. **Scientific and Quantitative Reasoning:** Locate, identify, collect, and organize data in order to then analyze, interpret or evaluate it using mathematical skills and/or the scientific method.

3. **Critical Thinking:** Differentiate between facts, influences, opinions, and assumptions to reach reasoned and supportable conclusions.

4. **Problem Solving:** Recognize and identify the components of a problem or issue, look at it from multiple perspectives and investigate ways to resolve it.

5. **Information Literacy:** Formulate strategies to locate, evaluate and apply information from a variety of sources - print and/or electronic.

Over Christmas vacation, I created a complete spreadsheet of all credit and noncredit ESL courses offered at College of Marin. On it I noted whether each course counted towards basic skills, certificates, general education requirements or CSU/UC transfer. At the end of March I went through every course outline in the Office of Instructional Management binders (there are 42 large binders housing over 1165 outlines). I noted the date of the outline and whether or not it contained student learning outcomes. As you know, in the last ten years there has been a shift away from what “we can do for the students” to “what the students will be able to do for themselves when they leave our classes” — and we are now asked to develop “student learning outcomes” for our courses, for our degrees and certificates, for our basic skills and general education programs and for the college as a whole.

I discovered that the course outline format has gone through a number of transformations over the last 35 years. Up to about six years ago, we were asked to write “teaching objectives” in our course outlines. These could be general or very specific and often only addressed how we would impart our wisdom to our students. Thus, previous outlines requested “teaching objectives” and sometimes “critical thinking”. Those written in the last 5-6 years have clearly included student learning outcomes and have been vetted carefully by the curriculum committee. All course outlines are supposed to be updated every 5 years. Some are in better shape than others with about 30% in need of revision. Many of these are in process of being rewritten and going through the curriculum approval process. A summary report is attached which in fact, covers many of the questions WASC is asking for our June 30th report.

In an effort to centralize all the evidence we DO have that proves that we have worked on SLOs (and we have), I have created a College of Marin Academic Senate SLO Wikispaces. In it I have created pages for every discipline. I have attached or copied into each page any SLO work I could find from each area. These had been written at various times in the last 3-4 years but not widely or easily made available to the faculty at large. It also includes what was written in the Spring 08 Program Review.

Becky Brown and I (Sara McKinnon), the college’s SLO coordinators, will assist disciplines (as needed) in updating their course outlines to include SLOs and in using the WIKI as a central location for all faculty, full-time and part-time, to copy and paste, to read and analyze course-specific and discipline SLOs and to think about and share types of assessments and rubrics they might use to measure SLO achievement.

The purpose of the WIKI is to be a place for analyzing where we are in relation to the general college outcomes, and hopefully at some point in relation to the degrees and certificates students earn. It is a place to find ways to revise and improve our instruction. And finally it is a place to give evidence and to prove to WASC that:

- Faculty and staff are fully engaged in student learning outcomes development.
- Student learning outcomes and authentic assessment are in place for courses, programs and degrees.
- Dialogue about student learning is ongoing, pervasive and robust.

The following is my summary of the “state of SLOs in the Official Course Outlines of Record as of March 28th, 2009. Please keep in mind that many of these are in the process of being rewritten, but may not have been turned in to the curriculum committee yet. Faculty members from each discipline are working diligently to revise old course outlines.

Noncredit ESL or Other Noncredit (100% in ESL. Other noncredit – is working on it.)

- 40 ready for board approval
- 28 still in Tech Review

The CREDIT stats so far more or less:
There are about 1164 total course outlines either in OIM Binders or in process in curriculum including revisions under Tech Review and NEW courses that have been approved at least by CC (but not new ones that are still in Tech Review). Of these:

- 14 have no outlines found (1.2%) (they may be somewhere - just not in the binders)
- 67 have NO SLOs of any kind (5.7%)
- 235 have Teaching Objectives and/or Critical Thinking components that are close to SLOs (20%)

125 are in progress of being updated - or approved (10%)

- 43 - Waiting for Board
- 35 - waiting for UDWC
- 2 - not approved by UDWC
- 45 sent back to departments after Tech Review but have not returned to Curriculum Committee

Those that need work or have Teaching Objectives/Critical Thinking in specific groups:
(These overlap.)

- 7 basic skills classes out of 101 (6.9%) (those 7 are in odd outside disciplines that had set up intro classes - don't know if they actually offer them)
- 51 out of 300 certificate classes (17%)
- 90 out of 316 GE courses (28.5%)
- 321 out of 1027 CSU (31%)

http://com-academic-senate-slos.wikispaces.com/
152 out of 506 UC (30%)
Welcome to the College of Marin Academic Senate Student Learning Outcomes WIKI!

Dedicated to the memory of Carol Adair who understood SLOs better than most and whose spirit guides this space!

This WIKI is a space for College of Marin faculty to create and discuss, edit and re-edit, ponder and articulate their ideas about student learning outcomes in relation to their disciplines and to the courses they teach. We request dialog that is respectful and constructive and that always keeps in mind what will help our students learn! Members to this WIKI can visit all pages, edit, discuss and share their ideas. While we can all see each other's disciplines, it would be appreciated if you ONLY edited in the area where you actually teach. Please try not to delete attachments and please do NOT edit the GE SLOs. (However, it is not the end of the world if you do by mistake.)

Keep in mind that anything that is added, subtracted or discussed can be seen by everyone. In addition, the edits and who made them are tracked on the history tab on every page. Guests to the WIKI will only be able to view, but may not edit, post or join in discussions. For further information on how to navigate and use this wiki, please scroll down. You can download the instructions (see Wiki guide, SLO guide and Bloom's Taxonomy attachments below) or you can scroll down even farther to see them copied on this page. NOTE: There is a link to the left called AA_Sandbox. This is where you can play and learn how to use the editing features before you move to your own pages.

To begin with - the easiest way to get to where you want to go is to follow the links to the broad area home page (AH, CTE and MS). From there you will find a flowchart so you'll know what to look under to find YOUR discipline. Click on the appropriate link on that page to take you to a combination site. Here you will look at discipline level SLOs in relation to
more general College Learning Outcomes. You will find what you have
written before in one place. Here you can decide if they make sense or if
you'd like to rewrite them. From there, you can move to your specific part of
your discipline where you will look at and add course level SLOs. You will
find links at the top of the page to allow you to move back and forth easily
between these related pages.

Links to get you where you need to go next:
Arts and Humanities Disciplines: AH_A_home
Career and Technical Education: CTE_AA_Home
Math, Life and Earth Sciences, Behavioral and Social Sciences: MS_A_home

SEE BELOW FOR INSTRUCTIONS ON NAVIGATING THIS
WIKI AND FOR ENTERING SLO DATA!

Relevant Attachments:

Instructions for using this WIKI (also see below on this page): 
COM_SLO_WiKiGuide.pdf

Guide to writing SLOs (also see below on this page): 
COM_SLOguide.pdf

Spring 2005 Convocation Powerpoint on SLOs: 
05 STUDENT LEARNING OUTCOMES.pdf

Bloom's Taxonomy: 
BloomsTaxonomy.pdf

Academic Senate and Board of Trustees
Memorandum of Understanding re: SLOs

- (Easy to read copy): 
AS_BoT_SLO_MOU_10_05.pdf

- (Last page scanned with signatures): 
MOUsigned.pdf

WASC Rubric re: SLOs and accreditation: 
WASC Rubric Table SLOs.doc

Fast Stats about College of Marin's Credit Offerings (according to 08/09
Catalog)
Out of 1078 classes:

- 82 classes are Basic Skills or pre-college
- 7 are pre-college introductory classes to a particular area
- 1 class with 6 variations is a math proficiency course
- 1 is offered as a prerequisite for Math 110/115
- 291 classes count towards certificates or licenses
- 307 classes count towards GE requirements at COM
- 1016 classes Transfer to CSU
- 503 Classes also transfer to UC

Do not print the following files. They are very long. They are broken up and made available on each discipline’s page.

Spreadsheet with all courses from catalog listed by discipline noting if Basic Skills, Certificate, GE, Transfer to CSU or UC:

- All COM courses.pdf
- AllCOM_BasicSkillsClasses.pdf
- Only the Basic Skills classes (or are pre-college):
  AllCOMclassesforCert.pdf
- Only the classes which count towards a certificate:
  AllCOM_GEclasses.pdf
- Only the classes which count towards GE for College of Marin:
  AllCOMtoCSU.pdf
- Only the classes which count towards UC:
  AllCOMtoUC.pdf
Arts and Humanities

Basic Skills

NC ESL

Credit ESL

English Skills

Counseling Library Study Skills

English, Humanities and Philosophy

English Composition Sequence

English

Humanities

Philosophy

Performing Arts

Music

Dance

Drama

Fine Arts

Art History

Architecture

Theories Techniques

Interior Design Gallery Design

Jewelry Design Fiber Sculpture

Drawing Painting

Ceramics Sculpture

Printmaking Photography

Modern Languages

Modern Languages

Study Abroad

American Sign Language

Chinese

French

Japanese

Italian

Spanish

Communications and Speech

Communications

Film and Video

Journalism

Speech
Career Technical Education

- Dental/EMT/ECN/MDA/Nursing
- Dental Assisting
- Early Childhood Education
- ACR/ATO Machine and Metals Technology
- Auto Collision Repair Technology
- Automotive Technology
- Machine and Metals Technology
- BUS/BOS/CIS
- Business
- Business Office Systems
- Computer Information Systems
- EL/ND Multimedia Studies
- Environmental Landscaping
- Multimedia Studies
- Admin of Justice Court Reporting Educ/ME
- Administration of Justice
- Court Reporting
- Education
- Work Experience
BSI Board of Trustees Presentation

What is BSI?
~ Chancellor’s office project in partnership with research groups etc

~ Poppy copy= comprehensive literature review that summarizes effective practices and strategies for supporting Basic Skills students.

Who are our Basic Skills students at COM?
~ Any student who places into Math 95, Math 101, ESL, English 62, 92, 98 or 120.
~ We know that at least 80% of our students place into pre-college level math or English courses.
~ However, we also know that 2/3 of those students are concurrently taking courses outside the Basic Skills pathway area.

What is happening with BSI at College of Marin?
~ Many of you probably remember the College Success Council started by our colleagues Carol Adair and Joyce Marks many years ago. The BSI group at College of Marin is being run the same way. There is a larger group that meets several times a semester. Anyone interested in the success of basic skills students is invited to participate.

The Basic Skills Steering Committee has had its first meeting and is moving forward with its charge. We approved two faculty proposals at our meeting; development of a math 85 course and the development of a learning community pairing English 92 and a Counseling class. You have received a copy of some of the data presented to the committee as well as a copy of the minutes.

Two action plans that have been approved by Superident/President White, Academic Senate Pres Yolanda Bellisimo, and the Chancellors office.
~ These plans were a result of a yearlong self-study of our student’s success, retention and improvement rate.
~ The BSI group that developed these plans included over 40 faculty from different disciplines, staff and Administrators.
~ You have a copy of a progress report on the 08-09 Action Plan.

Here are some of the highlights of projects that we have been working on:

Learning Communities
BSI has supported the Transfer Prep Academy started by our colleagues Meg Pasquel an Cecelia Cavalier. We now have 3 learning communities going pairing and pre-college level English course with a transfer level content course.

Piloted an Instructional Support model for Math 95
Maula Allen paired her Math 95 course with a 1 unit support class where students could participate in directed practice with the support of both the instructor and an instructional assistant.

Math Department Research
BSI funded research conducted by math faculty regarding strategies related to student success in math 95.
Scholar Baller

Bruce Furuya has brought this national program to College of Marin. This program motivates student-athletes to set meaningful academic goal and achieve them.

Student Athlete Study Hall

Working with Matt Markovich, the new Director of Physical Education, and coaches from the football team, a student-athlete study hall for students taking basic skills courses was implemented last semester.

Professional Development

Multiple faculty, staff, and administrators have attended local BSI conferences as well as discipline specific professional development activities. BSI sponsored a Student Success Institute by Dr. Kathe German that was attended by more than 50 faculty members this January. A few weeks later, BSI co-sponsored a learning community workshop offered by Eileen Tejada. Faculty and staff will be attending the regional BSI meeting at Canada College later this week, as well as the non-credit BSI meeting in Sacramento next month.

College of Marin is now a part of the Bay Area Learning Network, a consortium of community colleges working together to address common issues and challenges found in promoting the success of basic skills students.

What's next for Basic Skills?

Hiring a part-time counselor for basic skills students
Development of the 2009/2010 Action Plan
Implementation of the new Math 95 course and development of the Math 85 course
English and Basic Skills Alignment project
BSI Newsletter
BSI website launch
Identification of the space for creating the College Success Center
Study skills workshops offered through the Tutoring Center
Monthly BSI lunch meetings
Road to Success
More professional development opportunities
## Effective Practice and Strategy

- A clear institutional decision exists regarding the structure of developmental education (centralized or decentralized, but highly coordinated).
- Institutional commitment is reflected in the level of comprehensiveness and the extent to which developmental education is integrated into the institution.
- A comprehensive learning assistance center provides support to developmental education students.

### Progress Report on Action

- The physical location still needs to be determined.
- VPSSL, Nick Chang will be convening meetings to discuss with stakeholders during the spring 09 semester.

### The developmental education program is centralized or highly coordinated.

- Maintain BSI co-coordinators dedicated to organizing and facilitating training, workshops, orientation, and mentoring in the teaching of basic skills, and working closely with a learning communities coordinator to keep all aspects of the basic skills program unified and coordinated.

- Meg Pasquel has been working at coordinating existing and proposed learning communities.
- Susan Andrien and Becky Reetz have been co-coordinating the BSI efforts.

### A clearly articulated mission based on a shared, overarching philosophy drives the developmental education program. Clearly specified goals and objectives are established for developmental courses and programs.

- Developmental education goals and objectives are clearly communicated across the institution.

- A BSI Steering Committee will be formed including one faculty member each from English, Math, and Counseling, the Basic Skills Co-Coordinators, the VP for Student Learning, and the Director of Student Affairs. This steering committee will work with constituent groups to create a mission statement for Basic Skills at College of Marin, will plan and coordinate BSI meetings, conduct annual program review, and will create, revise and update the Basic Skills Research Agenda.

- The BSI Steering Committee has been selected and has begun meeting.
<table>
<thead>
<tr>
<th>Formal mechanisms exist to facilitate communications/coordination between faculty and staff in different developmental disciplines as well as with student services.</th>
<th>Develop BSI website to serve as resource for faculty, staff, and administrators who are participating in related projects.</th>
<th>Website is currently in development.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counseling and instruction are integrated into the developmental education program.</td>
<td>Conduct joint instructional and counseling faculty meetings to address educational needs and integrate support services for students enrolled in courses in developmental writing and math.</td>
<td>Not currently in progress. Planning discussions will continue.</td>
</tr>
</tbody>
</table>
| Regular program evaluations are conducted, results are disseminated widely, and data are used to improve practice. | a) Share baseline basic skills data with all the campus divisions and ask them to analyze it, form questions, and request pertinent and useful research information.  

b) Create and implement an annual Basic Skills Research Agenda that incorporates and responds to Basic Skills needs as well as the Student Equity plan and provides baseline and trend data that may be used for course, program, and services planning and decision-making. | Assigned to BSI Steering Committee. |
| • Orientation, assessment, and placement are mandatory for all new students.  
• Financial aid is disseminated to support developmental students. Mechanisms exist to ensure that developmental students are aware of such opportunities and are provided with assistance to apply for and acquire financial aid. | Design and implement a student welcome orientation day, to occur on the Saturday before the beginning of each semester so as to include all new students, family, and friends. Welcome day to include workshops on financial aid, college success, selecting a major, and fun and interactive discipline-specific workshops. | On track for fall 2009. |
| Staff development opportunities are flexible, varied, and responsive to developmental needs of individual faculty, diverse student populations, and coordinated programs/services. | Implement monthly BSI lunch to support interdisciplinary efforts. Lunch should include a presentation by an expert on some topic selected by participating BSI members. | Going forward. Days of week will vary. Next meeting will likely be May 2009. |
| Administrators support and encourage faculty development in basic skills, and the improvement of teaching and learning is connected to the institutional mission. | Create support for learning communities linked to Basic Skills courses in English, Math, and counseling. | Meg Pasquel is working for a few hours a week as learning communities coordinator. The BSI RFP process has created an opportunity for faculty to continue to develop learning communities. BSI at COM sponsored a Student Success Institute by Dr. Kathe German in January 2009. This was followed by a learning community workshop (co-sponsored by BSI and the Modern Languages Department) presented by Eileen Tejada. |
| The developmental education program addresses holistic development of all aspects of the student. Attention is paid to the social and emotional development of the students as well as to their cognitive growth. | A half-time Basic Skills counselor will be hired to work in Basic Skills support center and with learning communities. | Discussions are happening right now about the possibility of hiring someone to start fall 2009. |
| Programs align entry/exit skills among levels and link course content to college-level performance requirements. | Continue alignment-for-student-success in Basic Skills math and English courses. | BSI co-coordinator is attending both division meetings. Projects are in motion. |
| Curricula and practices that have proven to be effective within specific disciplines are employed. | Improve and increase the effectiveness of instruction in Basic Skills English and math by reviewing/revising the curriculum of self-paced courses. | Math department is currently reviewing. |
| An academic support center provides diverse and active learning experiences such as workshops, study groups, self-paced instruction via video or software, and experiential learning. | Supplemental instruction will be implemented in a Math 95 course. | Maula Allen’s math 95 class was a paired with a math 90 course. An instructional assistant participated. Success data are being analyzed. |
| Sound principles of learning theory are applied in the design/delivery of courses in the developmental program. | Hire a part-time coordinator for learning communities to maintain existing learning communities, support development of new learning communities, conduct research into student success, and act as liaison with scheduling, department. | Meg Pasquel is working for a few hours a week as learning communities coordinator. |
Basic Skills Initiative Steering Committee (BSISC) Minutes
Thursday, April 9th 2:00-4:00pm
Conference Room B
Student Services Building

AGENDA
Introductions
Approve Committee Charge
Review 07/08 and 08/09 Action Plans
Review BSI Faculty Proposals
Discuss BSI Staff Proposals
Review COM BSI Related Research
Road to Success Fall 2009
Housekeeping
Set Next Meeting Date and Agenda

INTRODUCTIONS
Susan Andrien, BSI Co-Coordinator, Learning Resources
Becky Reetz, BSI Co-Coordinator, Tutoring Program
Win Cottle, English Department
Melody Creel, Research and Planning
Andrea Wang, Math Department
Cheo Massion, ESL Department
Candice Garretson, EOPS/Care/CalWORKs
Patricia Torres, Assessment and Testing
Rose Thompson, Counseling

COMMITTEE CHARGE
A draft of the BSI Steering Committee charge was reviewed by the group. Several changes were recommended. This is the updated version that has been distributed and approved via email:

The Basic Skills Initiative is a statewide effort to ensure that basic skills development is a major focus and an adequately-funded activity of the community colleges. The primary function of the Basic Skills Initiative Steering Committee is to provide guidance and direction to the activities conducted through the BSI at College of Marin.

The committee is responsible for developing the annual Action Plan that COM submits to the Chancellor’s Office. Committee members will act as liaison to the BSI from their areas, developing training opportunities at the college, communicating progress and findings and soliciting input from those working in their areas for an annual research agenda regarding success, retention and improvement rates for basic skills students. The committee will make recommendations to the Superintendent/President for funding faculty and staff projects to improve student success in basic skills courses. Committee members will also provide support and assistance to faculty and staff regarding their projects, and will contribute to a formative evaluation of the BSI at the end of each semester, and a summary evaluation at the end of each academic year.

REVIEW OF 07/08 AND 08/09 ACTION PLANS
Highlights of the review of the 07/08 and 08/09 Action Plans:
• The development of a support center for basic skill students is still in the discussion phase.
• A part-time counselor for basic skill students is being hired for fall 09
• Non-credit courses for college readiness were piloted, but did not run due to low enrollment
• A college success course still needs to be formally developed, although many models already exist at the college
  • Two new ideas were shared:
    • College Skill workshops- Becky and Meg Pasquel are working on developing a proposal
to create them for fall 09
    • Development of Puente Program feeder course that would prepare basic skill students to
be better prepared to enter the program
• Road to Success will happen fall '09
• BSI has offered two college-wide workshops related to learning communities this year
• The English course alignment project is moving forward
  • Currently the ESL/English course sequence moves students through 3 departments
  • New idea shared:
    • Develop recommended reading/writing levels for each course offered at the college so
counselors would be able to better direct basic skill students in their educational plan
development
• Math courses are already mostly aligned, now focusing on aligning Math 95A with Math 95 and syncing
the curriculum
  • New projects in development in math department:
    • Math 95A and Math 95B will be offered as an instructor lead 2 semester course for the
first time (has been approved by curriculum committee and will begin fall '09)
    • Math 85 will be piloted either in spring '10 or fall '10
• The formation of the BSI Steering committee (BSISC) meets the goal of developing a planning group.
However, the group agreed that it was important for the BSISC to offer professional development
opportunities for faculty and staff that raise awareness and foster understanding of our diverse student
population.
  • New idea for professional development:
    • Consider the speaker from the Latino College Awareness day, Dr. Juan Carlos Arauz, as
a workshop presenter. Patricia will gather biographical information for dissemination to
the BSISC group.
• Learning communities are thriving. Meg Pasquel is working as the BSI Learning Communities
Coordinator.
• The impact of the Student Athlete study hall is still be analyzed.
• A website for BSI at College of Marin is in development. Content has been delivered and first phase of
design is nearly complete.
• College-wide BSI lunch meetings have occurred sporadically. However, now that the BSISC is going,
we hope to establish regular monthly meetings, possibly with guest speakers.

2009/2010 ACTION PLAN
Becky will write a draft of the 09/10 Action Plan to be distributed electronically to BSISC. The final draft is due
to the Chancellor's office on May 31st. Committee members will be asked to give feedback, additions, and
modifications. Becky will also create a document that demonstrates how the 09/10 BSI Action Plan ties to
Board of Trustee goals, the Educational Master Plan, and the current strategic planning objectives.

REVIEW BSI FACULTY PROPOSALS
The following faculty proposals were reviewed:
• A pilot course- Math 85 "Arithmetic and Problem Solving" offered by Maula Allen and Andrea Wang
• A learning community – English 92 and Counseling 125 (How to Study Effectively) offered by Blaze
Woodlief and Joetta Scott
Both proposals were unanimously approved by the committee. Award letters will be sent immediately. We will
request that participants resubmit their previous proposals with modified timelines (to reflect the delay in
getting the BSISC committee started this semester).
We will send a request to have this information included in the Presidents Briefing.

- New idea for RFP form: Include a section that requires the writer to describe the population their proposal is targeting.

**DISCUSSION OF BSI STAFF PROPOSALS**
Although the BSI Proposal opportunity was initially only going to be available to faculty, staff will now also have an opportunity to participate. Some staff have already submitted proposals but these will not be reviewed for approval by BSISC until all staff have been given the opportunity to submit proposals. Becky will send and email out to the staff immediately. The deadline will be May 1st.

**REVIEW OF BSI COM DATA**
The BSISC had a preliminary discussion related to the cohort studies and other data included in the BSI binders. All committee members were encouraged to further review the data on their own, and submit research questions for review to Becky or Susan. All research ideas/questions will be discussed at the next BSISC meeting to determine if they will be included in the BSI Research Agenda.

**ROAD TO SUCCESS FALL 2009**
Committee members agreed to participate in the planning and execution of the Road to Success event in fall 2009. Becky will create a list of Road to Success work groups so volunteers can choose how they would like to help.

**HOUSEKEEPING**
Timesheets were distributed to the group along with an explanation of how compensation will work for both faculty and staff. For budget management purposes, any work outside of committee meetings must be reviewed by the BSI Co-Coordinators ahead of time.

**NEXT MEETING**
The next BSISC meeting is tentatively scheduled for April 23rd from 2:00-4:00pm. Location and agenda will follow.

**Summary of Action Items**
- Patricia will send Becky biographical information about Dr. Juan Carlos Arauz for distribution to the group, and for consideration of a professional development event.
- Susan will edit the BSISC committee charge based on group recommendations, and send to group for approval via email
- Susan and Becky will write a draft of the 09/10 Action Plan for distribution to the group.
- Susan and Becky will write the BSI/COM Articulation Evaluation document
- Becky will send award letters to the faculty who have been awarded a BSI grant
- The BSI Co-Coordinators will draft an email to staff, asking them to participate in the BSI RFP.
- Becky will modify the existing BSI RFP form to include a section on describing the target population
- BSISC committee members will review data included in their binders and submit research questions to either Becky or Susan
- Becky will create a list of Road to Success work groups and distribute to groups
Tracking of Math Students From Math 95 to Math 115
Starting Fall 2001 and Ending Summer 2007

DRAFT

Initial Grade Received

Pass A,B,C,CR

Fall D,F,NC

W

144 Began MATH 95 Fall 2001

30 Continue to MATH 101 By Summer 07

11 Continue to MATH 103/103G/103S By Summer 07

4 Continue to MATH 115 By Summer 2007

21% > 37% > 36%>

47 (33%)

17 (57%)

6 (55%)

4 (100%)

9 (36%)

3 (27%)

0

26 (18%)

4 (13%)

2 (18%)

0

Total

144

30

11

4

Notes:

Students are tracked based on their initial grade in a class. Only students whose initial grade in a class was A, B, C or Credit are tracked to the next level.

Students who received a grade in Math 95 prior to Fall 2001 are excluded. Self-paced classes are excluded.
Tracking of English Students From English 92 to English 151
Starting Fall 2001 and Ending Fall 2006

- 139 Began ENGL 92 Fall 2001
- 66 Continue to ENGL 98 By Fall 06
- 29 Continue to ENGL 120 By Fall 06
- 19 Continue to ENGL 150 By Fall 06
- 13 Continue to ENGL 151 By Fall 06

Initial Grade Received

Pass
A,B,C,CR
91 (65%)
39 (59%)
20 (69%)
17 (89%)
11 (85%)

Fail
D,F,NC
38 (27%)
17 (26%)
9 (31%)
17 (89%)
1 (8%)

W
10 (7%)
10 (15%)
0
0
1 (8%)

Total
139
66
29
19
13

Students who received a grade in English 92 prior to Fall 2001 are excluded.

Summary

Out of the 139 who began English 92 in Fall 2001, 91 (65%) passed. Sixty-six of those students continued to English 98 with 39 students (59%) passing the course. Twenty-nine continued on to English 120 with 20 (69%) passing the course. Of the 19 students who continued to English 150, 17 (89%) passed the course. Thirteen students continued to English 151 with 11 students (85%) passing English 151.

Of the 91 who pass English 92 in Fall 2001, 17 (19%) pass English 150 by Fall 2006. Eleven of the 91 (12%) pass English 151 by Fall 2006.
Percentage of Students Testing into Transfer-level Courses

<table>
<thead>
<tr>
<th></th>
<th>College of Marin Spring 2005-Fall 2006¹</th>
<th>California Community College State Averages²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Math</td>
<td>16%</td>
<td>9%</td>
</tr>
<tr>
<td>English</td>
<td>4%</td>
<td>27%</td>
</tr>
</tbody>
</table>

English Placement Results

<table>
<thead>
<tr>
<th></th>
<th>Fall 2004</th>
<th></th>
<th>Fall 2005</th>
<th></th>
<th>Fall 2006</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Below English 150</td>
<td>616</td>
<td>97%</td>
<td>538</td>
<td>96%</td>
<td>287</td>
<td>94%</td>
</tr>
<tr>
<td>English 150 (Transferable)</td>
<td>20</td>
<td>3%</td>
<td>24</td>
<td>4%</td>
<td>18</td>
<td>6%</td>
</tr>
<tr>
<td>Total</td>
<td>636</td>
<td>100%</td>
<td>562</td>
<td>100%</td>
<td>305</td>
<td>100%</td>
</tr>
</tbody>
</table>

Below English 150 includes English 62, 92, 98, and 120.

Math Placement Results

<table>
<thead>
<tr>
<th></th>
<th>Fall 2004</th>
<th></th>
<th>Fall 2005</th>
<th></th>
<th>Fall 2006</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Below Math 104</td>
<td>586</td>
<td>88%</td>
<td>559</td>
<td>87%</td>
<td>303</td>
<td>87%</td>
</tr>
<tr>
<td>Math 104 &amp; Higher (Transferable)</td>
<td>78</td>
<td>12%</td>
<td>83</td>
<td>13%</td>
<td>47</td>
<td>13%</td>
</tr>
<tr>
<td>Total</td>
<td>644</td>
<td>100%</td>
<td>642</td>
<td>100%</td>
<td>350</td>
<td>100%</td>
</tr>
</tbody>
</table>

Below Math 104 includes Math 95, Math 95AB, 101, and 103. Math 104 & Higher includes Math 104, 105, 115, 121 and 123.

Source: Testing Office database (CAPP system).

Note: the test dates for the fall terms have varied in the CAPP system database. Therefore, the data should not be compared across terms with respect to the number of tests given each fall, because the length of the testing period in the database has varied.

¹ Data from Melody Creel, Office of Organizational Development & Planning
² Data from Environmental Scan: A Summary of Key Issues Facing California Community Colleges Pertinent to the Strategic Planning Process, Research and Planning Group for California Community Colleges, 2005, p. 6.
Report to the Board of Trustees  
April, 2009

I understand that at last month’s meeting, during the board discussion about the discontinuance of the football program, Robert Kennedy provided an explanation of the procedure the Academic Senate followed in voting to recommend the discontinuance of the program. Robert also reviewed the data the Senate used in confirming the athletic department’s request.

This past fall, the faculty and administration reached consensus about the procedure we wished to use in making these extremely difficult decisions. In addressing the issue of the football program, we followed our agreed upon procedure and we want to thank the board members who recognized that this faculty recommendation was well thought through, professionally sound, and strong in its assertion that these funds should not be taken from the athletic department. Funds saved should be used to meet Title IX requirements and especially to meet our new and stronger goals to make this a truly student/athlete athletic program.

As you know, AB 1725 broadened the role of the Academic Senates in the area of academic and professional matters and Title 5 §53200-204 provided that college boards would either mutually agree or rely primarily upon the academic senate in all matters covered in 10 + 1. This includes the academic and professional programs and services of the college. The academic senate represents the faculty in these eleven specific areas (I have copies of these for you).

In addition, the Education Code assigns myriad additional responsibilities to academic senates, such as minimum qualifications and equivalency processes, faculty hiring, faculty evaluation and tenure review, administrative retreat rights, and faculty service areas.

After the passage of AB 1725, our college board chose to rely primarily upon the faculty in the first ten areas and to mutually agree in any areas we wished to define above the ten specified areas. The discontinuance of programs falls under the first ten of 10 + 1, which in our case is a “rely primarily” agreement.

I want to thank the board members who respected the expertise and commitment of the faculty and staff in this difficult decision and who recognized that rely primarily means rely primarily.

Yolanda Bellisimo
SECTION 53200  DEFINITIONS

Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters.

Academic and Professional matters means the following policy development matters:

1. Curriculum, including establishing prerequisites.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.
8. Policies for faculty professional development activities.
9. Processes for program review.
10. Processes for institutional planning and budget development.
11. Other academic and professional matters as mutually agreed upon.

Consult Collegially means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

1. Rely primarily upon the advice and judgment of the academic senate, OR
2. The governing board, or its designees, and the academic senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.
Classified Senate President’s Report to the Board of Trustees
April 21, 2009

Presented by Jon Gudmundsson
on behalf of Classified Senate President Kathleen Kirkpatrick

Kathleen Kirkpatrick asked me to let you know that she has a scheduling conflict with most Tuesday night Board meetings and has asked me to read her report.

On behalf of all classified staff, we are extremely pleased that College of Marin classified staff have been asked to participate in the Golden Bell Award given by the Marin County Office of Education. Fifteen outstanding classified staff members were nominated by their colleagues for consideration. I would like to take this opportunity to publicly acknowledge the hard work, dedication and commitment of each of the following nominees who consistently go above and beyond in support of the College and its students:

Andrea Hunter, Financial Aid
Barbara St.John, Maintenance and Operations
Becky Reetz, Tutoring
Brian Chi, Information Technology
Gordon Hedemark, Disabled Students Program
Jeff Peck, Information Technology
Karen Van Kriedt, Community Education and Services
Kathleen Kirkpatrick, Organizational Development and Planning
Laurie Loeffler, Workforce Development
Lupe Oropeza, Maintenance and Operations, Painting
Melody Creel, Research
Patricia Torres, Testing Office
Rowena Southard, Instructional Specialist, English
Tom Hudgens, Office of Instructional Management
Vickie Lamke, Student Activities

The Golden Bell Award Nomination Committee selected Becky Reetz and Kathleen Kirkpatrick to be the first College of Marin classified staff to be honored at the Golden Bell Awards Ceremony that will take place at Dominican University on May 28.

The Classified Senate is thrilled that we now have a process in place to recognize the achievements, dedication and commitment of two outstanding classified staff members on a county-wide level every year.

Thank you for your attention.
Marin Community College District

Presentation
April 21, 2009
GASB 43/45
and
Retiree Health Benefits
by
Geoffrey L. Kischuk, FSA, FCA, MAAA

Presentation Outline - Retiree Health Benefits

- Changing Landscape
- Current Plan
- Fiscal Implications
- GASB Qualified Plan
- Next Steps

Changing Landscape

- Historically, retiree health benefits accounted for on "Cash Basis"
- Under Cash Basis, Expense=Cash
- GASB 43/45 requires accrual basis
- Expense booked when transaction takes place creating obligation

Changing Landscape

- For retiree benefits, transaction creating obligation is year of employment
- All retiree benefits must be expensed before retirement
- When expenses booked before cash paid, liability results

Changing Landscape

- The challenge of GASB 43/45 is the transition from "Cash" to "Accrual"
- Must expense enough more than "pay-as-you-go" to accumulate accrued liability
- GASB allows up to 30 year transition

Current Plan

- Must be hired prior to date that varies by employee group (1986 to 1988)
- District pays some or all of medical and dental cost to age 70
- Spouse covered for all except SEIU
- Minimum 10 years of service
- Minimum retirement age of 50/55
Actuarial Model

- Projects future benefit payments
  - for all benefit-eligible active employees
  - for all retirees with Dist.-paid benefits
- Uses census of all active and retired participants
  - DOB
  - Hiredate
  - Gender
  - Employee Classification

TCS, Inc

Actuarial Model

- Assumptions used to project payments
  - Mortality
  - Employment termination
  - Retirement rates
  - Participation rates
  - Future premium increases
- Payments discounted back to val date
- Present value allocated between past and future service

TCS, Inc

Fiscal Implications - Current

- Actuarial Accrued Liability (AAL): $7.31 million
- "Pay-as-you-go" cost about $885,000
- GASB 45 expenses of $891,000
  - $152,000 Normal Cost
  - $739,000 AAL amortization
- Does not reflect any designated reserves

TCS, Inc

*Above figures as of September 1, 2008

Fiscal Implications - GASB "Plan"

- Trust or similar arrangement (e.g. JPA)
- Irrevocable Transfer of Assets to Plan
- Assets Free From Creditors
- Assets Held Exclusively to provide OPEB
- Must include administration of benefit plan

TCS, Inc

Advantages of Full Prefunding

- Most favorable impact on bond ratings
- Maximum benefit security

TCS, Inc

Disadvantages of Full Prefunding

- Considerable risk of loss in current uncertain investment environment
- May not be enough time to recover losses -- 50% of all benefits will be paid within 7 years
- Additional investment income would not reduce short-term cost, but would reduce amortization period

TCS, Inc
Funding Options

- Continue "pay-as-you-go"
  - Liability will decline
  - Lowest current cost
- Fund on actuarial basis with no plan
  - Very small additional cost
  - Low investment risk
- Establish plan and fund
  - Additional legal, accounting expense
  - Risk of loss vs. Risk of gain

Next Steps

- Continue to plan to respond to GASB 43/45 challenges
WHEREAS, classified professionals provide valuable and integral services to the schools and students of the Marin Community College District;

WHEREAS, classified professionals contribute to the establishment and promotion of a positive instructional environment; and

WHEREAS, classified professionals serve a vital role in providing for the welfare and safety of Marin Community College District's students; and

WHEREAS, classified professionals employed by the Marin Community College District strive for excellence in all areas relative to the educational community.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Marin Community College District hereby recognizes and wishes to honor the contribution of classified professionals to quality education in the State of California and in the Marin Community College District and declares the week of May 17-23, 2009, as Classified School Employees Week in the Marin Community College District.

RESOLVED, that this resolution be made a part of the official Minutes of the meeting and of the permanent files of the District.

PASSED AND ADOPTED THIS 12TH day of May, 2009, by the Board of Trustees of the Marin Community College District of Marin County, California, by the following vote:

AYES:
NOES:
ABSENT:

STATE OF CALIFORNIA  
COUNTY OF MARIN  

I, Frances L. White, Superintendent/President of the Marin Community College District of Marin County, California, do hereby certify that the Board of Trustees adopted the foregoing resolution at a regular meeting at the time and by the vote stated above.

____________________
Frances L. White, Ph.D.
Secretary to Board of Trustees
Carole Hayashino, Member

Philip J. Kranenburg, Member

Eva Long, Ph.D., Member

James Namnath, Ph.D., Member

Wanden Treanor, Member

Barbara Dolan, Member

Annan Paterson, Member

Todd McCleary, Student Member
COMMENDATION RESOLUTION No. 5/12/09 B.4.a.(2)
IN RECOGNITION OF TODD McCLEARY'S SERVICE AS STUDENT TRUSTEE

WHEREAS, the Board of Trustees of the Marin Community College District includes a Student Trustee elected by the students of the College of Marin for a one-year term;

WHEREAS, Todd McCleary was seated on the Board of Trustees on June 10, 2008 as the Student Trustee, having been duly elected by the students, and as a Student Trustee, served as the twenty-second President of the College of Marin Student Senate;

WHEREAS, Todd McCleary through his perseverance and hard work contributed in decisive ways to improving the College Governance, Accreditation, Mission Statement, and Educational Master Plan;

WHEREAS, Todd McCleary respected the opinion of his fellow trustees but did not hesitate to challenge them when he disagreed;

WHEREAS, Todd McCleary contributed to COM's "Spirit of Community" in both obvious and subtle ways;

WHEREAS, Todd McCleary will be remembered for his intelligence, enthusiasm and persistence in every issue he pursued, and his ability to take seriously his efforts;

WHEREAS, Todd McCleary consistently represented the rights of students with perseverance, creativity and insight;

WHEREAS, Todd McCleary has served on numerous college committees and attended many meetings;

WHEREAS, Todd McCleary took time with many students to listen, befriend, teach and learn, and for this the college community is grateful;

WHEREAS, Todd McCleary will be missed on the Board for his unique, informed, and eloquent methods of reminding us why we are here – "We are here for the Students!"

THEREFORE, BE IT RESOLVED, that the Trustees of the Marin Community College District express their sincere gratitude for his service as Student Trustee and their best wishes for all his future endeavors.

RESOLVED, that this resolution be made a part of the official Minutes of the meeting of May 12, 2009, and that an appropriately prepared copy of it be presented to Todd McCleary.

__________________________  __________________________  __________________________
Phil Kranenburg, President       Annan Paterson, Vice President    Carole Hayashino, Clerk

__________________________  __________________________
Barbara Dolan, Trustee           Wanden Treanor, Trustee

__________________________
Eva Long, Trustee

James S. Namnath, Trustee
Carole Hayashino, Member

Philip J. Kranenburg, Member

Eva Long, Ph.D., Member

James Namnath, Ph.D., Member

Wanden Treanor, Member

Barbara Dolan, Member

Annan Paterson, Member

Todd McCleary, Student Member
President’s Report
Board of Trustees Meeting
May 12, 2009

The Mariners baseball team received a number of Bay Valley Conference awards for this season’s play. Vinny Pacchetti was named pitcher of the year. Infielder Steve Cochran, outfielders Rick Hughes and Paul McIntosh, and pitcher Kory Wallace were named to the all-conference first team. Hughes was also named defensive player of the year. Congratulations to the team and to coach Steve Berringer who was named the conference’s coach of the year.

Child and Adolescent Development Summer Class Takes Activities Outdoors
Nature Study & Outdoor Education for Young Children (EED 615) will be offered this summer at the Indian Valley Campus. Classes will take place Fridays and Saturdays, beginning June 12 and ending July 11. Friday classes will be held from 5 p.m. to 9 p.m. in Ohlone, Building 19, Room 154. Saturday classes will be held from 9 a.m. to 6 p.m. at the Indian Valley Preserve. Saturdays will be devoted to fieldwork and activities outdoors. A wide range of activities will be available for people with different physical abilities. Those with family or children will be able to include them in many of the Saturday activities. Pat Sullivan, M.A., and Kim Hughes, M.A. will instruct the class. The cost is $75 through the Pathways Program. Please contact Jeannie Jacobson jeannie.jacobson@marin.edu or (415) 883-2211 ext. 8237 for more information.

Successful Luncheon Hosted by the Counseling Department
The College of Marin Counseling Department hosted a very successful High School Counselor Luncheon on April 7, with over 40 high school counselors in attendance. Thanks to Nick Chang, Margaret Elliot, Robert Flynn, Letta Havacheck, Robert Kennedy, Mario Lopez, and Alexandra Magallanes Rivera for participating in the event. The overwhelming positive response was that College of Marin has much to offer its students.

Latino College Awareness Day a Success!
On Thursday, April 9, College of Marin was host to approximately 280 local Latino high school students who were eager to learn what the campus had to offer. Jorge Alfonso and the Office of Outreach and School Relations coordinated the event. Students gathered in the Fine Arts Theatre and heard an inspirational speech from Dr. Juan Carlos Arauz, a consultant, trainer, and writer specializing in areas related to immigration, youth, and education. Attendees enjoyed traditional sweet breads, took a tour of the campus, and received an introduction to Student Services and campus academic programs. Special thanks go out to all the COM Student Services representatives who took part.

Malasky Breaks COM and BVC Records and Places in State Swimming Championship
Martin Malasky capped one of the finest seasons in College of Marin swimming and diving history with two second-place finishes and one third at the California State Community College Swimming and Diving Championship. The meet was held April 23 to 25 in Long Beach, California at the famed Belmont Plaza Swim Center, home of the 1968 and 1976 Olympic trials. What a great ending to a successful season. Congratulations, Martin!

NASA Exhibit at COM
College of Marin was host to the exhibit “From Earth to the Universe” in honor of the International Year of Astronomy. The exhibit featured 14 panels that were displayed the week of April 27 on the first floor of the Learning Resources Center. The images sought to bring the
beauty of astronomy to the public and were selected to represent the wide range of observations available in modern astronomy.

**New Name for ASEC**
The Associated Students Emeritus Council met on Thursday, April 26, and the constituency voted overwhelmingly to formally change the association’s name to Emeritus Students-College of Marin. Work with Communications and Community Relations Director Cathy Summa-Wolfe is currently underway for a new logo design. The name change will be ratified at their May 9 annual spring meeting. To date there has been no opposition to the name change. It has been embraced with the hope that community members will know that Emeritus Students-College of Marin has a lot to offer and is open to everyone!
# BOARD AGENDA ITEM

**To:** Board of Trustees  
**From:** Superintendent/President  
**Date:** May 12, 2009  
**Subject:** Classified Personnel Recommendations  
**Item & File No.:** B.10.B  
**Reason for Board Consideration:** APPROVAL  
**Enclosure(s):** Recommendations

## BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

- A. Appointment of Classified Personnel
- A.1 Appointment of Hourly Personnel
- B. Temporary Reassignment of Classified Personnel

## BUDGET IMPLICATIONS:

All recommendations are within budgeted FTE and are on both the instructional and non-instructional side of the 50% law.

- B. Rappaport, E. Bagtas-Carmona, J. Kuromiya, C. Lavi & S. Smith are on the non-instructional side of the 50% law.

- J. Murphy is on the instructional side of the 50% law.

## RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Classified Personnel Recommendations.

---

Administrator Initiating Item: Linda Beam, Executive Dean of Human Relations & Labor Relations
A. APPOINTMENT OF CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Kuromiya, James</td>
<td>From – Human Resources Technician</td>
<td>1.0</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>To – Curriculum &amp; Articulation Technician</td>
<td>1.0</td>
<td>12</td>
<td>05/04/2009</td>
</tr>
<tr>
<td>2</td>
<td>Murphy, Jason</td>
<td>Instructional Specialist – Mathematics</td>
<td>.60</td>
<td>12</td>
<td>05/05/2009</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Mr. Kuromiya has accepted the 1.0FTE position of Curriculum and Articulation Technician in the Office of Instructional Management effective May 4, 2009.

2. Mr. Murphy has accepted the .60FTE position of Instructional Specialist in the Mathematics Department effective May 5, 2009.
A. 1 APPOINTMENT OF HOURLY PERSONNEL

<table>
<thead>
<tr>
<th>Name</th>
<th>Division/Department</th>
<th>Start Date</th>
<th>Expiration Date</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rappaport, Betty</td>
<td>Children’s Center</td>
<td>05/07/2009</td>
<td>05/31/2009</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION

1. Ms. Rappaport will serve as a Professional Expert to the Children’s Center to perform an evaluation of the programs quality for both the IVC and KTD Children’s Centers. Ms. Rappaport will use the Early Childhood Environment Rating Scale and will follow up with staff on recommendations for program improvement. This evaluation is funded through the Children’s Development Division of the Department of Education.
## B. TEMPORARY REASSIGNMENT OF CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bagtas-Carmona Emly</td>
<td>Cont. temporary reassignment –</td>
<td>1.0</td>
<td>11</td>
<td>07/01/2009 – 01/15/2010</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer and Career Technician</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Lavi, Cynthia</td>
<td>Cont. temporary assignment –</td>
<td>1.0</td>
<td>12</td>
<td>07/01/2009 – 01/15/2010</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Financial Aid Asst.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Smith, Sara</td>
<td>Cont. temporary reassignment -</td>
<td>1.0</td>
<td>12</td>
<td>07/01/2009 – 01/15/2010</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Financial Aid Technician</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Continue temporary re-assignment as stated above effective July 1, 2009 through January 15, 2010.
2. Continue temporary assignment as stated above effective July 1, 2009 through January 15, 2010.
3. Continue temporary re-assignment as stated above effective July 1, 2009 through January 15, 2010.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA  94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td></td>
<td>Item &amp; File No. B.10.C</td>
</tr>
<tr>
<td>Subject:</td>
<td>Academic Personnel Recommendations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The following actions are included in the Academic Personnel Recommendations:

A. Retirement of Academic Personnel

**BUDGET IMPLICATIONS:**

All recommendations are within budgeted FTE and are on the instructional side of the 50% law.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the Academic Personnel Recommendations.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources and Labor Relations
A. RETIREMENT OF ACADEMIC PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loft, Deborah</td>
<td>Instructor, Fine/Visual Arts</td>
<td>1.0</td>
<td>Resignation</td>
<td>5/24/09</td>
</tr>
<tr>
<td>2.</td>
<td>Monahan, Donna</td>
<td>Instructor, English/Humanities</td>
<td>1.0</td>
<td>Resignation</td>
<td>6/1/09</td>
</tr>
<tr>
<td>3.</td>
<td>Tollen, Ellen</td>
<td>Instructor, DSPS</td>
<td>1.0</td>
<td>Resignation</td>
<td>7/1/09</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Ms. Deborah Loft has submitted her letter of resignation from her position as Instructor in the Fine/Visual Arts Department for retirement purposes effective May 24, 2009.

2. Ms. Donna Monahan has submitted her letter of resignation from her position as Instructor in the English/Humanities Department for retirement purposes effective June 1st 2009.

3. Ms. Ellen Tollen has submitted her letter of resignation from her position as Instructor in the DSPS Program for retirement purposes effective July 1st 2009.
BOARD AGENDA ITEM

To: Board of Trustees              Date: May 12, 2009
From: Superintendent/President     Item & File No. B.10.D
Subject: Short-Term Hourly Positions
Reason for Board Consideration:   Enclosure(s):
                                  Job Descriptions

BACKGROUND

Pursuant to A.B. 500 a Short-Term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The attached job descriptions are submitted for approval:

Short-Term Hourly Positions.

BUDGET IMPLICATIONS: All recommendations are within budget and are on the non-instructional and instructional side of the 50% law.

Dept. Aide IV in Business and Information Systems, Reader in Court Reporting, Adapted PE Aide and In Class Aide in DSPS, Tutor in Mathematics and Tutor in Tutoring are on instructional side of the 50% law.

Lifeguard/Attendant in College Operations/IVC Pool, Dept Aide IV in EOPS/CalWORKS, Field Trip Driver in Life and Earth Sciences and Lab Assistant III in Life and Earth Sciences are on the non-instructional side of the 50% law.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Short-Term Hourly Positions.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources & Labor Relations
### A. SHORT TERM HOURLY POSITONS – May 12, 2009

<table>
<thead>
<tr>
<th>DEPT.</th>
<th>JOB TITLE</th>
<th>NUMBER OF POSITONS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>HOURLY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business and Information Systems</td>
<td><strong>Dept. Aide IV</strong> – Assist Classified Staff. Assist students in the CIS Computer labs with their assignments during nights and Saturdays at Kentfield and Indian Valley Campuses.</td>
<td>4</td>
<td>06/15/2009</td>
<td>06/30/2009</td>
<td>$11.75 hour</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4</td>
<td>07/01/2009</td>
<td>07/25/2009</td>
<td>$11.75 hour</td>
</tr>
<tr>
<td>College Operations/ IVC Pool</td>
<td><strong>Lifeguard/Attendants</strong> – Lifeguard and Pool Deck/Locker attendants for IVC Summer Swim Program</td>
<td>8</td>
<td>06/15/2009</td>
<td>08/07/2009</td>
<td>$13.00 hour</td>
</tr>
<tr>
<td>Court Reporting</td>
<td><strong>Court Reporting Readers:</strong> Assist Classified Staff. Readers for Court Reporting classes – different levels/speeds require a separate reader for each level.</td>
<td>5</td>
<td>06/01/2009</td>
<td>07/23/2009</td>
<td>$ 9.50 hour</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5</td>
<td>08/17/2009</td>
<td>12/18/2009</td>
<td></td>
</tr>
<tr>
<td>DSPS</td>
<td><strong>Adapted P.E. Aide</strong> – Assist with physically disabled students in Adaptive P.E. classes on an as needed basis. This position is needed to address health and safety issues.</td>
<td>8</td>
<td>06/15/2009</td>
<td>12/31/2009</td>
<td>$ 9.75 – $10.75 hour DOE</td>
</tr>
<tr>
<td>DSPS</td>
<td><strong>In-Class Aide</strong> – Assist with disabled students on an as needed basis.</td>
<td>8</td>
<td>06/15/2009</td>
<td>12/31/2009</td>
<td>$ 9.75 – $10.75 hour DOE</td>
</tr>
</tbody>
</table>

May 12, 2009
<table>
<thead>
<tr>
<th>Department</th>
<th>Position Description</th>
<th>Quantity</th>
<th>Start Date</th>
<th>End Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>EOPS/CalWORKs</td>
<td>Deft Aide IV – Will Assist Classified Staff. Will work under the supervision of the EOPS/CARE/CalWORKs Program Coordinator. In absence of Program Coordinator and Specialist, under the direction of the Dean of Student Development, have the ability to make decisions and work independently; allowing other staff to participate in Statewide and County meetings. Duties may include: scheduling appointments, assist counseling staff, assist with compiling data, answering phones, file maintenance, MIS data. Paid 50% from EOPS and 50% from CalWORKs</td>
<td>1</td>
<td>07/01/2009</td>
<td>12/31/2009</td>
<td>$15.00 per hour</td>
</tr>
<tr>
<td>Life and Earth Sciences</td>
<td>Field Trip Driver – Drive insured rental vehicles on designated field trips.</td>
<td>3</td>
<td>06/01/2009</td>
<td>06/15/2009</td>
<td>$150 per person per field trip.</td>
</tr>
<tr>
<td>Life and Earth Sciences</td>
<td>Lab Assistant III – Assist Classified Staff. Assist with the set-up of the labs and their various functions including inventory assistance.</td>
<td>2</td>
<td>07/01/2009</td>
<td>08/14/2009</td>
<td>$10.75 per hour</td>
</tr>
<tr>
<td>Mathematics</td>
<td>Math Lab Tutor – Assist Classified Staff. Tutor Math Lab students.</td>
<td>2</td>
<td>06/15/2009</td>
<td>07/25/2009</td>
<td>$10.75 per hour</td>
</tr>
<tr>
<td>Tutoring</td>
<td><strong>Peer Tutor</strong> – Assist Classified Staff. Provide peer tutoring to currently enrolled COM students. Complete appropriate paperwork including applications, attendance sheets, and time cards. Take tutor training course(s) and additional workshops as required. Develop and maintain professional relationships with staff, faculty and students.</td>
<td>40</td>
<td>07/01/2009</td>
<td>12/31/2009</td>
<td>$10.75 - $11.75 hour DOE</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

Pursuant to A.B. 500 a Short-Term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The above job descriptions are submitted for approval.
The accompanying transfer information includes fifty-two budget transfers in April 2009, totaling $219,666, in Unrestricted Funds.

There were fifty-seven transfers in Restricted Funds for $134,307 in April 2009. There was one budget transfer from Restricted Reserve Contingency Fund, for $36,443, for the augmentation of the Registered Nursing Growth and Retention Funds.

There were two transfers in the Child Care Fund for $11,500. There was one to the Reserves Contingency Fund to offset the supplies budgeted at the beginning of the year.

Net effect of transfers for the Month.

<table>
<thead>
<tr>
<th>Object Code</th>
<th>General Fund</th>
<th>Child Care</th>
<th>Capital Outlay</th>
<th>Measure C Bond</th>
<th>Foundation Trust Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 (Certified Salary)</td>
<td>(117,552)</td>
<td>(5,500)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 (Classified Salary)</td>
<td>51,366</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3000 (Employee Benefits)</td>
<td>44,135</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4000 (Supplies/Eqpt. Repl.)</td>
<td>(14,884)</td>
<td>(500)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5000 (Other Operating Exp.)*</td>
<td>28,922</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6000 (Capital Outlay)</td>
<td>44,436</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7000 (Other Outgo)**</td>
<td>(36,443)</td>
<td>6,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Includes utilities, consultants, travel, legal services, maintenance contracts etc.
** Includes contingency reserves, financial aid awards, and inter-fund transfers.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the April Budget Transfers – FY 2008/09.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
### BUDGET TRANSFERS

<table>
<thead>
<tr>
<th>BT #</th>
<th>10000</th>
<th>20000</th>
<th>30000</th>
<th>40000</th>
<th>50000</th>
<th>60000</th>
<th>70000</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3767</td>
<td>3,226</td>
<td>(3,226)</td>
<td>0.00</td>
<td>3,226.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3801</td>
<td>(28)</td>
<td>28</td>
<td>0.00</td>
<td>28.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3802</td>
<td>302</td>
<td>(302)</td>
<td>0.00</td>
<td>302.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>3803</td>
<td>(2,500)</td>
<td>2,500</td>
<td>0.00</td>
<td>2,500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>3814</td>
<td>1,334</td>
<td>(1,334)</td>
<td>0.00</td>
<td>1,334.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>3822</td>
<td>16</td>
<td>(16)</td>
<td>0.00</td>
<td>16.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>3824</td>
<td>108</td>
<td>108</td>
<td>0.00</td>
<td>108.34</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>3825</td>
<td>99</td>
<td>(99)</td>
<td>0.00</td>
<td>99.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>3827</td>
<td>(350)</td>
<td>350</td>
<td>0.00</td>
<td>350.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>3836</td>
<td>(1,000)</td>
<td>1,000</td>
<td>0.00</td>
<td>1,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>3857</td>
<td>100</td>
<td>(100)</td>
<td>0.00</td>
<td>100.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>3858</td>
<td>(425)</td>
<td>425</td>
<td>0.00</td>
<td>425.38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>3860</td>
<td>25</td>
<td>(25)</td>
<td>0.00</td>
<td>25.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>3862</td>
<td>281</td>
<td>281</td>
<td>0.00</td>
<td>281.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>3864</td>
<td>(425)</td>
<td>425</td>
<td>0.00</td>
<td>425.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>3866</td>
<td>900</td>
<td>(900)</td>
<td>0.00</td>
<td>900.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>3868</td>
<td>(1)</td>
<td>1</td>
<td>0.00</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>3869</td>
<td>1,605</td>
<td>(1,605)</td>
<td>0.00</td>
<td>1,604.87</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>3882</td>
<td>134</td>
<td>(134)</td>
<td>0.00</td>
<td>134.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>3884</td>
<td>5,000</td>
<td>(5,000)</td>
<td>0.00</td>
<td>5,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>3892</td>
<td>1,057</td>
<td>(1,057)</td>
<td>0.00</td>
<td>1,057.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>3894</td>
<td>(2,400)</td>
<td>2,400</td>
<td>0.00</td>
<td>2,400.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>3896</td>
<td>878</td>
<td>878</td>
<td>0.00</td>
<td>877.62</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>3901</td>
<td>130</td>
<td>(130)</td>
<td>0.00</td>
<td>130.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>3909</td>
<td>1,000</td>
<td>(1,000)</td>
<td>0.00</td>
<td>1,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>3913</td>
<td>700</td>
<td>700</td>
<td>0.00</td>
<td>700.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>3915</td>
<td>1,500</td>
<td>(1,500)</td>
<td>0.00</td>
<td>1,500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>3926</td>
<td>30,000</td>
<td>30,000</td>
<td>0.00</td>
<td>30,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>3927</td>
<td>(30,000)</td>
<td>30,000</td>
<td>0.00</td>
<td>30,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>3945</td>
<td>725</td>
<td>725</td>
<td>0.00</td>
<td>725.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>3950</td>
<td>(14)</td>
<td>14</td>
<td>0.00</td>
<td>14.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>3951</td>
<td>10,000</td>
<td>(10,000)</td>
<td>0.00</td>
<td>10,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>3955</td>
<td>1,531</td>
<td>(1,531)</td>
<td>0.00</td>
<td>1,530.66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>3963</td>
<td>5,000</td>
<td>(5,000)</td>
<td>0.00</td>
<td>5,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>3971</td>
<td>829</td>
<td>829</td>
<td>0.00</td>
<td>825.38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>3972</td>
<td>200</td>
<td>200</td>
<td>0.00</td>
<td>200.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>3975</td>
<td>95,000</td>
<td>95,000</td>
<td>0.00</td>
<td>95,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>3977</td>
<td>(300)</td>
<td>300</td>
<td>0.00</td>
<td>300.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>3981</td>
<td>(42,115)</td>
<td>42,115</td>
<td>0.00</td>
<td>42,115.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>3982</td>
<td>500</td>
<td>(500)</td>
<td>0.00</td>
<td>500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>3994</td>
<td>14</td>
<td>(14)</td>
<td>0.00</td>
<td>14.32</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>4001</td>
<td>127</td>
<td>(127)</td>
<td>0.00</td>
<td>127.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>4006</td>
<td>600</td>
<td>(600)</td>
<td>0.00</td>
<td>600.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>4006</td>
<td>268</td>
<td>(268)</td>
<td>0.00</td>
<td>268.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>4007</td>
<td>800</td>
<td>(800)</td>
<td>0.00</td>
<td>800.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>4008</td>
<td>1,500</td>
<td>(1,500)</td>
<td>0.00</td>
<td>1,500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### RESTRICTED FUND

<table>
<thead>
<tr>
<th>BT #</th>
<th>10000</th>
<th>20000</th>
<th>30000</th>
<th>40000</th>
<th>50000</th>
<th>60000</th>
<th>70000</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3775</td>
<td>1,600</td>
<td>(1,500)</td>
<td>0.00</td>
<td>1,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3776</td>
<td>(61,650)</td>
<td>61,650</td>
<td>0.00</td>
<td>61,650</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3787</td>
<td>4,000</td>
<td>4,000</td>
<td>0.00</td>
<td>4,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>3788</td>
<td>(2,000)</td>
<td>2,000</td>
<td>0.00</td>
<td>2,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>3792</td>
<td>(792)</td>
<td>762</td>
<td>0.00</td>
<td>762.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>3793</td>
<td>(271)</td>
<td>271</td>
<td>0.00</td>
<td>271.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>3794</td>
<td>(500)</td>
<td>500</td>
<td>0.00</td>
<td>500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>3795</td>
<td>400</td>
<td>400</td>
<td>0.00</td>
<td>400.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>3796</td>
<td>(2,000)</td>
<td>2,000</td>
<td>0.00</td>
<td>2,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>3797</td>
<td>(700)</td>
<td>700</td>
<td>0.00</td>
<td>700.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>3798</td>
<td>(700)</td>
<td>700</td>
<td>0.00</td>
<td>700.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>3799</td>
<td>(700)</td>
<td>700</td>
<td>0.00</td>
<td>700.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>3807</td>
<td>(375)</td>
<td>375</td>
<td>0.00</td>
<td>375.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>3808</td>
<td>1,000</td>
<td>(1,000)</td>
<td>0.00</td>
<td>1,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>3813</td>
<td>(4,200)</td>
<td>4,200</td>
<td>0.00</td>
<td>4,200.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>3839</td>
<td>76</td>
<td>76</td>
<td>0.00</td>
<td>76.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>3840</td>
<td>18</td>
<td>18</td>
<td>0.00</td>
<td>18.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**Total:** 219,665.66
<table>
<thead>
<tr>
<th>BT #</th>
<th>10000</th>
<th>20000</th>
<th>30000</th>
<th>40000</th>
<th>50000</th>
<th>60000</th>
<th>70000</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td></td>
<td>4</td>
<td>4</td>
<td>0.00</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td>20</td>
<td>20</td>
<td>0.00</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
<td>100</td>
<td>100</td>
<td>0.00</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>(2,600)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td>62</td>
<td>(62)</td>
<td>0.00</td>
<td>62</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td>122</td>
<td>(100)</td>
<td>0.00</td>
<td>122</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
<td>1,000</td>
<td>(1,000)</td>
<td>0.00</td>
<td>1,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td>983</td>
<td>983</td>
<td>0.00</td>
<td>983</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td></td>
<td>700</td>
<td>700</td>
<td>0.00</td>
<td>700</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td></td>
<td>3,380</td>
<td>3,380</td>
<td>0.00</td>
<td>3,380</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td></td>
<td>1,085</td>
<td>(1,085)</td>
<td>0.00</td>
<td>1,085</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td></td>
<td>41,921</td>
<td>(13,006)</td>
<td>0.00</td>
<td>41,921</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td>600</td>
<td>(600)</td>
<td>0.00</td>
<td>600</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td></td>
<td>115</td>
<td>(115)</td>
<td>0.00</td>
<td>115</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td></td>
<td>200</td>
<td>(200)</td>
<td>0.00</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td></td>
<td>200</td>
<td>(200)</td>
<td>0.00</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td></td>
<td>100</td>
<td>(100)</td>
<td>0.00</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td></td>
<td>150</td>
<td>(150)</td>
<td>0.00</td>
<td>150</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td></td>
<td>15</td>
<td>(15)</td>
<td>0.00</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td></td>
<td>1,500</td>
<td>1,500</td>
<td>0.00</td>
<td>1,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td></td>
<td>5,250</td>
<td>(5,250)</td>
<td>0.00</td>
<td>5,250</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td></td>
<td>500</td>
<td>(500)</td>
<td>0.00</td>
<td>500</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Augmentation
Registered Nursing Growth & Retention Funds

<table>
<thead>
<tr>
<th>BT #</th>
<th>3551</th>
<th>3652</th>
<th>3978</th>
<th>3983</th>
<th>3991</th>
<th>3995</th>
<th>3999</th>
<th>4002</th>
<th>4014</th>
<th>4016</th>
</tr>
</thead>
<tbody>
<tr>
<td>42</td>
<td>17,481</td>
<td>2,973</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>(497)</td>
<td>487</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td></td>
<td>(23)</td>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td></td>
<td>157</td>
<td>157</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td></td>
<td>(240)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>(1,183)</td>
<td>2,103</td>
<td>(3,512)</td>
<td>4,184</td>
<td>(1,430)</td>
<td>(63)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td></td>
<td>(4,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td></td>
<td>(3,508)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td></td>
<td>4,747</td>
<td>(4,747)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td></td>
<td>(541)</td>
<td>541</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL GENERAL FUND
(117,551.76) | 51,365.53 | 44,135.33 | (14,864.51) | 28,921.94 | 44,436.48 | (36,443.00) | 0.01 | 166,859.28 |

Child Care Fund

<table>
<thead>
<tr>
<th>BT #</th>
<th>3845</th>
<th>3896</th>
<th>3933</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(6,000.00)</td>
<td></td>
<td>500.00</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td>5,000.00</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>6,000.00</td>
<td>0.00</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>6,000.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Measure C

<table>
<thead>
<tr>
<th>BT #</th>
<th>3781</th>
<th>3847</th>
<th>397</th>
<th>3942</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL ALL FUN (123,051.76) | 51,365.53 | 44,135.33 | (15,364.51) | 28,921.94 | 44,436.48 | (30,443.00) | 0.01 | 168,859.28 |

Budget Inter-project transfers were funds remained within the same account code and transfers offset to zero, not included in totals.

Object Code
4000 4000 5000 5000 6000 6000
(5,002) (20,000) 5,002 20,000 0.00

- 3781 3847 397 3942
- (17,545) (5,000) 17,545 5,000
- 0.00
- 0.00
- 0.00
- 0.00
- 22,547.00
- 22,547.00
- (25,000.00)
- 25,000.00

Total Measure C Building transfers were funds remained within same account code.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904  

BOARD AGENDA ITEM

To: Board of Trustees       Date: May 12, 2009
From: Superintendent/President  Item & File No. B.10.F
Subject: Warrant Approval for Month of April 2009

Reason for Board Consideration: APPROVAL
Enclosure(s):  Warrant Listing

BACKGROUND:

Attached is the amount of warrants prepared for purchase orders already issued, purchase orders previously approved for purchases over $15,000 for labor or $50,000 for materials and supplies and direct charges. Warrant registers are available in Fiscal Services for review.

For the period 04/07/2009 through 04/28/2009, warrants 83000-83553 were issued in the total amount of $4,667,537.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the payments for goods and services.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
DATE: May 12, 2009

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services

Per Board Bylaw 1.5310, Section b-7, it is recommended that warrants 83000-83553 in the amount of $4,667,537. for all funds for the period 04/07/2009 through 4/28/2009 be approved for payment. Copies of invoices for individual warrants are available for review in the Fiscal Services Office. I certify that the warrants listed are proper payments of invoices for previously approved purchase orders, agreements, contracts, utilities, materials, services and claims. The General Fund expenditures represent $951,902 of the above amount. Expenditure Summary includes payroll through March 31, 2009.

President or Designee

---

**EXPENDITURE SUMMARY**

2008-2009

General Fund – All Programs
Period Ending 04/30/2009

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
<th>Encumbered</th>
<th>Expended</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificated Salaries</td>
<td>20,910,287</td>
<td>0</td>
<td>15,361,225</td>
<td>5,549,062</td>
</tr>
<tr>
<td>Classified Salaries</td>
<td>11,382,395</td>
<td>0</td>
<td>8,311,482</td>
<td>3,070,913</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>10,925,837</td>
<td>0</td>
<td>8,193,901</td>
<td>2,731,936</td>
</tr>
<tr>
<td>Books &amp; Supplies</td>
<td>1,469,068</td>
<td>133,910</td>
<td>626,426</td>
<td>708,732</td>
</tr>
<tr>
<td>Other Operating Expense*</td>
<td>6,580,673</td>
<td>536,618</td>
<td>4,185,691</td>
<td>1,858,364</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>1,723,521</td>
<td>65,062</td>
<td>471,109</td>
<td>1,187,350</td>
</tr>
<tr>
<td>Other Outgo**</td>
<td>4,170,785</td>
<td>262</td>
<td>4,484,718</td>
<td>-306,195</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>57,170,566</td>
<td>735,852</td>
<td>41,634,552</td>
<td>14,800,162</td>
</tr>
</tbody>
</table>

* Includes utilities, consultants, travel, legal services, maintenance contracts, etc.
** Includes financial aid awards and inter-fund transfers.
# BOARD AGENDA ITEM

**To:** Board of Trustees  
**From:** Superintendent/President  
**Subject:** Measure C Contracts  
**Date:** May 12, 2009  
**Item & File No.:** B.10.G.1  

**Reason for Board Consideration:** CONSENT APPROVAL  
**Enclosure(s):** None

## BACKGROUND:
New contracts, amendments and change orders to Measure C bond modernization program contracts are listed below for Board approval or ratification. Full copies of the contract documents are available for review in the Swinerton office.

### Small Construction Contracts - Ratification

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Project Description</th>
<th>Original $</th>
<th>No. of Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Cantarutti Electric</td>
<td>Main Bldg Complex (417A)</td>
<td>$265</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bay Pacific Pipelines, Inc.</td>
<td>Fire Mitigation (418A)</td>
<td>$7,800</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forster &amp; Kroeger Landscape Maintenance</td>
<td>Ignacio Creek Erosion Mitigation (419A)</td>
<td>$14,400</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Construction Change Orders - Approval

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Project Description</th>
<th>Original $</th>
<th>No. of Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen Construction</td>
<td>Diamond PE Center (308B)</td>
<td>$10,652,807</td>
<td>12</td>
<td>$114,187</td>
<td>$982,435</td>
<td>$11,535,242</td>
<td>9.3%</td>
</tr>
<tr>
<td>Allen Construction</td>
<td>PE Complex PV (308D)</td>
<td>$3,030,000</td>
<td>5</td>
<td>$11,808</td>
<td>$113,804</td>
<td>$3,143,804</td>
<td>3.8%</td>
</tr>
<tr>
<td>Dick Emard Electric, Inc.</td>
<td>SMCP Incr. 1 (305C)</td>
<td>$2,820,000</td>
<td>4</td>
<td>$38,615</td>
<td>$128,213</td>
<td>$2,948,213</td>
<td>4.5%</td>
</tr>
<tr>
<td>DiGiorgio Contracting Co., Inc.</td>
<td>Main Bldg Complex (417A); Parking Lot-Bioswale &amp; Pathways Projects (401B &amp; 413A)</td>
<td>$14,097,250</td>
<td>4; 51</td>
<td>$128,917</td>
<td>$346,390</td>
<td>$14,443,640</td>
<td>2.5%</td>
</tr>
<tr>
<td>Fort Bragg Electric, Inc.</td>
<td>Health Services Portable (850G)</td>
<td>$319,670</td>
<td>5</td>
<td>$4,677</td>
<td>$25,666</td>
<td>$345,336</td>
<td>8.0%</td>
</tr>
</tbody>
</table>

### Professional Services Amendments - Ratification

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Project Description</th>
<th>Original $</th>
<th>No. of Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballard &amp; Watkins</td>
<td>SMCP Incr. 1 (305C)</td>
<td>$452,005</td>
<td>1</td>
<td>$25,356</td>
<td>$25,358</td>
<td>$477,363</td>
<td></td>
</tr>
<tr>
<td>Crown Worldwide Moving &amp; Storage</td>
<td>Dance Relocation (850N)</td>
<td>$13,901</td>
<td>4</td>
<td>$636</td>
<td>$1,946</td>
<td>$15,847</td>
<td></td>
</tr>
<tr>
<td>CSWI/Suber-Schoe</td>
<td>W. Campus Br. (301A), New Fine Arts (305C), Main Bldg (417A)</td>
<td>$436,067</td>
<td>24</td>
<td>$16,200</td>
<td>$1,201,306</td>
<td>$1,637,372</td>
<td></td>
</tr>
<tr>
<td>HKIT Architects</td>
<td>Trans Tech (402A)</td>
<td>$1,145,125</td>
<td>14</td>
<td>$5,170</td>
<td>$617,327</td>
<td>$1,762,452</td>
<td></td>
</tr>
<tr>
<td>Kleinfelder, Inc.</td>
<td>Dance Relocation (850N), Geothermal Fields (305B), SMCP Incr. 1 (305C)</td>
<td>$50,000</td>
<td>5</td>
<td>$13,080.01</td>
<td>$6,842.72</td>
<td>$56,842.72</td>
<td></td>
</tr>
<tr>
<td>Peter R. Hull Constr. Consulting</td>
<td>(301A-308B-850F)</td>
<td>$250,040</td>
<td>3</td>
<td>$2,880</td>
<td>$320</td>
<td>$206,380</td>
<td></td>
</tr>
<tr>
<td>Peter R. Hull Constr. Consulting</td>
<td>Geothermal Fields (417B)</td>
<td>$46,000</td>
<td>1</td>
<td>$4,440</td>
<td>$4,440</td>
<td>$41,560</td>
<td></td>
</tr>
<tr>
<td>Peter R. Hull Constr. Consulting</td>
<td>(850G-850L-850N)</td>
<td>$18,000</td>
<td>1</td>
<td>$0</td>
<td>$0</td>
<td>$18,000</td>
<td></td>
</tr>
<tr>
<td>Royston, Hanamoto, Alley &amp; Abey</td>
<td>Parking Lot-Bioswale &amp; Pathways Projects (401B &amp; 413A)</td>
<td>$451,875</td>
<td>11</td>
<td>$10,585</td>
<td>$310,432</td>
<td>$762,307</td>
<td></td>
</tr>
<tr>
<td>Transitions ... inc.</td>
<td>Dance Relocation (850N)</td>
<td>$353,854</td>
<td>7</td>
<td>$1,709</td>
<td>$215,631</td>
<td>$569,485</td>
<td></td>
</tr>
<tr>
<td>VSN Architects</td>
<td>Main Bldg Complex (417A)</td>
<td>$1,927,086</td>
<td>5</td>
<td>$1,168</td>
<td>$76,387</td>
<td>$2,003,473</td>
<td></td>
</tr>
</tbody>
</table>
FISCAL IMPACT:
These contract changes will be paid from Measure C bond funds.

RECOMMENDATION:
The Superintendent/President recommends that the Board approve the above-listed change orders and amendments.

1 Change Order No. 4 in the amount of $125,038 applies to the Main Building Complex Project (417A). Change Order No. 5 in the amount of $3,879 applies to the Parking Lot & Bioswale (401B) and Pathways (413A) Projects.

<table>
<thead>
<tr>
<th>Administrator Initiating Item</th>
<th>Administrator Approving Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>V-Anne Chernock</td>
<td>Albert J. Harrison II</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Vice President, College Operations</td>
</tr>
</tbody>
</table>
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Acceptance of Owner Project Requirements (OPR) Document
Reason for Board Consideration: Enclosure(s):

Date: May 12, 2009
Item & File No. B.10.G.2

CONSENT ACCEPTANCE

OPR document

BACKGROUND:

On January 20, 2009 the Board approved a short form professional services agreement with Davis-Langdon for Owner Project Requirements (OPR) services. Documentation was circulated to various District stakeholders for final review, and the design teams were informed. The final OPR for individual projects on each of the two campuses is now complete, and will be used to support the LEED certification process.

For reference, the original approved Board summary sheet reads as follows:

"Owner Project Requirements (OPRs) are required for the various USGBC (United States Green Building Council) LEED certified projects on the two College of Marin Campuses. These requirements allow the District to capture additional "points" that support the certification level for each project. The requirements can be produced during the design phase, but in this case, it was decided to create this document now, in order to capture a higher rating for each project. In more than one case, a project is very close to achieving the next (LEED rating) threshold.

The consultant was selected from one of the existing design teams. This consultant was willing to support the District by leveraging their experience on a previous project. Their knowledge of the District’s maintenance and operations procedures will allow them to create a better document more efficiently. Their services will include consulting to create "OPRs" for five individual projects on two campuses. The final work product will be completed by the District. Considering the Board’s goal of LEED certification for each project, the consulting premium is minor. For the five projects, the average premium per project will be $4,300."

The District recommends that the Board accept the Owner Project Requirements (OPR) document.

FISCAL IMPACT:

None.

RECOMMENDATION:

The Superintendent/President recommends that the Board accept the Owner Project Requirements (OPR) document.

<table>
<thead>
<tr>
<th>Administrator Initiating Item</th>
<th>Administrator Approving Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>V-Anne Chernock</td>
<td>Albert J. Harrison II</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Vice President, College Operations</td>
</tr>
</tbody>
</table>
To: Board of Trustees
From: Superintendent/President
Subject: Dickson Hall Relocation Project (850M) & Gateway Relocation Project (850J)
       Authorize Lease Renewal of Portables for Swing Space
Reason for Board Consideration: CONSENT APPROVAL
Date: May 12, 2009
Item & File No. B.10.G.3
Enclosure(s): None

BACKGROUND:

On October 9, 2007, the Board of Trustees approved the original “portables” lease for PE swing space on the Kentfield Campus. Following completion of the PE modernization, the District will leave the portables in Parking Lot #11, and continue to use this swing space for other programs, including but not limited to Dickson Hall swing space and the Gateway Complex swing space. The District will realize the best rate by approving a lease for a minimum duration of 36 months.

Therefore, the District requests the renewal of four (4) “portables” leases for swing space as related to the Dickson Hall Relocation Project (850M) and the Gateway Relocation Project (850J) for a period of 36 months. These portable classroom buildings will be used in conjunction with existing District-owned portables. In accordance with Board approval protocol, the final lease agreement will be brought back to the Board for ratification at a later date.

FISCAL IMPACT:

The estimate for lease renewal is approximately $195,000. This project will be paid from Measure C bond funds budgeted for swing space.

RECOMMENDATION:

The Superintendent/President recommends that the Board authorize renewal of four (4) leases for 36 months for the Dickson Hall Relocation Project (850M) and the Gateway Relocation Project (850J).
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To:          Board of Trustees                    Date: May 12, 2009
From:        Superintendent/President               Item & File No. B.10.H

Subject:     Second Reading and Approval of Revised Board Policies

Reason for Board Consideration: Approval

Enclosure(s): Proposed revised policies

BACKGROUND:

At the April 21, 2009 Board of Trustees meeting, a set of recommended proposals to revise Board Policies in Chapter 2, Board of Trustees; Chapter 4, Academic Affairs; Chapter 5 Student Service; and Chapter 6, Business and Fiscal Affairs, was included in the agenda for a first reading.

After review by the Board the following Board Policies are hereby presented for a second reading and Board approval:

- BP 2315 Closed Sessions
- BP 4250 Academic Probation, Disqualification, and Readmission
- BP 5190 Student Activities
- BP 5200 Student Health Services
- BP 5205 Student Accident Insurance
- BP 5210 Communicable Diseases
- BP 5570 Student Credit Card Solicitation
- BP 6250 Budget Management
- BP 6330 Purchasing
- BP 6520 Security for District Property
- BP 6550 Disposal of District Property
- BP 6630 Facilities Graphics
- BP 6900 Bookstore

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policies 2315, 4250, 5190, 5200, 5205, 5210, 5570, 6250, 6330, 6520, 6550, 6630, and 6900.

Administrator Initiating Item  Dr. Frances L. White, Superintendent/President
BP 2315  CLOSED SESSIONS

References:
Education Code Section 72122;
Government Code Sections 54956.6, 54956.9, 54957, 54957.6, 54963.3 and 11125.4

Closed sessions of the Board of Trustees shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code, and California Education Code. Matters discussed in closed session may include:

- the appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
- charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the closed session;
- advice of counsel on pending litigation, as defined by law;
- consideration of tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling;
- Discuss labor disputes with the State Conciliator mediator when he/she has intervened as authorized by law. (Government Code Section 54957.6)
- Examine any witnesses in a matter being investigated by the Board;
- real property transactions;
- threats to public security;
- review of the District’s position regarding labor negotiations and giving instructions to the District’s designated negotiator;
- discussion of student disciplinary action, with final action taken in public;
- conferring of honorary degrees;
- consideration of gifts from a donor who wishes to remain anonymous; and/or
- to consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board of Trustees shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote of every member present.

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board of Trustees or by law.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the Superintendent/President. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board of Trustees. The employee shall be given at least twenty-four (24) hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board.
From current College of Marin Policy 1.5069 titled Closed Sessions

Closed sessions of the Board shall be held only to:

a) Consider the appointment, employment, evaluation of performance, or dismissal of a public employee. G.C. 54947

b) Hear complaints or charges brought against a public employee, unless such employee requests a public hearing. G.C. 54957

c) Discuss among the Board's members or with the Board's representatives and or consider the expulsion, suspension, or discipline of any student when such disclosure may violate the Education Code. E.C. 72122, 48914 (c)

d) Consider legal matters which come within the attorney-client privilege.

e) Discuss labor disputes with the State Conciliator (mediator) when he/she has intervened as authorized by law. G.C. 54957.6

f) Discuss negotiation positions and proposals received from employee exclusive bargaining agents or to be made to them by the Board. G.C. 54957.6

g) Discuss matters of school security with law enforcement agents or agencies.

h) Examine any witnesses in a matter being investigated by the Board. G.C. 54957

The Board shall reveal the general reason or reasons for closed sessions and report at the next public meeting any action taken in such session and the roll call vote thereon, to appoint, employ, or dismiss any public employee. An exception to the announcement of the roll call exists if the vote is unanimous. G.C. 54957.4

Confidential notes of closed sessions shall be kept by the Board Secretary, and shall not be a public record. G.C. 54957.2

From current College of Marin Policy 1.2050 titled Removal

Repeated violations of the confidentiality of closed sessions by a Board member shall be grounds for referral to the Grand Jury removal from office.

Also see BP 2715 titled Code of Ethics/Standards of Practice

Date Adopted:
(Replaces current College of Marin Policies 1.5060 and 1.2050)

NOTE: This policy is legally required. The language in underlined regular text is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in black ink is from current College of Marin Policies 1.5060 titled Closed Sessions and 1.2050 titled Removal adopted on 12-10-80 and revised on 5-10-05. The language struck through is recommended for deletion. The language in underlined italics reflects recommended revisions by the Superintendent/President. This policy was reviewed by the Board Cub-Committee on Policy at its 5-13-08 Meeting and recommended to move forward.
BP 4250  ACADEMIC PROBATION, DISQUALIFICATION, AND READMISSION REINSTATEMENT

References:
Education Code Sections 70802(b)(3);
Title 5 Sections 55030 - 55034

The College of Marin has established standards of scholarship that reflect academic achievement appropriate to higher education and the community college curriculum. Grades serve as the two indices of academic standards; academic achievement and academic progress. On occasion, students who do not satisfy those standards may find themselves on academic or progress probation or even subject to academic disqualification. The philosophy of College of Marin is that the college community will
- notify students in a timely manner so they may take action to improve their academic standing, and
- offer appropriate services to support student work in this regard.
Students will also be provided the opportunity and means to petition for readmission reinstatement to the College upon satisfying certain conditions as described below.

Probation
A student shall be placed on academic probation if he or she has attempted a minimum of 12 semester units of work and has a grade point average of less than a "C" (2.0).

A student shall be placed on progress probation if he or she has enrolled in a total of at least 12 semester units and the percentage of all units in which the student has enrolled, for which entries of "W," "I," "NC," and "NP" were recorded reaches or exceeds 50 percent.

A student who is placed on probation may submit an appeal in accordance with procedures to be established by the Superintendent/President.

A student on academic probation shall be removed from probation when the student's accumulated grade point average is 2.0 or higher. A student on progress probation shall be removed from probation when the percentage of units in the categories of "W," "I," "NC," and "NP" drops below 50 percent.

Dismissal
A student who is on academic probation shall be subject to dismissal if the student has earned a cumulative grade point average of less than 1.75 in all units attempted in each of three consecutive semesters.

A student who is on progress probation shall be subject to dismissal if the cumulative percentage of units in which the student has been enrolled for which entries of "W," "I," "NC," and "NP" are recorded in at least three consecutive semesters reaches or exceeds 50 percent.

A student who is subject to dismissal may submit a written appeal in compliance with administrative procedures. Dismissal may be postponed and the student continued on probation if the student completes a petition that provides evidence of extenuating circumstances and/or that shows significant improvement in academic achievement.
Readmission-Reinstatement
A student who has been dismissed may request reinstatement by submitting a petition that demonstrates that a minimum of one semester has passed and the student has worked with a counselor to develop a plan of academic improvement. The petition may also show that the extenuating circumstances resulting in dismissal have changed. Readmission Reinstatement may be granted, denied, or postponed according to criteria contained in administrative procedures.

The Superintendent/President shall develop procedures for the implementation of this policy that comply with the Title 5 requirements.

Date Adopted: March 18, 2008

Note: This revision is being submitted by the Office of Student Learning and the Academic Senate to clarify language. This revision replaces the term “readmission” with “reinstatement” which is the correct term for students who wish to return to the College after being dismissed. This Board Policy was reviewed at the March 12, 2009 College Council meeting.
BP 5190 STUDENT ACTIVITIES

Reference:
   Education Code Section 76060

❖ From current College of Marin Policy 4.0029 titled Philosophy Toward Student Activities

The Board recognizes that students derive many values through participation in student activities associated with the college programs.

Therefore, The Superintendent/President shall direct efforts toward the promoting, supporting, and proper directing of such student activities associated with college programs as an integral part of the meeting student learning outcomes, educational program. Sufficient time will be provided by the College to afford adequate sponsorship of the student government and proper direction and assistance to all student activities.

NOTE: The wording in black ink is from current College of Marin Policy 4.0029 titled Philosophy Toward Student Activities adopted on 2/24/82 and revised on 2/12/85. The language in underlined italics was recommended during Administrative Review. This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(Replaces current College of Marin Policy 4.0029)
BP 5200 STUDENT HEALTH SERVICES

References:
Education Code Section 76401;
Title 5 Sections 54700 et seq.;
FERPA Guidelines;
HIPPA Guidelines

Student health services shall be provided in order to contribute to the education aims of students by promoting physical and emotional well being through health oriented programs and services.

From current College of Marin Policy 4.0013 titled Health Services (5-CCR 54700-et-seq.)

The Board recognizes that good health and good health practices are an essential part of a student's education. The Board, therefore, authorizes health services for each campus.

---

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was recommended during Administrative Review. The language struck through is recommended for deletion. This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(Replaces current College of Marin Policy 4.0013)
BP 5205        STUDENT ACCIDENT INSURANCE

Reference:
Education Code Section 72506

The District shall assure that students are covered by accident insurance in those instances required by law or contract. Student accident insurance is in excess of any valid and collectible benefits provided by other insurance plans or pre-paid plans (i.e. HMO's) covering the student.

❖ From current College of Marin Policy 7.0039 titled Student Accident Insurance

The Board will not act as insurer for any student, but recognizes the need for insurance coverage for unforeseen accidental injury which may occur in the course of attendance at college or student participation in extra-mural activities of the college.

The Board shall maintain accidental injury insurance coverage by a qualified insurer for:

1. All students participating in extra-mural athletics, games, and practice and travel to and from the athletic events under college supervision;

2. All students during regular attendance at college and while attending college sponsored activities and traveling under college supervision to and from such activities.

Also see BP 5700 titled Athletics

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The underlined italics language is recommended by College Operations. The language that is struck through is from current College of Marin Policy 7.0039 titled Student Accident Insurance adopted on 2/24/82 and is recommended for deletion. This policy was reviewed by Student Services and College Operations. The BP Task Force recommended it to College Council. College Council reviewed it on 4/9/09 and recommended it go forward pending final confirmation from the Vice President of College Operations. The VP of College Operations approved final language 4/12/09.

Date Adopted:
(Replaces current College of Marin Policy 7.0039)
BP 5210  COMMUNICABLE DISEASE

Reference:
Education Code Sections 76403

The Superintendent/President shall establish procedures necessary to assure cooperation with local public health officials in measures necessary for the prevention and control of communicable diseases in students.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)
BP 5570  STUDENT CREDIT CARD SOLICITATION

References:

- Education Code Section 99030;
- Title 5 Section 54400;
- Civil Code Section 1747.02(m)

The Superintendent/President shall establish procedures that regulate the solicitation of student credit cards on campus.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:

(This is a new policy recommended by the CC League and the League’s legal counsel)
BP 6250 BUDGET MANAGEMENT

References:
Title 5 Sections 58307 and 58308

The budget shall be managed in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided by law.

Revenues accruing to the District in excess of amounts budgeted shall be added to the District’s reserve for contingencies. They are available for appropriation only upon a resolution of the Board of Trustees that sets forth the need according to major budget classifications in accordance with applicable law.

Board approval is required for changes between major expenditure classifications. Transfers from the reserve for contingencies to any expenditure classification must be approved by a two-thirds vote of the members of the Board. Transfers between expenditure classifications must be approved by a written resolution by a majority of the members of the Board.

Also see AP 6250 titled Budget Management

Office of Primary Responsibility: College Operations

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was included by College Operations. This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)
BP 6330 PURCHASING

References:
Education Code Section 81656;
Public Contract Code Sections 20650 and 20651

The Board of Trustees delegates to the Superintendent/President the authority to purchase supplies, materials, apparatus, equipment, and services as necessary to the efficient operation of the District. No purchase shall exceed the amounts specified by Public Contract Code Section 20651 as amended from time to time, without Board approval.

❖ From current College of Marin Policy 6.0015 titled Purchasing

The Superintendent/President shall ensure that the purchasing system provides for consistency with Board policies, State laws, California Community College Budgeting and Accounting Manual, and the American Institute of Certified Public Accountants Audit Guide for Colleges and Universities.

Where an item has been approved by the Board, either expressly or by inclusion in the budget it has adopted for the District, the Superintendent/President shall be authorized to solicit quotations and/or bids in accordance with the requirements of State and Federal laws. In the exercise of this authority, the Superintendent/President shall observe the following:

1. If the estimated cost of the purchase is $5,000—$15,000 for work to be done or $5,000—$50,000 for materials, supplies, or equipment, the District shall require the solicitation of formal written quotations from at least three independent vendors.

2. If the estimated cost of the purchase is $15,000 or more for work to be done or $50,000 or more for materials or supplies, the District shall require the solicitation of formal bids (PCC 20651). Formal bids require advertising in a newspaper of general circulation once a week for two weeks (EC 81641). In the event of emergency situations, the Board, by unanimous vote, may approve contracts in the foregoing areas without formal bids (PCC 20654). All advertising relating to bids shall indicate preference for California contractors, price, fitness, and quality being equal (GC 4334).
3. In the case of formal quotations or bids, purchases shall be awarded to the lowest responsible bidder complying with the terms of the appropriate specifications. The District has the right to reject any and all bids.

4. If the items to be procured or maintained involve data-processing systems, then the purchases may be awarded to one of the three lowest responsible bidders (EC 81645).

It shall be the policy of the District to use Purchase Order forms for the requisitioning of all equipment and supplies. Requisition of services may require a Purchase Order, an Agreement for Services (AIS), or a formal contract, depending on the circumstances. The Purchase Order, or other appropriate form (AIS or formal contract) shall become valid only when the District Buyer, or other designate from the Fiscal Services office, has signed and numbered the form.

Before awarding Purchase Order, AIS or Contract to the lowest, responsible bidder, the following approvals are necessary:

1. Purchase Orders, AIS’s or Contracts in excess of $15,000 or more for work to be done or $50,000 or more for materials, supplies or equipment, shall be approved by the Board prior to the release of Purchase Order, AIS, or Contract by the District.

2. Authority to approve all other Purchase Orders, AIS’s or Contracts shall be delegated to the Superintendent/President, or his/her designee.

In carrying out the purchasing functions of the District, the Superintendent/President shall ensure that all purchases are consistent with the Board-approved budget and the highest return to the District is achieved for each dollar expended.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language struck through is recommended for deletion. The information in underlined italics is language added by College Operations. This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(Replaces current College of Marin Policy 6.0015)
BP 6520 SECURITY FOR DISTRICT PROPERTY

References:

Education Code Sections 81600 et seq.;
Accreditation Standard III.B.1

The Superintendent/President shall establish procedures necessary to manage, control, and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

Office of Primary Responsibility: College Operations

NOTE: The language underlined in bold is recommended by the Community College League and its legal counsel (Liebert Cassidy Whitmore). This policy is legally required. The language in underlined italics was added by College Operations. The Policy and Procedure Task Force reviewed this policy on September 17, 2008. The Task Force recommends this policy move forward to College Council.

Date Adopted:
(This is a new policy recommended by the CC League and its legal counsel)
BP 6550 DISPOSAL OF DISTRICT PERSONAL PROPERTY

References:
Education Code Sections 70902(b)(6), 81383, 81384, and 81452

The Superintendent/President is delegated authority by the Board of Trustees to declare surplus such personal property of the District that is no longer useful for District purposes. The Superintendent/President shall establish procedures to dispose of such property in accordance with applicable law. All sales of surplus personal property shall be reported to the Board on a periodic basis. This policy applies to District personal property only.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in underlined italics language was added by College Operations. The Policy and Procedure Task Force reviewed this policy on November 12, 2008. This policy was reviewed by the Task Force at its 4.6.2009 Meeting, College Council at its 4.9.2009, and is recommended to move forward.

Date Adopted:
(This is a new policy recommended by the CC League and the League's legal counsel)
BP 6630 FACILITIES GRAPHICS

References:
No references

* From current College of Marin Policy 8.0014 titled Facilities Graphics

It shall be the policy of the Board that all campus graphics, display cases, special display surfaces, and bulletin boards adhere to graphic guidelines adopted by the Board for each of the college campuses.

The guidelines are intended to provide a basic system of directional, informational, and regulatory messages and to maintain an aesthetically pleasing campus. Adherence to this system is not intended to unduly restrict the use of ideas and materials and shall be consistent with provisions, if any, contained in the District master plan.

It is the goal of the Board that ample locations designated for notices and displays.

NOTE: Language struck through is from current College of Marin Policy 8.0014 titled Facilities Graphics adopted on 7/29/81 and revised on 4/9/85. This policy was reviewed by Cathy Summa Wolfe and recommended for deletion because it is outdated.

Date Adopted:
(This is a current College of Marin Policy 8.0014 just re-numbered)
BP 6900  BOOKSTORE(S)

Reference:
Education Code Section 81676

College bookstore(s) shall be established and operated by either the District or by a qualified vendor.

If the bookstore is run by the District:
Operational costs of the College bookstore(s) shall be paid from revenue earned from the bookstore.

Fiscal management of the bookstore(s) shall be in accordance with the California Community Colleges Budget and Accounting Manual. An annual audit of the records and accounts of the bookstore shall be provided to the Board of Trustees.

If a qualified vendor is to provide bookstore services:
Contracts for outside vendors to operate bookstores shall be awarded by competitive bid, submitted to the Board of Trustees for approval, and awarded in the best interests of the students. Student organizations shall be encouraged to submit bids and given preference if they meet all other bid criteria.

❖ From current College of Marin Policy 6.0016 titled Bookstore

(EC-81676, 84040)

It shall be the policy of the Board to establish bookstore operations for the purpose of offering for sale textbooks, supplementary textbooks, confectionery items, and related auxiliary supplies and services.

The Board will provide for the staffing and management needs of the bookstore, as well as the necessary facilities for its operation.

Net proceeds from the operation of the bookstore shall be used for the general benefit of the student body as determined by the Board. Funds derived from the operation of the bookstore shall be subject to audit.

Also see BP/AP 6400 titled Audits
NOTE: The underlined regular text signifies legally required language (except as noted above) recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in black ink is from current College of Marin Policy 6.0016 titled Bookstore adopted on 2/24/82 and revised on 3/12/85. The language struck through is recommended for deletion. The information in underlined italics is language added by College Operations. The Policy and Procedure Task Force reviewed this policy on November 12, 2008. College Council reviewed is at its 4.9.2009, and has recommended the policy move forward.

Date Adopted:
(Replaces current College of Marin Policy 6.0016)
To: Board of Trustees                      Date: May 12, 2009
From: Superintendent/President               Item & File No. B.10.1
Subject: New Community Services Courses

Reason for Board Consideration: APPROVAL

ENCLOSURE:

BACKGROUND:

New courses are developed by faculty in the Community Education area. Courses are reviewed and approved according to Board policy 3.0001 and 3.0002.

The Community Education Program will offer the following new Community Services courses for the first time during Summer 2009. These fee-based courses are recommended by the appropriate Community Education faculty and staff as well as the Vice President of Student Learning, and are “designed to meet the educational, social, economic, cultural, and recreational needs” of Marin County residents, as specified in Board policy. The proposed new courses are listed below, along with brief descriptions.

COMMUNITY SERVICES classes for Summer 2009:

A DAY OF JOY
Western psychology has been dominated by processes that probe pain and trauma. But in the myth, song and poetry of all cultures, we find the beat of a different drummer: moments of peace, love, and silence, which also change us—perhaps even more radically. In this one-day workshop, we will explore the human capacity for joy as it has appeared in story, song, and poetry throughout history. And through meditation, story-telling and artistic expression, we will invite more bliss into our lives.

AN ISADORA DUNCAN WORKSHOP: DANCING AS AN EXPRESSION OF LIFE
“All free, natural movement conforms to the law of the wave. Form and movement are one.” Bonnie Kime Scott about Isadora Duncan’s dance
In this workshop, designed for anyone who loves to move, you will learn an original dance from Isadora Duncan’s repertoire. A strong emphasis will be placed on the connection of spirit and body. We will warm up using Isadora’s technique: arms swaying, moving from the solar plexus, lifting the body skywards, skipping, running and walking. Experience Duncan’s ecstatic, upwardly striving for expression of the human condition.

EVENING FILM CLASS: HOT AND BOtherED
Films from around the world exploring passion and sexuality. Sometimes gentle and loving, at other times cruel, obsessive, funny, or even ridiculous, audiences and film makers never seem to tire of stories trying to understand and portray human sexuality. Sex is essential for survival, universally practiced and frequently a topic of gossip and longing. Sexual mores change over time and in different cultures, but remain a topic of fascination. Films for this course will include, but not be limited to: Belle Epoque (Spain, 1992), Lust, Caution (2007, China, Taiwan, USA) and The French Lieutenant’s Woman (1981, UK).
FOCUS ON CULTURE: CINEMA FOR ESL STUDENTS  
ESL writing classes often focus on academic writing – essays, thesis statements, formal language. Creative writing takes a freer approach and allows you to learn English through the expression of ideas. This interactive course uses creative writing exercises to develop written language and vocabulary, and to encourage free thinking. You will learn how to access your creativity in your written work. Sample exercises include: Writing Free Style; Writing the Story Behind a Picture or Painting; Writing with Music; Responding to Works of Fiction; Getting Creative with the News. Come and have fun with us as you develop your ability to express yourself in English and find your creative voice!

FOCUS ON CULTURE: MUSEUM FIELD TRIPS FOR ESL STUDENTS  
Whether you are visiting them for the first time or have gone many times, the museums of San Francisco are always worth the trip! In this course we prepare you to get the most out of your visit and tour the museum as a group. Meet on Fridays at the Larkspur Ferry, 9:00 a.m. sharp. From the Ferry Building we will walk, or transfer to a bus, to reach our destination. Each day we’ll arrive again in Larkspur by 3:00, or you may choose to return later on your own. Museums include MOMA (Museum of Modern Art), the new de Young, the Exploratorium, the Legion of Honor and the Academy of Science.

FOCUS ON CREATIVE WRITING FOR ESL STUDENTS  
ESL writing classes often focus on academic writing – essays, thesis statements, formal language. Creative writing takes a freer approach and allows you to learn English through the expression of ideas. This interactive course uses creative writing exercises to develop written language and vocabulary, and to encourage free thinking. You will learn how to access your creativity in your written work. Sample exercises include: Writing Free Style; Writing the Story Behind a Picture or Painting; Writing with Music; Responding to Works of Fiction; Getting Creative with the News. Come and have fun with us as you develop your ability to express yourself in English and find your creative voice!

FOCUS ON ENGLISH TIME/TENSE SYSTEM FOR ESL STUDENTS  
Are you an intermediate to advanced English as a Second Language learner? Are you confused by the English verbs and how to use them to express what you mean? Do you know the difference between the active and passive voices? Do you know how to use the modals (can, may, should, ought to)?

In this new course we will look at the construction of 12 active verb forms and examine the relationship between time and meaning. After that, we will determine how and when we can transpose the form to the passive. Finally, we’ll look at how to express possibility, permission, obligation, regret by substituting modals in the basic 12 forms.

JEWELRY MAKING: WORKING WITH MIXED METAL CLAYS  
The College of Marin is proud to present this world premiere class. Twelve years ago, the new medium of silver clay was introduced to the U.S. market; now, for the first time, bronze and copper clay are available as well! In this workshop you will learn how to combine copper and bronze clay. On the first day, you will construct a few mixed metal pieces, and kiln firing will be demonstrated. On the second day, you will finish the pieces using traditional metal fabrication techniques.

WATER MEDIA FOR SELF EXPRESSION: WORKING IN WATERCOLOR AND ACRYLIC  
This workshop is ideal for beginners, teachers, therapists and artists who are seeking a fresh start. We will find our joy in encouraging “the inner artist” to see, speak and create his or her own visual language. Class demonstration and discussion will include wetting the paper, color flooding and gradation, brushwork, compositional energy, atmospheric effects, edge tinting, textual elegance and the use of watercolor crayon. In addition, we will experiment with the beauty of accidents, back-up puddles, color saturation and capillary action. Our goal as painters will be to discover the personal palette of colors and shapes unique to each of us and to make use of their full expressive power. Individual instruction as time permits.
WINES OF FRANCE
Explore the wines of France and each unique winegrowing region as we journey into France’s main wine producing areas. The six-week course covers Bordeaux, Burgundy, Rhone, Loire Valley, Champagne and southern France.

YOUR MEDICATIONS AND WHAT YOU SHOULD KNOW
This introductory lecture will first cover a history of drug use in prehistoric times, and then talk about the current use of drugs in the USA. We will cover how the drug industry works, and how they research drugs, and then how they produce and distribute them. We will cover how the FDA works to approve and monitor both prescription and OTC drugs for safety and effectiveness. This course is designed for anybody with a beginner’s level of understanding about drugs, and who has an interest in knowing how and why current drugs are used to treat medical conditions.

WRITING PERSONAL ESSAYS FOR YOUR COLLEGE APPLICATIONS THAT WILL GET YOU NOTICED
College Admissions officers read thousands of essays each year, so how do you make them take notice of yours? It’s not by using every vocabulary word you learned for the SAT Exam, but by presenting an essay that showcases your own unique story, told in your own voice. This course will help you create a dynamic essay that can adapt to the specific needs of different applications, as well as hone your skills in editing and developing writing topics.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve the proposed new Community Services Courses.

Administrator Initiating Item

Nick Chang, Interim Vice President of Student Learning
BACKGROUND:
New courses are developed by faculty at the discipline level. They are proposed to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board policy 2.0001 and 2.0001 DP.1.

The Academic Program will offer the following new credit courses. The courses are recommended by the appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning. The proposed new courses may be categorized as follows:

**Liberal Arts and Sciences**

Courses of freshman and sophomore level in the area of liberal arts and sciences transfer education.

**ART 194** Intermediate Digital Photography

The continued exploration and development of individual photographic digital projects. Emphasis is balanced between improving technical skill and the continuing the creative process.

**ART 200** Portfolio Development

This course is for students that have accomplished creative skills and wish to develop strategies of self-promotion for their area of expertise.

**ART 213** Internship for Art Careers

This course is a lecture/internship course in which students apply creative skills such as art production, design, illustration, sculpture or sculpted models, within a short-term internship.

**BIOL 112A** Biology for Biology Majors
This course is for students considering a major in biology. The protozoa and animal kingdom are surveyed, principles of evolution are introduced. In the laboratory students investigate the structure, function and evolution of animals using standard laboratory and field techniques.

**BIOL 112B** Biology for Biology Majors

This is the second in a three-semester sequence that is the equivalent of the majors' biology sequences at other colleges and universities. This semester covers basic topics in general ecology as well as fundamentals of anatomy, physiology, classification, evolution and ecology of the major groups of algae, plants and fungi.

**BIOL 112C** Biology for Biology Majors

This is an introductory course for biology majors covering the fundamentals of molecular and cell biology, genetics and molecular evolution, DNA technology, and the biology of viruses, Bacteria and Archaea.

**DRAM 164** Production Crew

This course is designed to give students practical experience in being a part of a running crew for a theatrical production. Students will be trained for production crewing assignments such as Lighting Technician, Sound Technician, Dresser, Wardrobe Mistress/Master, Backstage Crew, Properties Management, Assistant Stage Manager and Stage Manager.

**H ED 118** Sports Nutrition for Health and Performance

This course is designed for personal fitness trainers, athletes, coaches and parents who are seeking sports specific nutrition for aerobic, anaerobic and speed-endurance training.

**H ED 140** Stress Management and Health

This course will present information about stress, stress reduction, and physical/emotional problems associated with stress and benefits of stress reduction.

**JPNS 105B** Japanese Kanji B
**Liberal Arts and Sciences – Cont’d.**

<table>
<thead>
<tr>
<th>Course</th>
<th>Course Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPNS</td>
<td>105C</td>
<td>Japanese Kanji C&lt;br&gt;Intensive study of Kanji characters to increase competence in reading and writing Japanese and understanding authentic materials.</td>
</tr>
<tr>
<td>JPNS</td>
<td>105D</td>
<td>Japanese Kanji D&lt;br&gt;Intensive study of Kanji characters to increase competence in reading and writing Japanese and understanding authentic materials.</td>
</tr>
<tr>
<td>MATH</td>
<td>95A</td>
<td>Basic Mathematics&lt;br&gt;This course is designed for students to learn addition, subtraction, multiplication, division, square roots, prime numbers, greatest common divisors, least common multiples; the arithmetic of whole numbers, fraction, mixed numerals and decimals will be used in applied problems.</td>
</tr>
<tr>
<td>P E</td>
<td>112</td>
<td>Zumba Fitness&lt;br&gt;Zumba is a fusion of Latin and International music-dance themes creating a dynamic, exciting, effective fitness system. The routines feature aerobic/fitness interval training with a combination of fast and slow rhythms that tone and sculpt the body.</td>
</tr>
<tr>
<td>P E</td>
<td>118</td>
<td>Sports Nutrition for Health and Performance&lt;br&gt;This course is designed for personal fitness trainers, athletes, coaches and parents who are seeking sports specific nutrition for aerobic, anaerobic and speed-endurance training.</td>
</tr>
<tr>
<td>P E</td>
<td>126</td>
<td>Plyometric Training&lt;br&gt;This course will utilize plyometric training techniques to enhance competitive athletic performance in conjunction with “boot camp training”, working core level muscles, aerobic and anaerobic capacities and upper body strength.</td>
</tr>
<tr>
<td>P E</td>
<td>194</td>
<td>Softball Theory</td>
</tr>
</tbody>
</table>
Liberal Arts and Sciences – Cont’d.

This course is an intensive course designed to train persons in the development of a softball program at any level.

New Vocational/Professional Offerings

Courses designed to assist students in learning new skills using advanced technical equipment and approaches.

<table>
<thead>
<tr>
<th>Course</th>
<th>Course Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>AUTO 230</td>
<td>Light Duty Diesel Engine Performance and Emissions</td>
</tr>
<tr>
<td>ELEC 110</td>
<td>Solar Installation and Integration</td>
</tr>
<tr>
<td>FIRE 215</td>
<td>Advanced First Aid/First Responder</td>
</tr>
<tr>
<td>MMST 131A</td>
<td>Web Design I</td>
</tr>
<tr>
<td>MMST 131B</td>
<td>Web Design II</td>
</tr>
<tr>
<td>MMST 131C</td>
<td>Web Design III</td>
</tr>
</tbody>
</table>

This course provides training in diagnosing and servicing modern computer controlled light duty diesel vehicles. This course is a skills-competency based curriculum.

This course is designed as an introductory course targeted to entry-level photovoltaic installers with the intent to provide a foundation of skills in trades evolved in solar installation.

This course will teach the basics of good patient care and the skills needed to deliver appropriate care to the victim of an accident or sudden illness until more highly trained emergency personnel arrive.

This course will provide an introduction to designing Web pages. Students will evaluate the design of existing web sites and use current professional-level software to design and develop a small working web site that is attractive, functional and easy to use.

This is a second-semester web design course providing more intermediate-level information and resources for designing, developing, and maintaining attractive and effective web sites.
New Vocational/Professional Offerings – Cont’d.

This course provides advanced-level instruction on the tools and practices of modern Web site design and development.

**MMST 134A**  Interactive Media Design I

This course provides an introduction to the tools and practices of modern interactive media design and development.

**MMST 134B**  Interactive Media Design II

This course provides intermediate-level instruction covering the scripts and tools for creating interactive products for the web and other media.

**MMST 134C**  Interactive Media Design III

This course provides advanced-level instruction covering the scripting skills and techniques required to design and create fully interactive digital media.

**MMST 173**  Intermediate 3D Modeling and Animation (Level II)

This class will focus on Intermediate levels of animation and modeling in 3D as it applies to visualization, effects, games and other applications for multimedia projects.

Selected Topics

Courses designed to explore specialized and contemporary topics which are not traditionally taught in the regular credit program.

**ELEC 139**  Selected Topics: Solar Installation and Integration

This course is designed as an introductory course targeted to entry-level photovoltaic installers with the intent to provide a foundation of skills in trades evolved in solar installation.

**FIRE 139A**  Selected Topics: Emergency Medical Technician – Refresher 1A
This EMT-1 Refresher course is required for recertification of EMT-1 personnel. The course provides didactic and skills instruction. The student is updated in all areas of emergency room prehospital care, as contained in the EMT-1 scope of practice.

FIRE 139B  Selected Topics: Emergency Medical Technician – Refresher 1B

This EMT-1 Refresher course is required for recertification of EMT-1 personnel. The course provides didactic and skills instruction. The student is updated in all areas of emergency room prehospital care, as contained in the EMT-1 scope of practice.

MACH 139G  Selected Topics: Machine Technology Theory

This course is designed as an introductory course targeted to those students interested in Mechanical Engineering. The class provides instruction of machine shop operations. Students will design, build and manufacture a product using basic machine shop equipment.

P E 139A  Selected Topics: Intercollegiate Volleyball (Women)

This course is designed for the volleyball athlete interested in playing at a highly competitive level.

P E 139B  Selected Topics: Softball Theory

This course is an intensive course designed to train persons in the development of a softball program at any level.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed new credit courses.
Board Meeting of May 12, 2008
New Credit Courses
Page 7

Administrator Initiating Item
   Nick Chang, Interim Vice President of Student Learning
BACKGROUND:

Revised courses are developed by faculty at the discipline level. Revisions are proposed by departments to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board Policy 2.0001 and 2.0001 DP.1.

The following course revisions are recommended by appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning.

<table>
<thead>
<tr>
<th>Course</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ART 192</td>
<td>Black and White Photography III</td>
</tr>
<tr>
<td>BIOL 100</td>
<td>Nutrition</td>
</tr>
<tr>
<td>BIOL 110</td>
<td>Introduction to Biology</td>
</tr>
<tr>
<td>CIS 117</td>
<td>Introduction to Database Design and Programming</td>
</tr>
<tr>
<td>CIS 127</td>
<td>Intermediate Database Design</td>
</tr>
<tr>
<td>CIS 137</td>
<td>Advanced Database Design</td>
</tr>
<tr>
<td>COUN 114</td>
<td>College Success Investigations</td>
</tr>
</tbody>
</table>
Credit Course Revisions – Cont’d

DANC 108
Dance History (Online)
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

DRAM 150
Introduction to Stage Craft
Revise course content.

DRAM 160
Production Stagecraft
Revise course content.

DRAM 161
Production Preparation – Sets and Properties
Revise course content.

DRAM 162
Production Preparation – Costumes and Hair
Revise course content.

DRAM 163
Production Preparation – Lights and Sound
Revise course content.

DRAM 166
Stage Make-up: Theory and Practice
Revise course content.

ELND 157
Principles of Landscape design
Revise catalog description, course content, schedule description, critical thinking, student outcomes, and texts/assigned reading.

ENGL 151 (1B)
Reading and Composition
Revise catalog description, course content, schedule description, critical thinking, student outcomes, and texts/assigned reading.

ENGL 151 (1B) Online
Reading and Composition
Revise catalog description, course content, schedule description, critical thinking, student outcomes, and texts/assigned reading.

ENGL 155
Critical Thinking/Composition
Revise catalog description, course content, schedule description, student outcomes, and texts/assigned reading.

ENGL 221A
Survey of American Literature I
Change prerequisite from ‘Eligible for ENGL 150’ to ‘Eligible for ENGL 120’. Revise course content and texts/assigned reading.

ENGL 221B
Credit Course Revisions – Cont’d

Survey of American Literature II

ENGL 222
Survey of English Literature

ENGL 223
Survey of English Literature II

ESL 053
Intermediate ESL: Writing and Grammar

ESL 054
Intermediate ESL: Grammar

ESL 056
Intermediate ESL: Words I (Vocabulary/Spelling/Reading/Discussion)

ESL 058A
Pronunciation for Non-Native English Speakers I

ESL 058B
Pronunciation for Non-Native English Speakers II

ESL 059
Review of Intermediate ESL

Change prerequisite from ‘Eligible for ENGL 150’ to ‘Eligible for ENGL 120’. Revise course content, student outcomes, and texts/assigned reading.

Change prerequisite from ‘Eligible for ENGL 150’ to ‘Eligible for ENGL 120’. Revise catalog description, course content, schedule description, student outcomes, and texts/assigned reading.

Change prerequisite from ‘Eligible for ENGL 150’ to ‘Eligible for ENGL 120’. Revise course content and texts/assigned reading.


Change course title from “Intermediate English as a Second Language: Words I (Vocabulary, Spelling, Reading, and Discussion)” to “Intermediate ESL: Words I (Vocabulary/Spelling/Reading/Discussion)”. Revise student outcomes and course content.

Change course title from “Pronunciation for Non-Native Speaker I” to “Pronunciation for Non-Native English Speakers I”. Revise schedule description, student outcomes, critical thinking, and texts/assigned reading.

Revise schedule description, student outcomes, critical thinking, and texts/assigned reading.

Change course title from “Review of Low Intermediate English as a Second Language” to “Review of Intermediate ESL”. Change advisory from ‘ESL Placement test or Completion of ESL 47’ to ‘ESL Placement Test or have taken ESL 40’. Revise catalog description, schedule description, course content, and texts/assigned reading.
Credit Course Revisions – Cont’d

ESL 060
Intermediate ESL: Listening and Speaking

ESL 063
High Intermediate ESL: Writing and Grammar
Change course title from “High Intermediate English as a Second Language: Writing and Grammar” to “High Intermediate ESL: Writing and Grammar”. Change advisory from ‘ESL Placement Test; Completion of ESL 53 or ESL 54 and 55’ to ‘ESL Placement Test; Completion of all 50-level ESL courses is recommended’. Revise catalog description, student outcomes, and texts/assigned Reading.

ESL 064
High Intermediate ESL: Grammar

ESL 066
High Intermediate ESL: Words II (Vocabulary/Spelling/Reading/Discussion)
Change course title from “High Intermediate English as a Second Language: Words II (Vocabulary/Spelling/Reading and Discussion)” to “High Intermediate ESL: Words II (Vocabulary/Spelling/Reading/Discussion)”. Change advisory from ‘ESL Placement Test or Completion of ESL 56 or ESL 46’ to ‘ESL Placement Test. Completion of all 50-level courses is recommended’. Revise course content, student outcomes, and texts/assigned reading.

ESL 068
American Topics
Revise schedule description.

ESL 073
Low Advanced ESL: Writing and Grammar
Change course title from “Low Advanced English as a Second Language: Writing and Grammar” to “Low Advanced ESL: Writing and Grammar”. Change advisory from ‘ESL Placement Test or Completion of ESL 63 or ESL 64 and ESL 65’ to ‘ESL Placement Test or Completion of all 60-level courses recommended’. Revise catalog description, schedule description, student outcomes, and texts/assigned reading.

ESL 074
Low Advanced Grammar for ESL Students
Change course title from “Low Advanced Grammar for English as a Second Language Students” to “Low Advanced Grammar for ESL Students”. Change advisory from ‘ESL Placement Test or Completion of ESL 64’ to ‘ESL Placement Test’.

ESL 076
### Credit Course Revisions – Cont’d

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESL 078</td>
<td>ESL for CIS 101</td>
<td>Change advisory from ‘None’ to ‘Completion of all 60-level courses recommended’. Revise student outcomes.</td>
</tr>
<tr>
<td>ESL 080</td>
<td>Advanced ESL: Listening and Speaking (Social/Academic/Workplace)</td>
<td>Change course title from “Advanced English as a Second Language: Listening and Speaking for Social, Academic and Workplace Situations” to “Advanced ESL Listening and Speaking (Social/Academic/Workplace)”. Change advisory from ‘ESL Placement Test or Completion of ESL 60 or ESL 67’ to ‘ESL Placement Test or Completion of ESL 60’. Revise schedule description and texts/assigned reading.</td>
</tr>
<tr>
<td>ESL 083</td>
<td>Advanced ESL: Writing and Grammar</td>
<td>Change course title from “Advanced English as a Second Language: Writing and Grammar” to “Advanced ESL: Writing and Grammar”. Change advisory from ‘ESL Placement Test or Completion of ESL 73 or ESL 74 and 75’ to ‘ESL Placement Test; Completion of all 70-level course is recommended’. Revise catalog description, schedule description, student outcomes, and texts/assigned reading.</td>
</tr>
<tr>
<td>ESL 084</td>
<td>Advanced ESL: Grammar</td>
<td>Change course title from “Advanced English as a Second Language: Grammar” to “Advanced ESL: Grammar”. Change advisory from ‘ESL Placement Test or Completion of ESL 74 or ESL 84’ to ‘ESL Placement Test; Completion of all 70-level courses is recommended’.</td>
</tr>
<tr>
<td>ESL 086</td>
<td>Advanced ESL: Vocabulary and Reading Skills</td>
<td>Change course title from “Advanced English as a Second Language: Vocabulary and Reading Skills” to “Advanced ESL: Vocabulary and Reading Skills”. Change advisory from ‘None’ to ‘Completion of all 70-level courses recommended’.</td>
</tr>
<tr>
<td>ESL 088A</td>
<td>Introduction to Editing for ESL Students</td>
<td>Change course title from “Introduction to Editing for English as a Second Language Students” to “Introduction to Editing for ESL Students”. Revise catalog description, course content, and student outcomes.</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Description</td>
<td>Revisions</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>ESL 088B</td>
<td>Advanced Editing for ESL Students</td>
<td>Change course title from “Advanced Editing for English as a Second Language Students” to “Advanced Editing for ESL Students”.</td>
</tr>
<tr>
<td>JPNS 105A</td>
<td>Japanese Kanji A</td>
<td>Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>JPNS 203</td>
<td>Intermediate Japanese III</td>
<td>Revise course content</td>
</tr>
<tr>
<td>MATH 95X</td>
<td>Basic Math Skills</td>
<td>Revise catalog and schedule description</td>
</tr>
<tr>
<td>MATH 95Y</td>
<td>Intermediate Math Skills</td>
<td>Revise catalog and schedule description</td>
</tr>
<tr>
<td>MATH 199</td>
<td>Seminars for Tutors</td>
<td>Revise course content</td>
</tr>
<tr>
<td>MEDA 135</td>
<td>Clinical Procedures I</td>
<td>Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MEDA 135L</td>
<td>Clinical Procedures I Laboratory</td>
<td>Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MEDA 145</td>
<td>Understanding Human Diseases</td>
<td>Change course title from “Holistic Health, Disease and Research” to “Understanding Human Diseases”. Change prerequisite from ‘None’ to ‘MEDA 120 or MEDA 121’. Revise catalog description, schedule description, student outcomes, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MMST 213</td>
<td>Internship in Multimedia</td>
<td>Revise course content</td>
</tr>
<tr>
<td>MUS 113</td>
<td>Jazz Improvisation</td>
<td>Revise course content</td>
</tr>
<tr>
<td>MUS 180</td>
<td>Chamber Music Ensemble</td>
<td>Revise course content</td>
</tr>
</tbody>
</table>
**Credit Course Revisions – Cont’d**

- **NE 135**
  Nursing I: Fundamentals of Nursing
  Change prerequisite from ‘ENGL 120’ to ‘ENG 150’. Revise catalog and schedule description.

- **P E 125D**
  Fitness, Intercollegiate Sports
  Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

- **P E 160**
  Tennis
  Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

- **P E 215**
  Advanced First Aid/First Responder
  Revise catalog and schedule description.

- **POLS 220**
  American Foreign Policy
  Revise course content.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course revisions.

**Administrator Initiating Item**

Nick Chang, Interim Vice President of Student Learning
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904  

BOARD AGENDA ITEM  

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.10.L</td>
</tr>
<tr>
<td>Subject:</td>
<td>New Non-Credit Courses</td>
<td></td>
</tr>
</tbody>
</table>

Reason for Board Consideration:  
APPROVAL  
Enclosure(s):  

BACKGROUND:  

New courses are developed by faculty at the discipline level. They are proposed to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board policy 2.0001 and 2.0001 DP.1.

The Academic Program will offer the following noncredit new courses. The courses are recommended by the appropriate academic departments, the Curriculum Committee, and the Interim Vice President of Student Learning:

ESLN 053  Intermediate ESL: Writing and Grammar

This ESL course introduces standard English sentence structure and correct use of tenses to intermediate ESL students and reviews basic grammar structures.

ESLN 054  Intermediate ESL: Grammar

This course will review basic grammar structures for intermediate ESL students.

ESLN 056  Intermediate ESL: Words 1 (Vocabulary/Spelling/Reading/Discussion)

This course is designed to improve the vocabulary and reading comprehension of nonnative speakers of English.

ESLN 058A  Pronunciation for Non-Native English Speakers I

This course will provide ESL students the opportunity to improve their production of standard American English.
<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESLN 058B</td>
<td>Pronunciation for Non-Native English Speakers II</td>
</tr>
<tr>
<td></td>
<td>This course will provide ESL students the opportunity to improve their production of standard American English.</td>
</tr>
<tr>
<td>ESLN 059</td>
<td>Review of Low Intermediate ESL</td>
</tr>
<tr>
<td></td>
<td>This review course is designed for ESL students who have completed or are in the process of completing the ESL 50 or 60 level, or for ESL students who, through the ESL Placement Test, have qualified for the ESL 60 level.</td>
</tr>
<tr>
<td>ESLN 060</td>
<td>Intermediate ESL: Listening and Speaking</td>
</tr>
<tr>
<td></td>
<td>This is an intermediate course in listening and speaking communication skills recommended for ESL students enrolled in English as a Second Language 50-level or 60-level courses.</td>
</tr>
<tr>
<td>ESLN 063</td>
<td>High Intermediate ESL: Writing and Grammar</td>
</tr>
<tr>
<td></td>
<td>This course is designed to improve the writing skills for high intermediate English as a second language speakers.</td>
</tr>
<tr>
<td>ESLN 064</td>
<td>High Intermediate ESL: Grammar</td>
</tr>
<tr>
<td></td>
<td>This course is designed to improve language skills for high-intermediate speakers of English as a Second Language.</td>
</tr>
<tr>
<td>ESLN 066</td>
<td>High Intermediate ESL: Words II (Vocabulary/Spelling/Reading/Discuss)</td>
</tr>
<tr>
<td></td>
<td>This course will provide high intermediate English as a Second Language students with practice reading stories and short novels, newspapers and other non-fiction materials.</td>
</tr>
<tr>
<td>ESLN 068</td>
<td>American Topics</td>
</tr>
<tr>
<td></td>
<td>This course will help students understand important American topics, past and present, through lecture, reading, and discussion.</td>
</tr>
<tr>
<td>ESLN 073</td>
<td>Low Advanced ESL: Writing and Grammar</td>
</tr>
<tr>
<td></td>
<td>This course will improve the writing skills of low advanced ESL students by reviewing paragraph writing and introducing the essay.</td>
</tr>
<tr>
<td>ESLN 074</td>
<td>ESL 74 Low Advanced Grammar for ESL Students</td>
</tr>
</tbody>
</table>
This course is designed for low advanced English as a Second Language students who need to refine their understanding of grammar.

ESLN 076
Low Advanced ESL: Words III (Vocabulary/Spelling/Reading/Discussion)
This course is designed to improve the reading comprehension and academic vocabulary of low advanced nonnative speakers of English.

ESLN 078
ESL for CIS 101
This class is an ESL course emphasizing development of English speaking, listening, reading and writing skills needed for students studying Computer Information Systems 101.

ESLN 079
Review of Intermediate ESL
This course is designed for ESL students who have completed or are in the process of completing the ESL 70 or 80 level, or for ESL students who, through the ESL Placement test, have qualified for the ESL 80 level.

ESLN 080
Advanced ESL: Listening and Speaking (Social/Academic/Workplace)
This course is recommended for low-advanced to advanced English as a Second Language students.

ESLN 083
Advanced ESL: Writing and Grammar
This course is designed to review and build upon grammar and writing skills enabling the student to function in academic courses.

ESLN 084
ESL 84AV Advanced ESL: Grammar
This course is designed for advanced ESL students who need to refine their understanding of grammar for academic writing.

ESLN 086
Advanced ESL: Vocabulary and Reading Skills
This course is designed to help advanced ESL students improve reading comprehension and to develop academic vocabulary.

ESLN 088A
Introduction to Editing for ESL Students
This course is designed for ESL students enrolled in advanced writing courses.
ESLN 088B  Advanced Editing for ESL Students

This course is designed for ESL students who have successfully completed ESL 88A and are enrolled in advanced writing courses.

HSFN 9050  The Rational Use of Medications

This course is designed to help students know about the legal and ethical implications of prescription drugs.

OLAD 7050  Samba for Health for Older Adults

Samba is a traditional Afro-Brazilian art form which blends music, dance, and exercise to promote wellness.

VOCN 6015  Successful RN Preceptor Course

This course is designed for staff nurses who are working with students to become effective preceptors.

VOCN 6020  Test of Essential Skills Preparation Course

This course is designed to help the student achieve the academic skills needed to succeed in a Registered Nursing Program.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed new noncredit courses.

Administrator Initiating Item
Nick Chang, Interim Vice President of Student Learning
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Non-Credit Course Revisions
Reason for Board Consideration: APPROVAL

Date: May 12, 2009
Item & File No. B.10.M

BACKGROUND:

Revised courses are developed by faculty at the discipline level. Revisions are proposed by departments to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board Policy 2.0001 and 2.0001 DP.1.

The following noncredit course revisions are recommended by appropriate academic departments, the Curriculum Committee, and the Interim Vice President of Student Learning.

ESLN 010  
Beginning ESL  
Change course title from “An Introduction to Basic ESL Skills for Beginning English Learners” to “Beginning ESL”. Change course number from “ESL 05, ESL 10, ESL 15” to “ESLN 010”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

ESLN 010A  
Beginning ESL A  
Change course title from “An Introduction to basic ESL Skills for Beginning English Learners” to “Beginning ESL A”. Change course number from “ESL 05” to “ESLN 010 A”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

ESLN 010B  
Beginning ESL B  
Change course title from “Beginning A: for Beginning English Learners” to “Beginning ESL B”. Change course number from “ESL 10” to “ESLN 010B”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

ESLN 010C
<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESLN 020</td>
<td>High Beginning ESL A</td>
<td>Change course title from “High Beginning A for High Beginning English Learners” to “High Beginning ESL A”. Change course number from “ESL 20” to “ESLN 020”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.</td>
</tr>
<tr>
<td>ESLN 025</td>
<td>High Beginning ESL B</td>
<td>Change course title from “High Beginning B for High Beginning English Learners with some knowledge of Basic English Grammar and Vocabulary” to “High Beginning ESL B”. Change course number from “ESL 25” to “ESLN 025”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.</td>
</tr>
<tr>
<td>ESLN 030</td>
<td>Low Intermediate ESL A</td>
<td>Change course title from “Low Intermediate Non-Credit ESL A” to “Low Intermediate ESL A”. Change course number from “ESL 30” to “ESLN 030”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.</td>
</tr>
<tr>
<td>ESLN 035</td>
<td>Low Intermediate ESL B</td>
<td>Change course title from “Low Intermediate Non-Credit ESL B” to “Low Intermediate ESL B”. Change course number from “ESL 35” to “ESLN 035”. Revise catalog description,</td>
</tr>
</tbody>
</table>
course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

ESLN 040
Credit ESL Preparation Course
Change course title from “Credit ESL Preparation Course for English Learners who have acquired and understanding of the basics of English Grammar” to “Credit ESL Preparation Course”. Change course number from “ESL 40” to “ESLN 040”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

ESLN ESL LAB
ESL Noncredit Lab
Change course title from “ESL Non-Credit Lab” to “ESLN Noncredit Lab”. Revise course content, critical thinking, student outcomes, and texts/assigned reading.

ESLN ESL PRON
Noncredit ESL Pronunciation
Change course title from “Non-Credit ESL Pronunciation” to “Noncredit ESL Pronunciation”. Change course number from “ESL PRON” to” ESLN PRON”. Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, and texts/assigned reading.

OLAD 7055
Psychology of Joy
Change course title from “7537 Psychology of Consciousness” to “Psychology of Joy”.

VOCN 6000
Activity Coordinator State Certification Training
Change course title from “7828 Health Facility Activity Leader’s Training“ to “Activity Coordinator State Certification Training”. Revise course description.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve the proposed noncredit course revisions.

Administrator Initiating Item
Nick Chang, Interim Vice President of Student Learning
BOARD AGENDA ITEM

To: Board of Trustees
Date: May 12, 2009

From: Superintendent/President
Item & File No. B.10.N

Subject: Curriculum Revisions

Reason for Board Consideration:
APPROVAL

BACKGROUND:

The following curriculum revisions and AA Degree requirements are recommended by appropriate academic departments, the Curriculum Committee, and the Interim Vice President of Student Learning.

Drama program curriculum revisions and A.A. Degree requirements:

1. The following courses should be deleted from the program as they are no longer relevant to the current curriculum. The course outlines for these courses will be allowed to lapse.

   DRAM 136 - Acting for Television
   DRAM 151 - Scenic Construction Techniques
   DRAM 152 - Costume Construction Techniques
   DRAM 153 - Theatrical Lighting and Sound
   DRAN 167 - Theatrical Design: Lights, Costumes, Scenery
   DRAM 238 - Video Performance Workshop

2. The following revisions are requested for the A.A. Degree requirements.

   DRAM 090 - Careers in Performing Arts (DROP)
   DRAM 129 - Voice for the Stage (ADD)
   DRAM 137 - Stage Combat (ADD)
   DRAM 166 - Stage Makeup: Theory and Practice (ADD)

3. The revised A.A. Degree requirements would read as follows:

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRAM 110 Introduction to the Theatre</td>
<td>3</td>
</tr>
<tr>
<td>DRAM 150 Introduction to Technical Theatre</td>
<td>3</td>
</tr>
</tbody>
</table>
Revised A.A. Degree requirements, continued

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRAM 252B Seminar and Fieldwork Experience</td>
<td>3</td>
</tr>
<tr>
<td><strong>Six units to be selected from the following:</strong></td>
<td></td>
</tr>
<tr>
<td>DRAM 116 Survey of Dramatic Literature-Ancient Greek to the Present</td>
<td>3</td>
</tr>
<tr>
<td>DRAM 117 Survey of Dramatic Literature-Shakespeare and His Theatre</td>
<td>3</td>
</tr>
<tr>
<td>DRAM 119 Theatre Criticism</td>
<td>3</td>
</tr>
<tr>
<td><strong>Six units to be selected from the following:</strong></td>
<td></td>
</tr>
<tr>
<td>DRAM 160 Stage Production</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 161 Production Preparation-Sets and Properties</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 162 Production Preparation-Costumes and Hair</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 163 Production Preparation-Lights and Sound</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 164 Production Crew (if approved)</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 166 Stage Makeup: Theory and Practice</td>
<td>1.5</td>
</tr>
<tr>
<td>DRAM 168 Theatre Management</td>
<td>1.5</td>
</tr>
<tr>
<td><strong>Eight units to be selected from the following:</strong></td>
<td></td>
</tr>
<tr>
<td>DRAM 126 Improvisation for the Theatre</td>
<td>3</td>
</tr>
<tr>
<td>DRAM 130 Theory and Practice in Acting I</td>
<td>3</td>
</tr>
<tr>
<td>DRAM 134 Acting for Director’s Workshop</td>
<td>1</td>
</tr>
<tr>
<td>DRAM 137 Stage Combat</td>
<td>0.5</td>
</tr>
<tr>
<td>DRAM 237 Techniques of Audition</td>
<td>0.5</td>
</tr>
<tr>
<td>DRAM 240 Stage Direction</td>
<td>3</td>
</tr>
<tr>
<td><strong>Three units to be selected from the following:</strong></td>
<td></td>
</tr>
<tr>
<td>DRAM 125 Stage Movement</td>
<td>2</td>
</tr>
<tr>
<td>DRAM 129 Voice for the Stage</td>
<td>1</td>
</tr>
<tr>
<td>DRAM 132 Musical Theatre Dance I</td>
<td>1.5</td>
</tr>
<tr>
<td>MUS 181 Voice I</td>
<td>2</td>
</tr>
</tbody>
</table>

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed Drama program curriculum revisions and A.A. Degree requirements.

Administrator Initiating Item
Nick Chang, Interim Vice President of Student Learning
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Credit Course Deletions

Reason for Board Consideration: APPROVAL

BACKGROUND:

Credit courses are recommended for deletion status by the faculty at the discipline level. These deletions are proposed by the academic departments to the Curriculum Committee, a standing committee of the Academic Senate. Deletions are reviewed and approved according to Board policy 2.0001 and 2.000 DP.1.

The following courses are recommended for deletion by the Curriculum Committee from the College of Marin credit curriculum. These courses have not been taught for a period of time or have been replaced by other courses more relevant to student needs.

DELETIONS

<table>
<thead>
<tr>
<th>ART</th>
<th>215</th>
<th>Interior Design IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUN</td>
<td>154</td>
<td>Community Resources for the Disabled</td>
</tr>
</tbody>
</table>

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course deletions.

Administrator Initiating Item
Nick Chang, Interim Vice President of Student Learning
RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed revisions in AS Certificate and Skills Certificates.

Administrator Initiating Item
Nick Chang, Interim Vice President of Student Learning
BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Date: May 12, 2009

Item & File No. B.10.Q

Subject: Less Than 18 Unit Credit Certificate

Reason for Board Consideration: APPROVAL

Enclosure(s):

BACKGROUND:

California Community Colleges may now issue credit certificates for fewer than 18 units per revised Title 5 regulations. Locally approved less than 18 unit certificate programs may be part of a "ladder" of skills, beginning with job entry skills and leading to a full Career Certificate Program or may constitute a skill set that enables a student to upgrade or advance in an existing career. These programs are shorter in duration and narrower in scope than the Career Certificate. Less than 18 unit credit certificates may be advertised in college publications but only the Career Certificate may be advertised as providing full preparation for employment in a career.

The following list of less than 18 unit credit certificate is recommended by the Interim Vice President of Student Learning, and credit departments, and reviewed and approved by the Curriculum Committee for consistency with college mission, meeting a demonstrated need, and feasibility. The certificate is now being recommended for local board approval.

COMPUTER INFORMATION SYSTEMS NEW SKILLS CERTIFICATE

Microsoft Access Database Skills Certificate

<table>
<thead>
<tr>
<th>Course</th>
<th>Title</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>CIS 117</td>
<td>Introduction to Database Design and Programming</td>
<td>1.5</td>
</tr>
<tr>
<td>CIS 127</td>
<td>Intermediate Database Design</td>
<td>1.5</td>
</tr>
<tr>
<td>CIS 137</td>
<td>Advanced Database Design</td>
<td>1.5</td>
</tr>
</tbody>
</table>

Total Units: 4.5

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed less than 18 unit credit certificate.

Administrator Initiating Item

Nick Chang, Interim Vice President of Student Learning
BACKGROUND:

This Memorandum of Understanding (MOU) is submitted to the Board for action due to the time-sensitive nature of the funding period (5/13/09-6/30/09). This Memorandum of Understanding has been reviewed and approved by the District’s Legal Counsel, Adam Ferber, SCLS.

This is an agreement (“AGREEMENT”) between Peralta Community College District (“PERALTA”) and College of Marin including its officers, employees, consultants, subcontractors, and agents (“PARTNER”), (collectively “PARTIES”). This AGREEMENT provides the Marin Community College District $60,000 to enhance and support Sustainable Food Systems and New Media career pathway programs in the Bay Area.

The Bay Area Career Pathway Alliance (“BACPA”)—currently housed at the Peralta College District— supports regional partnerships among regional community college districts for the purpose of developing an effective and comprehensive ongoing regional collaboration between educational, business, and workforce development partners to address emerging workforce development needs, locally and regionally. The activities supported by BACPA provide career training and opportunities for residents in the targeted career areas. This AGREEMENT is for the purpose of supporting Sustainable Food Systems and New Media Career Ladders.

Funds from this grant will support continued development of the current Organic Farm and where the Farm and Garden career programs will be enhanced and promoted. Funds will also be used to support a “New Media” project to help engage business leaders to work with students and educators to link students to local education and occupational opportunities in the “New Media” career fields.

It is anticipated that through this collaboration, the College of Marin will benefit significantly from the participation of all the local schools, professional community, and community members contributing to the success of the Indian Valley Organic Farm and Garden and Multimedia program.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Memorandum of Understanding-Marin Community College District and Peralta Community College District.
MEMORANDUM OF UNDERSTANDING (MOU)

AN AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
PERALTA COMMUNITY COLLEGE DISTRICT
AND
BAY AREA REGIONAL TECH PREP COLLABORATIVE PARTNERS

Revised: May 11, 2009
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PREFACE 5</td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>PARTIES</td>
<td>5</td>
</tr>
<tr>
<td>1.2</td>
<td>Effective Date and Term</td>
<td>5</td>
</tr>
<tr>
<td>1.3</td>
<td>Recitals</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>AUTHORIZATION</td>
<td>6</td>
</tr>
<tr>
<td>2.1</td>
<td>Notice and Certification of Understanding</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>NON-APPROPRIATION OF FUNDS</td>
<td>7</td>
</tr>
<tr>
<td>4</td>
<td>SERVICES and OBLIGATIONS</td>
<td>7</td>
</tr>
<tr>
<td>4.1</td>
<td>PARTNER’S Obligations</td>
<td>7</td>
</tr>
<tr>
<td>4.2</td>
<td>Standard of Performance</td>
<td>9</td>
</tr>
<tr>
<td>4.3</td>
<td>Subcontracting</td>
<td>9</td>
</tr>
<tr>
<td>4.4</td>
<td>Financial Management</td>
<td>9</td>
</tr>
<tr>
<td>5</td>
<td>ALLOWABLE COSTS AND PAYMENT</td>
<td>10</td>
</tr>
<tr>
<td>5.1</td>
<td>Schedule of Payments</td>
<td>10</td>
</tr>
<tr>
<td>5.2</td>
<td>Allowable Costs</td>
<td>10</td>
</tr>
<tr>
<td>5.3</td>
<td>Payment Not Acceptance</td>
<td>11</td>
</tr>
<tr>
<td>5.4</td>
<td>Payments Withheld</td>
<td>11</td>
</tr>
<tr>
<td>5.5</td>
<td>No Obligation to Make Payment</td>
<td>11</td>
</tr>
<tr>
<td>5.6</td>
<td>Taxes</td>
<td>11</td>
</tr>
<tr>
<td>6</td>
<td>INDEMNITY</td>
<td>12</td>
</tr>
<tr>
<td>6.1</td>
<td>Indemnification of PERALTA</td>
<td>12</td>
</tr>
<tr>
<td>6.2</td>
<td>Continuing Performance</td>
<td>12</td>
</tr>
<tr>
<td>7</td>
<td>COMPLIANCE WITH LAWS AND CERTIFICATIONS</td>
<td>12</td>
</tr>
<tr>
<td>7.1</td>
<td>Compliance with Laws</td>
<td>13</td>
</tr>
<tr>
<td>7.2</td>
<td>Technology Accessibility</td>
<td>13</td>
</tr>
<tr>
<td>7.3</td>
<td>Equal Opportunity</td>
<td>14</td>
</tr>
<tr>
<td>7.4</td>
<td>Non-Discrimination</td>
<td>14</td>
</tr>
<tr>
<td>7.5</td>
<td>Sexual Harassment</td>
<td>15</td>
</tr>
<tr>
<td>7.6</td>
<td>Conflicts of Interest</td>
<td>15</td>
</tr>
<tr>
<td>7.7</td>
<td>Fraud or Misappropriation</td>
<td>15</td>
</tr>
<tr>
<td>7.8</td>
<td>Construction Contract Provisions</td>
<td>16</td>
</tr>
<tr>
<td>7.9</td>
<td>Rights to Inventions Made under AGREEMENT</td>
<td>16</td>
</tr>
<tr>
<td>7.10</td>
<td>Air and Water Provisions</td>
<td>17</td>
</tr>
<tr>
<td>7.11</td>
<td>Single Audit Act Amendments of 1996 Compliance</td>
<td>17</td>
</tr>
<tr>
<td>7.12</td>
<td>State Certification Clauses—SIGNATURE ON EXHIBIT D1 REQUIRED</td>
<td>17</td>
</tr>
<tr>
<td>7.13</td>
<td>Federal Certification Clauses—SIGNATURE ON EXHIBIT D2 REQUIRED</td>
<td>17</td>
</tr>
<tr>
<td>8</td>
<td>CONFIDENTIALITY</td>
<td>17</td>
</tr>
<tr>
<td>8.1</td>
<td>Duty to Keep Information Confidential</td>
<td>17</td>
</tr>
<tr>
<td>8.2</td>
<td>Breach of Confidentiality</td>
<td>18</td>
</tr>
<tr>
<td>8.3</td>
<td>Duration of Obligation</td>
<td>18</td>
</tr>
<tr>
<td>9</td>
<td>FINANCIAL STATUS, RECORDS, AND NOTICE</td>
<td>18</td>
</tr>
<tr>
<td>9.1</td>
<td>Financial Solvency</td>
<td>18</td>
</tr>
<tr>
<td>9.2</td>
<td>Accounting Records and Auditing</td>
<td>18</td>
</tr>
<tr>
<td>9.3</td>
<td>Return Documents</td>
<td>19</td>
</tr>
<tr>
<td>9.4</td>
<td>Evaluation</td>
<td>19</td>
</tr>
</tbody>
</table>

Revised: May 11, 2009
9.5 NOTICE.................................................................19
10 MODIFICATION OF AGREEMENT ...........................................19
  10.1 AUTHORIZED AGENTS..............................................20
  10.2 Modifications.........................................................20
  10.3 Renewal..................................................................20
  10.4 Provision of Reports................................................20
11 ASSIGNMENT................................................................20
  11.1 Prohibition Against Outside Agreements.........................21
12 TERMINATION................................................................21
  12.1 Termination for Cause...............................................21
  12.2 Payment Obligations..................................................21
  12.3 Suspension of Performance........................................21
  12.4 Termination for Convenience.....................................22
  12.5 Termination for Illegality............................................22
  12.6 Tort Claims Act..........................................................22
  12.7 Forum Selection........................................................22
  12.8 Cumulative Remedies................................................22
  12.9 No Special Damages..................................................23
  12.10 Reserve Right to Offset............................................23
  12.11 Statutes of Limitation..............................................23
  12.12 Course of Dispute.....................................................23
13 INTERPRETATION...............................................................23
  13.1 Integration...............................................................23
  13.2 Defined Terms..........................................................24
  13.3 Governing Law...........................................................24
  13.4 Severability...............................................................24
  13.5 Titles of Provisions....................................................24
  13.6 No Third-Party Beneficiaries........................................25
  13.7 PARTNER Is Independent of PERALTA........................25
  13.8 Sovereign Immunity Reserved......................................25
  13.9 No Waiver of Performance.........................................25
14 DOCUMENTS INCORPORATED...................................................25
15 EXECUTED........................................................................27
  15.1 Authority.................................................................27
  15.2 Executed..................................................................27
EXHIBIT A: WORK PLAN.........................................................28
EXHIBIT B: PRICING AND PAYMENT SCHEDULE.........................28
EXHIBIT C: APPLICABLE LAW, REGULATIONS, GUIDELINES AND POLICIES .... 34
EXHIBIT D1: STATE “CONTRACTOR CERTIFICATION CLAUSES” ........... 36
EXHIBIT D2: FEDERAL CERTIFICATIONS....................................42
EXHIBIT E: TRAVEL AND PER DIEM LIMITATIONS..........................47
EXHIBIT F: AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES AND THEIR AUXILIARIES (SUBCONTRACTING).............. Error! Bookmark not defined.
EXHIBIT G: CERTIFICATION OF UNDERSTANDING: FEDERAL FUNDS ........... 50
EXHIBIT H: AUTHORIZED AGENTS...........................................52
EXHIBIT I: NOTICE CONTACTS...............................................53

Revised: May 11, 2009
1 PREFACE

1.1 PARTIES

This is an agreement (“AGREEMENT”) between Peralta Community College District (“PERALTA”), located at 333 E. 8th Street, Oakland, CA 94606 and College of Marin including its officers, employees, consultants, subcontractors, and agents (“PARTNER”), a Local Educational Agency, with its principal office at 835 College Avenue, Kentfield, CA 94904, CA (collectively “PARTIES”).

1.2 Effective Date and Term

The effective date of this AGREEMENT is April 22, 2009 (“EFFECTIVE DATE”). AGREEMENT remains effective until it terminates on June 30, 2009 (“TERMINATION DATE”), unless terminated sooner, as provided herein.

1.3 Recitals.

A. Whereas California’s future economy depends on the effectiveness of our state’s education system. Our state’s employers rely on the education system more than ever to provide graduates who are well prepared for the intellectually demanding jobs of tomorrow. To influence and achieve this outcome, it is increasingly evident that the blending of the workforce and education systems is critical to sustaining and advancing California’s economy and quality of life for our citizens. Partnerships between education and business and industry at the state, regional, and local levels are critical to support a workforce that can make the necessary transitions among occupations, industries, and careers through lifelong learning and skill advancements as the state’s economy evolves.

B. Whereas the Tech Prep Regional Coordination Project brings together representatives from participating community college districts, colleges, Tech Prep consortia, primary and secondary schools (K-12), and workforce community to develop a unified response to workforce development issues in a region.

C. Whereas the Bay Area Career Pathway Alliance (“BACPA”) establishes a regional partnership among sixteen (16) regional community college districts for the purpose of developing an effective and comprehensive ongoing regional collaboration between educational, business, and workforce development partners to address emerging workforce development needs, locally and regionally, and providing career training and opportunities for residents in the target areas.

D. Whereas PERALTA is recognized by the state as the lead partner in the BACPA project.

E. Whereas PARTNER wishes to enter into this agreement with PERALTA and will fulfill obligations defined in this AGREEMENT, in return for payment(s) administered through PERALTA as defined in this AGREEMENT.
F. Whereas PARTNER understands that BACPA is a Federally funded program. State and Federal laws apply to the administration of BACPA.

Now, therefore in consideration of the mutual agreement set forth in the AGREEMENT, the parties agree as follows:

2 "AUTHORIZATION"

Bay Area Career Pathway Alliance (“BACPA”), a California Department of Education Tech Prep Regional Coordination Project (California Agreement Number: CN0883316), is authorized to receive state-administered Federal funding under the Carl D. Perkins Career and Technical Education Act of 2006, Title II, Public Law 109-270, 20 U.S.C. Section 2373. This AGREEMENT is funded in part or whole with a Vocational Education Basic Grant to States or a Tech-Prep Education Grant, both from the United States Department of Education, Office of Vocational and Adult Education.

Basic Grants of funds to states are subject to Title 34 CFR sections 400 and 403; EDGAR (Title 34 CFR sections 74, 76 (except 76.103), 77, 79, 80, 81, 82, and 83); OCR Guidelines for Vocational Education. In addition to the above regulations, Tech Prep funds are subject to Title 34 CFR 406; EDGAR, Parts 86. Federal programs are described in the Catalog of Federal Domestic Assistance (CFDA) database. The CFDA numbers for Basic Grants to states and Tech Prep programs are 84.048 and 84.243, respectively.

2.1 Notice and Certification of Understanding

PARTNER’S Chief Financial Officer certifies by signing Exhibit G—Certification of Understanding: Federal Funds that PARTNER has been given notice and understands that BARTPC is a Federally funded program. Federal regulations and guidelines for the administration of Basic and Tech Prep grants shall be observed and applied by PARTNER.

3 "NON-APPROPRIATION OF FUNDS"

The principal agreement between the State of California Department of Education and PERALTA, allocating funds for Tech Prep programming with PARTNER, is valid and enforceable only if sufficient funds are made available to the State by the United States Government and the California State Legislature for the purpose of this program. In addition, the principal agreement is subject to any additional restrictions, limitations, conditions, or any statute enacted by Congress or the State Legislature that may affect the provisions, terms, or funding of the principal agreement. Therefore, if funds are not appropriated for any succeeding fiscal year subsequent to the one in which this AGREEMENT is entered into, for the purposes of this AGREEMENT, then PERALTA may terminate this AGREEMENT upon thirty (30) days prior written notice to PARTNER. Should termination be accomplished in accordance with this Section, PERALTA shall be liable only for payments due through the date of termination.

Revised: May 11, 2009
SERVICES AND OBLIGATIONS

PARTNER and PERALTA shall comply with the required elements established for all Tech Prep programs as indicated in the Carl D. Perkins Career and Technical Education Improvement Act of 2006.

4.1 PARTNER'S Obligations

4.1.1 Service

PARTNER shall deliver outcomes as specified in Exhibit A—Work Plan (collectively, "WORK").

4.1.2 Requirements for Communication and Reporting

PARTNER shall be required to submit an itemized invoice, and fiscal and progress reports in accordance with the schedule specified in Exhibit A—Work Plan and Exhibit B—Pricing and Payment Schedule.

4.1.2.1 Invoices

See section 5 and Exhibit B—Pricing and Payment Schedule. PARTNER must include a statement in the invoice acknowledging that a Federal grant is the funding source for the payment.

4.1.2.2 Fiscal Reports

PARTNER shall comply with all state and Federal fiscal accounting practices as specified in OMB Circulars A-110 and A-21).

PARTNER shall provide a fiscal report within thirty (30) days of the TERMINATION DATE that complies with state and Federal fiscal accounting practices. See section 4.4—Financial Management—below.

4.1.2.3 Progress Reports

The reports shall include detailed description of significant outcomes of the project. Descriptions of activities should be related only to the tasks and scope of the project.

In addition, PARTNER shall submit to PERALTA an end-of-project report on the project’s goals, including evaluative evidence to support project successes and suggested strategies for program improvement. The format for these reports shall comply with California Department of Education contracting requirements.

Revised: May 11, 2009
4.1.2.4 Ongoing Contact and Monitoring

Ongoing contact with project monitors is required. Funded projects will be subject to one or more formal site visits during the period of performance. PARTNER agrees to allow such site visits by the project monitors. Current project monitors are specified in Exhibit I—Notice Contacts.

PARTNER agrees to allow the following monitoring activities:

- **Reporting** – PERALTA shall review all financial and performance reports submitted by PARTNER.

- **Site visits** – PARTNER shall allow periodic site visits by PERALTA and the state project monitor to review financial and programmatic records and observe operations.

- **Regular contact** – PERALTA and PARTNER shall maintain regular contact and appropriate inquiries concerning program activities.

4.1.2.5 Training Workshop, Meetings, and Conference

BARTPC participants, including PARTNER and PERALTA, are required to send the project director and budget representative to training workshop in Sacramento. The project director must attend a minimum of two meetings in Sacramento or an alternate location to discuss progress, accomplishments, and spending status for the project. Participants must send delegates to attend and participate in the annual Education for Careers Conference in 2009 and 2010 to participate in the Tech Prep Directors’ Meeting, submit progress reports, and provide at least one conference presentation each conference year.

4.1.3 Document Retention

PARTNER shall retain fiscal and progress reports documents for a minimum period of five (5) years.

4.2 Standard of Performance

PARTNER represents that it is qualified to perform the WORK and that it possesses and will continue to possess, at its sole cost and expense, all licenses, registrations, permits, and personnel necessary to provide the work.

4.3 Subcontracting

PARTNER shall adhere to the rules in Exhibit F—Agreements with Other Governmental Entities and Their Auxiliaries (Subcontractors).

4.4 Financial Management
PARTNER shall use procurement procedures that conform to applicable Federal laws, regulations, and standards identified in OMB Circular A-110 (Title 2 CFR part 215).

PARTNER’S financial management system shall provide for the following:

a. accurate, current and complete disclosure of the financial results of each federally-sponsored project or program in accordance with the reporting requirements set forth in OMB Circular A-110 section 215.52;
b. records that identify adequately the source and application of funds for federally-sponsored activities. These records shall contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, income, and interest;
c. effective control over and accountability for all funds, property, and other assets;
d. comparison of outlays with budget amounts for each award;
e. written procedures for determining the reasonableness, allocation, and allowance of costs in accordance with provisions of OMB Circular A-21;
f. accounting records including cost accounting records that are supported by source documentation.

5 ALLOWABLE COSTS AND PAYMENT

5.1 Schedule of Payments

PERALTA shall pay PARTNER according to Exhibit B--Pricing and Payment Schedule.

PARTNER shall invoice PERALTA for payments as set forth in Exhibit B. Late payment by PERALTA shall not constitute a material breach of the AGREEMENT.

5.1.1 Invoices Must Affirm Understanding that Payment is from Federal Funds

PARTNER must include a statement in the invoice to PERALTA, affirming that PARTNER understands that funding for the BARTPC project is a Federal grant, and that PARTNER applied appropriate procedures for accounting and auditing of Federal grants, comprised of OMB Circulars A-133, A-110, and A-21.

5.2 Allowable Costs

PARTNER shall compensate its faculty, ROP/high school, community partners for work done to meet the goals, objectives, and work plan of the BARTPC project. This contract does not permit PARTNER to charge indirect expenses to PERALTA for the performance of these services. PARTNER will invoice PERALTA for direct expenses and services incurred after those expenses have been incurred and after services have been delivered.

5.2.1 Indirect Expenses Not Compensable
The allowance of costs incurred by PARTNER, an institution of higher education, is determined in accordance with the provisions of 2 CFR 220, “Cost Principles for Education Institutions (OMB Circular A-21).”

5.2.2 Travel and Per Diem Limitations

PARTNER will comply with the State of California Short-term Travel Expense Reimbursement Program, as outlined in Exhibit E—Travel and Per Diem Limitations.

5.2.2.1 Out-of-State/Out-of-Country Travel Expenses Are Not Compensable

5.3 Payment Not Acceptance

No payment made to PARTNER shall be construed as an acceptance or approval of any of the WORK or constitute a waiver of any claim or right that PERALTA may then or thereafter have against PARTNER. Payments shall be subject to correction or adjustment in subsequent reviews and payments.

5.4 Payments Withheld

PERALTA may withhold payment on or offset against an invoice or a portion thereof in an amount and to such extent as may be reasonably necessary to protect PERALTA from loss because of:

a. PARTNER’S failure to supply the WORK in accordance with the AGREEMENT;

b. third-party claims, suits, or liens arising out of or relating to PARTNER’S supply of the WORK, except to the extent secured or provided for by insurance, bond, or otherwise to PERALTA’S reasonable satisfaction; or

c. PARTNER’S failure to pay money to PERALTA when due.

5.5 No Obligation to Make Payment

Notwithstanding any provision to the contrary, PERALTA shall have no obligation to make any payment to PARTNER at any time, after NOTICE to PARTNER when:

a. PARTNER is in material breach of the AGREEMENT; or

b. PARTNER fails to furnish and maintain evidence of current insurance in accordance with the requirements of the AGREEMENT.

5.6 Taxes

PARTNER agrees to file applicable local, county, state, and federal tax returns and pay all applicable local, county, state and federal taxes on amounts paid pursuant to the AGREEMENT. In case PERALTA is audited for compliance regarding any applicable taxes, PARTNER agrees to furnish PERALTA with proof of payment of taxes on those earnings. PARTNER
acknowledges that PERALTA will report all earnings to the California State Franchise Tax Board and the Internal Revenue Service as required by law.

6 INDEMNITY

6.1 Indemnification of PERALTA

PARTNER shall defend, indemnify, and hold harmless PERALTA and its officers, agents, employees from and against all claims, demands, actions, costs (including attorneys’ fees) or liability arising from or related to the negligence, willful misconduct, or omission of PARTNER, its officers, agents, or employees in connection with or arising from or out of the performance of this AGREEMENT.

PERALTA shall defend, indemnify, and hold harmless the PARTNER and its officers, agents, employees from and against all claims, demands, actions, costs (including attorneys’ fees) or liability arising from or related to the negligence, willful misconduct, or omission of PERALTA, its officers, agents, or employees in connection with or arising from or out of the performance of this AGREEMENT.

This indemnification obligation shall survive the termination or expiration of this AGREEMENT.

6.2 Continuing Performance

If any third party claim materially impairs performance of the WORK, then PARTNER, at its sole expense, shall timely procure the right from said third party to continue its performance of its obligations under the AGREEMENT. Further, if an Indemnified Party should be enjoined from the use of any materials, combinations, or processes provided or to be provided under this AGREEMENT, due to the negligent act or omission of the Indemnifying Party, the Indemnifying Party shall either:

1. promptly secure termination of any injunction and procure for the affected Indemnified Party the right to use such material, combination, or process, without obligation or liability; or
2. promptly replace such materials, combinations, or processes, or modify the same to become non-infringing,

all at the Indemnifying Party’s sole expense, but subject to all the requirements of the AGREEMENT.

7 COMPLIANCE WITH LAWS AND CERTIFICATIONS

7.1 Compliance with Laws

PARTNER declares that PARTNER is eligible to contract with the State of California.
PARTNER declares that PARTNER shall fully comply with all laws, executive orders, regulations, PERALTA Board Policies, and other legal requirements applicable to PARTNER and to the WORK. Failure to comply with this Article shall constitute a material breach of the AGREEMENT.

Applicable Federal and California laws, orders, regulations, policies, and other program related documents, which may be revised from time to time, are incorporated herein by reference as though set forth in their entirety. Applicable documents are referenced in Exhibit C of this AGREEMENT. Additional copies may be obtained from PERALTA upon request. The PARTNER's endorsement on this AGREEMENT signifies that appropriate PARTNER personnel have read and understand all applicable laws, regulations, guidelines, and policies, and serves to certify that PARTNER will abide by the provisions thereof. The failure of the PARTNER to examine and abide by any of the documents, or the terms and conditions of this AGREEMENT, shall in no way relieve the PARTNER from obligations with respect to the requirements contained in the documents or the AGREEMENT.

7.2 Technology Accessibility

PARTNER hereby warrants that the WORK to be provided under the AGREEMENT complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended, its implementing regulations set forth at Title 36, CFR, part 1194, and California Government Code Section 11135 incorporating Section 508. PARTNER agrees to promptly respond to and resolve any complaint regarding accessibility of the WORK which is brought to its attention.

7.3 Equal Opportunity

7.3.1 Equal Opportunity in Contracting

PERALTA is committed to ensuring equal opportunity and equitable treatment in awarding and managing its public contracts. Therefore, it is the policy of PERALTA to encourage and facilitate full and equitable opportunities for small local business enterprises and small emerging local business enterprises to participate in prime contracting and subcontracting with PERALTA. PERALTA policy prohibits discrimination in PERALTA programs and services, including contracting, subcontracting, personal and professional services, goods and maintenance, repairs, and operations. PARTNER shall fully comply with the PERALTA’S equal opportunity and equitable treatment policies and implementing procedures and shall not discriminate against or grant preferential treatment to any subcontractor on the basis of race, color, religion, creed, national origin, sex, actual or perceived sexual orientation, transgender status at any stage, marital status, disability, medical status or conditions, age, ancestry, gender identity, political affiliation, veteran status, or other personal characteristic protected by law in the performance of the AGREEMENT.

7.3.2 Equal Employment Opportunity

PARTNER’s execution of AGREEMENT certifies that PARTNER shall comply with Executive Order ("E.O.") 11246, "Equal Employment Opportunity," as amended by E.O. 11375,

7.4 Non-Discrimination

PARTNER agrees to comply with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 11246, PERALTA Board Policy 4.03, and all applicable laws, rules, and regulations in regard to non-discrimination and equal opportunity. PARTNER agrees and assures that it will not discriminate against, permit discrimination against, harass, or permit harassment against any individual, including but not limited to employees, applicants for employment, or students, because of race, color, religion, creed, national origin, sex, actual or perceived sexual orientation, transgender status at any stage, marital status, disability, medical status or conditions, age, ancestry, gender identity, political affiliation, veteran status, or other personal characteristic protected by law. PARTNER will, in all solicitations or advertisements for employees, placed by or on behalf of PARTNER, state that all qualified applicants will receive consideration for employment without regard to the aforementioned protected personal characteristics. PARTNER certifies that it does not and will not maintain segregated facilities.

7.4.1 Posting

PARTNER agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the non-discrimination provisions of this Article. PARTNER will send each labor union or representative of workers with which PARTNER has a collective bargaining agreement or other contract or understanding a notice, to be provided by the contracting officer, advising of PARTNER’S commitments under Executive Order 11246.

7.5 Sexual Harassment

PARTNER declares that it will not sexually harass or permit sexual harassment against any individual, including but not limited to employees, applicants for employment, or students. PERALTA shall have the right to remove an alleged offender from performance of the WORK pending the results of a sexual harassment investigation.

7.6 Conflicts of Interest

PARTNER represents that it is familiar with California Government Code Sections 1090 et seq. and 87100 et seq., and that it does not know of any facts that constitute a violation of said sections or PERALTA’S conflict of interest code, Board Policy 6.86. PARTNER represents that it has completely disclosed to PERALTA, and if applicable will disclose in the future, all facts bearing upon any possible interests, direct or indirect, which PARTNER believes any member of PERALTA, or other officer, agent, or employee of PERALTA or any department presently has, or will have, in the AGREEMENT, or in the performance thereof, or in any portion of the profits thereunder. If PARTNER subsequently becomes aware of any such facts, PARTNER shall
promptly provide NOTICE to PERALTA of same, along with a proposal for remedying the violation. PERALTA, at its sole discretion, may determine whether the proposal or any other proposed resolution is satisfactory.

PARTNER represents that it does not presently have, and shall not have during the AGREEMENT PERIOD, any direct or indirect interest that would conflict in any manner or degree with the performance of WORK required by the AGREEMENT. PARTNER further represents that it will not employ, subcontract to, or otherwise involve any person or entity having such conflicts of interest in the performance of the AGREEMENT. If PARTNER subsequently becomes aware of any such conflicts of interest, PARTNER shall promptly provide NOTICE to PERALTA of same, along with a proposal for remedying the violation. PERALTA, at its sole discretion, may determine whether the proposal or any other proposed resolution is satisfactory.

PARTNER is aware of California conflict of interest provisions applicable to current State employees (Public Contract Code section 10410), former state employees (Public Contract Code section 10411).

7.7  Fraud or Misappropriation

PARTNER certifies that none of its officers have been convicted of fraud or misappropriation of funds.

7.8  Construction Contract Provisions

7.8.1  Copeland “Anti-Kickback” Act Compliance

PARTNER shall comply with the Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 276c). All contracts and subgrants in excess of $2000 for construction or repair awarded by recipients and subrecipients shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874), as supplemented by Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States").

7.8.2  Davis-Bacon Act Compliance

PARTNER shall comply with the Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7). When required by Federal program legislation, all construction contracts awarded by the recipients and subrecipients of more than $2000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction").

7.8.3  Contract Work Hours and Safety Standards Act Compliance

Revised: May 11, 2009
PARTNER shall comply with the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333). Where applicable, all contracts awarded by recipients in excess of $2000 for construction contracts and in excess of $2500 for other contracts that involve the employment of mechanics or laborers shall include a provision for compliance with Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), as supplemented by Department of Labor regulations (29 CFR part 5).

7.9 Rights to Inventions Made under AGREEMENT

Contracts or agreements for the performance of experimental, developmental, or research work shall provide for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

7.10 Air and Water Provisions

PARTNER shall, when applicable, agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.).

7.11 Single Audit Act Amendments of 1996 Compliance

PARTNER will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. sections 7501-7507) and OMB Circular A-133.

7.12 State Certification Clauses—SIGNATURE ON EXHIBIT D1 REQUIRED

By executing AGREEMENT, PARTNER certifies that they are knowledgeable of and will comply with the California provisions listed herein, described in Exhibit D1—Contractor Certification Clauses.

Exhibit D1 requires the signature of PARTNER’S authorizing agent.

7.13 Federal Certification Clauses—SIGNATURE ON EXHIBIT D2 REQUIRED

By executing AGREEMENT, PARTNER certifies that they are knowledgeable of and will comply with the Federal provisions pertaining to Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug-free Workplace, as provided in Exhibit D2—Federal Certifications.

Exhibit D2 requires the signature of PARTNER’S authorizing agent.
8 CONFIDENTIALITY

8.1 Duty to Keep Information Confidential

Except as otherwise provided by applicable law, PARTNER shall treat as confidential all non-public information disclosed by PERALTA in connection with this Agreement, including but not limited to written or oral communications, education records (as defined under the Family Educational Rights and Privacy Act of 1974 (FERPA)), personal data, plans, specifications, and other data (collectively, “Confidential Information”). The terms and conditions of this Agreement shall also be deemed Confidential Information. PARTNER shall not disclose Confidential Information to any third party except as PERALTA authorizes, and shall only disclose it to those within PARTNER’s organization who need to use it in performance of the Agreement. Upon completion or termination of this Agreement, Contractor shall return or destroy all such Confidential Information (except for this Agreement), or otherwise dispose of it as PERALTA may approve. This provision is not intended to restrict PARTNER’s right to use or disclose information that is already known to the public or rightfully obtained without restriction from other sources. PARTNER shall defend, indemnify and hold harmless PERALTA from and against any and all claims, demands, damages, liabilities, expenses, losses of every nature and kind, including but not limited to attorney’s fees and costs, sustained or alleged to have been sustained by PERALTA as a result of any disclosure or use of any Confidential Information in violation of this Agreement.

8.2 Breach of Confidentiality

Both PARTIES agree that in the event of a breach, threatened breach, violation, or evasion of the terms of this provision, immediate and irreparable injury shall occur to the injured party, that such injury shall be impossible to measure or remedy in monetary damages, and PERALTA shall be authorized to seek recourse to all equitable remedies, including injunctive relief or specific performance, provided however that such remedies shall not be exclusive of other legal or equitable remedies otherwise available under this AGREEMENT and/or at law.

8.3 Duration of Obligation

The obligations of the PARTIES pursuant to this article on Confidentiality shall extend indefinitely beyond the AGREEMENT PERIOD.

9 FINANCIAL STATUS, RECORDS, AND NOTICE

9.1 Financial Solvency

By signing the AGREEMENT, PARTNER affirms financial stability and continued solvency. At the request of PERALTA, PARTNER will provide written evidence of its financial stability and solvency.

9.2 Accounting Records and Auditing
PARTNER shall keep accurate and complete accounting records concerning performance of the AGREEMENT in accordance with state and Federal guidelines, and generally recognized accounting principles and practices consistently applied. See section 4.4.

PERALTA shall have the right at any reasonable time to examine, audit, and reproduce the records. If such records are not kept and maintained within a radius of 75 miles from Peralta's main offices, PARTNER shall, upon request of Peralta, and at no cost to Peralta, make such records available to Peralta for inspection at a location within said 75 mile radius. Such records shall be available for five (5) years after the latest of:

(a) delivery of the WORK;
(b) termination of the AGREEMENT; or
(c) resolution of any pending issues between Peralta and PARTNER with respect to the AGREEMENT.

PARTNER agrees to allow interviews of any of its employees who might reasonably have information related to such records and to otherwise assist Peralta in its auditing procedures at no cost to Peralta. The provisions of this section shall be specifically enforceable.

9.3 Return Documents

If PARTNER has accepted any forms or other writings on Peralta's behalf, those forms and writings shall be returned to Peralta at the end of the AGREEMENT PERIOD or upon earlier termination of the AGREEMENT, at no cost to Peralta.

9.4 Evaluation

In accordance with procedures established by Peralta, PARTNER'S performance under the AGREEMENT will be evaluated. The evaluation shall include quality and adequacy of performance and whether performance is timely. Evaluation records shall be kept by Peralta and may be used in future selection of contractors.

9.5 NOTICE

PARTIES shall provide notice ("NOTICE") to each other in the form of a writing sent by certified mail with return receipt requested or by overnight courier or delivery service with signature required, to the notice contact specified in Exhibit I—Notice Contacts. NOTICE will be deemed given on the date of receipt by the designated recipient.

10 MODIFICATION OF AGREEMENT

10.1 AUTHORIZED AGENTS

Each PARTY shall specify at least one agent with authority to modify the AGREEMENT ("AUTHORIZED AGENT") in Exhibit I Authorized Agents.
10.2 Modifications

No modification, including but not limited to amendments, limitations, waivers, change orders, and supplements, shall bind either PARTY unless it is in writing and signed by the AUTHORIZED AGENTS of both PARTIES. The PARTIES expressly recognize that PERALTA personnel who are not AUTHORIZED AGENTS cannot order or approve additions, deletions, or revisions in the WORK ("CHANGES"). Failure of PARTNER to secure proper authorization for CHANGES shall constitute a waiver of any and all right to adjustment in payment or delivery timetable due to such unauthorized CHANGES, and PARTNER thereafter shall be entitled to no compensation or reimbursements whatsoever for the performance of such CHANGES.

10.3 Renewal

Upon the mutual agreement of PARTIES, this AGREEMENT may be renewed, contingent upon funding. Renewal of the AGREEMENT shall be authorized in writing by AUTHORIZED AGENTS of both PARTIES. Renewals shall include all terms of the AGREEMENT unless expressly modified in the renewal contract.

10.4 Provision of Reports

Notwithstanding any other provision in the AGREEMENT, PARTNER shall deliver any report requested by PERALTA during the AGREEMENT PERIOD that PARTNER agrees, either orally or in writing, to provide. Failure by PARTNER to submit the report within the time frame agreed upon by both PARTIES will be considered a breach of the AGREEMENT. PARTNER shall provide PERALTA with status reports, at no cost to PERALTA, upon NOTICE of a request by PERALTA.

11 ASSIGNMENT

PARTNER may neither assign the AGREEMENT, in whole or in part, nor any money payable under the AGREEMENT without PERALTA’S prior written consent. Any such assignment without PERALTA’S prior written consent shall be null, void, and of no force and effect whatsoever. PERALTA reserves the right to assign the AGREEMENT to an affiliate of or contractor of PERALTA with the prior written consent of PARTNER which shall not be unreasonably withheld, provided that at any time after PARTNER has been paid in full for work then provided, PERALTA may, without the consent of PARTNER, assign the AGREEMENT to an affiliate or a contractor of PERALTA upon NOTICE to PARTNER.

11.1 Prohibition Against Outside Agreements

PERALTA and PARTNER shall not enter into agreements related to products and/or services of this contract with any out-of-state agency or organization. Any out-of-state agency or organization shall negotiate with the California Department of Education for products and/or services pertaining to this contract.
12 TERMINATION

AGREEMENT shall terminate upon completion by PARTNER of the obligations listed in Section 4 or by the TERMINATION DATE, whichever occurs first, whichever occurs first. This AGREEMENT may be terminated by either party upon thirty (30) days written notice. AGREEMENT may also be cancelled immediately by mutual written consent.

12.1 Termination for Cause

PERALTA may terminate performance under the AGREEMENT, in whole or in part subject to the condition that PARTNER commit a material breach. If PERALTA elects to terminate the AGREEMENT for cause, PERALTA shall provide NOTICE to PARTNER of its breach and of the extent to which performance shall be terminated. PARTNER shall immediately upon receipt of said NOTICE cease performance per the terms of the NOTICE and mitigate damages.

12.2 Payment Obligations

In the event AGREEMENT is terminated prior to completion of the project, PERALTA shall pay PARTNER the allowable costs incurred by PARTNER to the time of the termination.

12.3 Suspension of Performance

PERALTA may suspend, delay, or interrupt performance, in whole or in part, for such periods of time as PERALTA may determine in its sole discretion. PARTNER shall immediately upon receipt of NOTICE of such decision cease performance per the terms of the NOTICE and mitigate damages. Such suspension, delay, or interruption of WORK shall excuse performance by PARTNER until PERALTA gives PARTNER Ten (10) days advance written notice to recommence performance.

12.4 Termination for Convenience

PERALTA may terminate performance of the AGREEMENT, in whole or in part, for convenience upon its determination that such termination is in PERALTA’S best interests. PARTNER shall immediately upon receipt of NOTICE of such decision cease performance per the terms of the NOTICE and mitigate damages. For portions of performance that are terminated, PARTNER shall be entitled to be paid for WORK satisfactorily performed and expenses reasonably incurred to the termination date and for such additional reasonable costs as are associated with the termination, but may recover no other cost, damage, or expense.

12.5 Termination for Illegality

PERALTA may terminate performance of the AGREEMENT in whole or in part for illegality immediately upon its determination that an activity or operation supported by the AGREEMENT is no longer lawful for reasons including but not limited to court decision, legislative action, administrative decision, or advice of counsel. Upon receipt of NOTICE of termination or reduction based on a finding of illegality, PARTNER shall immediately cease performance of
such activity and mitigate damages. PARTNER shall be entitled to be paid for WORK satisfactorily performed to the termination date and for reasonable costs associated with the termination, but may recover no other cost, loss, damage, or expense.

12.6 Tort Claims Act

No provision of the AGREEMENT shall alter the requirements of the Tort Claims Act, California Government Code Section 810 et seq.

12.7 Forum Selection

The exclusive venue for all litigation arising from or relating to the AGREEMENT shall be in Alameda County, California.

12.8 Cumulative Remedies

The remedies provided in the AGREEMENT are cumulative. A PARTY who exercises a right or remedy will not be precluded from asserting any other right or from seeking any other remedies available to that party.

12.9 No Special Damages

Notwithstanding any other provision, in no event shall PERALTA be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including but not limited to lost profits or revenue, arising out of or in connection with the AGREEMENT.

12.10 Reserve Right to Offset

PERALTA reserves the right to offset the reasonable cost of all damages caused to PERALTA against any outstanding invoices or amounts owed to PARTNER.

12.11 Statutes of Limitation

As between the PARTIES to the AGREEMENT, any applicable statute of limitations for any act or failure to act shall commence to run on the date of PERALTA'S issuance of the final certificate for payment, or termination of the AGREEMENT, whichever is earlier, except for latent defects, for which the statute of limitation shall begin running upon discovery of the defect and its cause.

12.12 Course of Dispute

Unless PERALTA gives NOTICE to stop work or of its intent to terminate this AGREEMENT, nothing in the AGREEMENT shall allow PARTNER to discontinue the WORK during the course of any dispute, and PARTNER'S failure to continue the WORK during any and all disputes shall be considered a material breach of the AGREEMENT.
13 INTERPRETATION

13.1 Integration

It is mutually understood and agreed that this AGREEMENT, the Exhibits, and any documents, provisions of law or PERALTA policies attached or referenced to herein are incorporated herein by reference and together serve as the final, complete, and exclusive agreement of the PARTIES, setting out the entire intention of the PARTIES. Any and all prior agreements or representations are superseded hereby. No evidence of alleged prior dealings, usage of trade, or course of dealing or of performance not specifically and in terms set out herein shall be deemed in any sense relevant to supply any unexpressed term, to supplement or qualify this writing, or to engraft thereon any stipulation or obligation different from, or inconsistent with, law or with the express provisions hereof. No oral evidence of allegedly consistent additional terms be admissible without a specific preliminary finding by the court or arbitrator that this contract is ambiguous and in what respect. All oral contracts and representations have been reduced to writing and are included in the AGREEMENT.

13.2 Defined Terms

Each term that is defined in the AGREEMENT shall have the same meaning throughout the AGREEMENT.

13.3 Governing Law

The AGREEMENT shall be deemed to have been executed in the City of Oakland, Alameda County, California. Enforcement of the AGREEMENT, including arbitration, shall be governed by, and construed and enforced in accordance with, the state, and federal laws in effect in the City of Oakland, Alameda County, California, including but not limited to California Government Code Section 818, but excluding California’s conflict of laws principles that would cause the application of laws of any other jurisdiction.

13.4 Severability

Should any provision, or part thereof, of the AGREEMENT be determined at any time to be unenforceable or in contravention of law, then the remaining provisions, and the remainder of such provision, shall be enforceable to the fullest extent permitted by law and construed to give effect to the intent of the AGREEMENT to the fullest extent possible.

13.5 Titles of Provisions

The titles given to the articles, sections, and subsections of the AGREEMENT are for ease of reference only and shall not be used in the construction or interpretation of the AGREEMENT or relied upon or cited for any other purpose.
13.6 No Third-Party Beneficiaries

Except as expressly provided, nothing in the AGREEMENT shall operate to confer rights or benefits on persons or entities that are not a party to the AGREEMENT.

13.7 PARTNER Is Independent of PERALTA

This AGREEMENT is by and between two independent agencies and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. PARTNER and its officers, agents, and employees are not entitled to participate in any pension, insurance, bonus, or similar benefits PERALTA provides its PERALTA employees. PARTNER shall not sign contracts on behalf of or otherwise bind PERALTA.

13.8 Sovereign Immunity Reserved

Nothing herein shall be construed to waive or limit PERALTA’S sovereign immunity or any other immunity from suit provided by law.

13.9 No Waiver of Performance

The failure of either party to insist, in any one or more instances, upon the performance of any of the terms, covenants, or conditions of the AGREEMENT, or to exercise any right herein, shall not be construed as a waiver or relinquishment of such term, covenant, condition, or right as to further performance. No waiver, properly authorized and in writing, of any breach of any provision shall be construed as a waiver of any continuing or succeeding breach of such provision, a waiver or modification of the provision itself, or a waiver or modification of any right under the AGREEMENT, unless the waiver so states.

14 DOCUMENTS INCORPORATED

The AGREEMENT comprises the general provisions set out in these articles as well as all exhibits:

EXHIBIT A: WORK PLAN
EXHIBIT B: PRICING AND PAYMENT SCHEDULE
EXHIBIT C: APPLICABLE LAW, REGULATIONS, GUIDELINES AND POLICIES
EXHIBIT D1: STATE “CONTRACTOR CERTIFICATION CLAUSES”
EXHIBIT D2: FEDERAL CERTIFICATIONS
EXHIBIT E: TRAVEL AND PER DIEM LIMITATIONS
EXHIBIT F: CERTIFICATION OF UNDERSTANDING: FEDERAL FUNDS
EXHIBIT G: AUTHORIZED AGENTS
EXHIBIT H: NOTICE CONTACTS

.....
EXECUTED

15.1 Authority.

Signing of the AGREEMENT has been done in compliance with Board approval as outlined in the Board Policies for the Peralta Community College District. An AUTHORIZED AGENT for each PARTY shall sign.

15.2 Executed.

The PARTIES have caused the AGREEMENT to be executed effective as of the EFFECTIVE DATE.

PARTNER ACCEPTS AND AGREES:

Signature: __________________________

Print Name: __________________________

Title: __________________________

Date: __________________________

PERALTA ACCEPTS AND AGREES:

Signature: __________________________

Print Name: __________________________

Title: __________________________

Date: __________________________

APPROVED AS TO LEGAL FORM:

EXHIBIT A: WORK PLAN

Objective (A)—Careers in Sustainable Food Systems

To facilitate a community-wide process for integrating curriculum and activities that establish and promote a community college/secondary program for careers in sustainable horticulture, agriculture and local food systems.

Revised: May 11, 2009
Task #1: Work with education and business partners to identify key elements in the design of a community college/secondary program for careers in sustainable horticulture, agriculture and local food systems.

15.2.1 Task #2: Develop a workplan to create community college/secondary program for careers in sustainable horticulture, agriculture and local food systems.

15.2.2 Task #3: Coordinate with community college/secondary programs in the region to research, revise and develop curricula for careers in sustainable horticulture, agriculture and local food systems.

15.2.3 Task #4: Support and enhance the College of Marin’s Organic Food Systems program to serve as a model to the Bay Area Sustainable Food Systems programs.

Deliverable: Draft a career pathway and recommend curriculum for careers in sustainable horticulture, agriculture and local food systems.

Objective (B)—Careers in New Media

To facilitate a community-wide process for integrating curriculum and activities that promote a community college/secondary program for careers in new media production.

15.2.4 Task #1: Work with education and business partners to identify key elements in the design of a community college/secondary program new media project that promote regional community college/secondary education program and career opportunities.

15.2.5 Task #2: Engage workteam to produce new media project business plan that promotes regional community college/secondary program education and career opportunities.

15.2.6 Task #3: Engage education and industry partners to support a new media project that promotes regional community college/secondary program education and career opportunities.

15.2.7 Deliverable: New media project business plan that promotes regional community college/secondary program education and career opportunities.

Funding:

Funds provided under this contract will be utilized for contracts, wages, materials supplies, and equipment to meet the objectives of this workplan in the amount not to exceed $60,000.
EXHIBIT B: PRICING AND PAYMENT SCHEDULE

As full compensation for all WORK contemplated by the AGREEMENT, PARTNER shall be recompensed by payment of $60,000 for the Fiscal Year ("FY") 2008-2009. PARTNER shall submit a maximum of two (2) invoices to the Peralta Community College District Office for payment during FY 2008-2009. Invoices shall be submitted for the amounts noted below no later than the dates that follow:

1. May 15, 2009
2. June 20, 2009

Invoicing:

1. Invoices shall include the California Department of Education agreement number.

2. Invoicing must comply with the State Contracting Manual:
   (a) State Contracting Manual, Chapter 3, Section 3.06 –See Exhibit F—Agreements with Other Governmental Entities and Their Auxiliaries
   (b) State Contracting Manual, Chapter 7, Section 7.30, summarized below:
      A. If payment is on a cost-reimbursement basis, the following items should be included and all unit rates must be extended and totaled (PCC § 10371[C]):
         1. Personal service costs showing individual or position rates per unit of time
         2. Fringe benefits costs citing actual benefits or a percentage of personal services costs
         3. Operating expenses including rent and supplies
         4. Equipment costs specifying equipment to be bought and the disposition of equipment at the end of the contract
         5. Travel expenses and per diem rates set at the rate specified by the Department of Personnel Administration for similar employees or verification supplied that such rates are not available to the contractor
         6. Overhead
         7. Other specific breakdown required
      B. A consultant services contract must contain the above items. (PCC § 10371(c))
      C. If payment is based on a lump sum or fixed price for the total project, the contractor is paid for an agreed upon result.

3. PARTNER must include a statement in the invoice to PERALTA, affirming that PARTNER understands that funding for the BARTPC project is a Federal grant, and that PARTNER applied appropriate accounting compliance procedures for Federal funds. OMB Circulars A-133 (compliance requirements), A-21 (cost principles), and A-110 (procurement standards) are applicable. PARTNER may submit the following form with each invoice, acknowledging that the funding for the Tech Prep program is from a Federal grant.

Revised: May 11, 2009
INVOICE ADDENDUM: TECH PREP IS FEDERALLY FUNDED

This form must be attached with every invoice submitted to Peralta Community College District for reimbursement of BARTPC expenses.

AUTHORIZATION FOR TECH PREP COLLABORATIVE:

Bay Area Career Pathway Alliance ("BACPA"), a California Department of Education Tech Prep Regional Coordination Project (California Agreement Number: CN0883316), is authorized to receive state-administered Federal funding under the Carl D. Perkins Career and Technical Education Act of 2006, Title II, Public Law 109-270, 20 U.S.C. Section 2373. This AGREEMENT is funded in part or whole with a Vocational Education Basic Grant to States or a Tech-Prep Education Grant, both from the United States Department of Education, Office of Vocational and Adult Education.

*Basic Grants* of funds to states are subject to *Title 34 CFR sections 400 and 403; EDGAR (Title 34 CFR sections 74, 76 (except 76.103), 77, 79, 80, 81, 82, and 85); OCR Guidelines for Vocational Education.* In addition to the above regulations, *Tech Prep* funds are subject to *Title 34 CFR 406; EDGAR, Parts 86.* Federal programs are described in the Catalog of Federal Domestic Assistance (CFDA) database. The CFDA numbers for *Basic Grants* to states and *Tech Prep* programs are 84.048 and 84.243, respectively.

By checking the box below, PARTNER acknowledges that the attached invoice will be reimbursed with Federal funds, which are subject to Federal rules and guidelines.

PARTNER Acknowledges That Federal Funds Are Being Requested. (check box)

Invoice Number:

By (Authorized Signature)

Printed Name and Title of Person Signing

Date

Revised: May 11, 2009
EXHIBIT C: APPLICABLE LAW, REGULATIONS, GUIDELINES AND POLICIES

- Public Law 101-336 - American with Disabilities Act (ADA) of 1990 (42 USC 12101 et seq.)
- Public Law 104-156 (Single Audit Act Amendments of 1996)
- Public Law 105-17 - Individuals with Disabilities Education Act (IDEA)
- Title VII of Civil Rights Act of 1964 as amended by the Civil Rights Act of 1991
- 40 U.S.C. 276a et seq. (Davis Bacon Act)
- 40 U.S.C. 276a-a7 (Copeland Anti-Kickback Act)
- 5 CFR 733 Hatch Act
- 28 CFR 35 - Nondiscrimination on the Basis of Disability in State and Local Government
- 29 CFR 5 (Department of Labor Regulations)
- 34 CFR 74 – Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations
- 34 CFR 76 – State-administered Programs
- 34 CFR 77 – Definitions that Apply to Department Regulations
- 34 CFR 79 – Intergovernmental Review of Department of Education Programs and Activities
- 34 CFR 80 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 34 CFR 81 - General Education Provisions Act—Enforcement
- 34 CFR 82 – New Restrictions on Lobbying
- 34 CFR 85 – Governmentwide Debarment and Suspension (Nonprocurement)
- 34 CFR 86 – Drug and Alcohol Abuse Prevention
- 34 CFR 97 – Protection of Human Subjects
- 34 CFR 100 – Nondiscrimination under Programs Receiving Federal Assistance through the Department of Education Effection of Title VI of the Civil Rights Act of 1965
- 34 CFR 104 – Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
- 34 CFR 106 – Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance
- 34 CFR 110 – Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance
- 34 CFR 406 – State-administered Tech-Prep Education Program
- 2 CFR 230 (OMB Circular A-122) – Cost Principles for Nonprofit Organizations
- 2 CFR 225 (OMB Circular A-87) – Cost Principles of State, Local, and Indian Tribal Governments
- Circular A-133 (Office of Management and Budgets {OMB}) Audits of States, Local Governments and Non-Profit Organizations

Revised: May 11, 2009
- General Services Administration - Federal Acquisition Regulation (Guidance for Purchasing and Contracting)
- Grant Application and Budget Instrument (GABI)
- CA Code of Regulations, Title II, Chapter 5, Section 8107, Non-discrimination Clause
- California Code of Regulations Title II Subchapter I (CA Department of Personnel Administration Regulations)
- California Code of Regulations, Title 2, Division 6 (sections 18109-18997). California Fair Political Practices Commission - Political Reform Act of 2002
- CA Education Code Section 45125.1 - Fingerprinting and Background Checks
- California Government Code Sec. 54950 et seq. (Ralph M. Brown Act)
- California Labor Code
- California Public Contract Code Sections 10410 and 10411 – Conflict of interest with current and former state employees
- California Department of Education (CDE)/CDD Funding Terms and Conditions and Program Requirements for Child Development Programs
- Any and All Other Appropriate and Required Laws, Regulations, Policies and Procedures for Tech Prep Programs.
EXHIBIT D1: STATE “CONTRACTOR CERTIFICATION CLAUSES”

(California Form: CCC-307)

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE:

Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS:

Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
   a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
   b. Establish a Drug-Free Awareness Program to inform employees about:
      1) the dangers of drug abuse in the workplace;
      2) the person's or organization's policy of maintaining a drug-free workplace;
      3) any available counseling, rehabilitation and employee assistance programs; and,
      4) penalties that may be imposed upon employees for drug abuse violations.
   c. Every employee who works on the proposed Agreement will:
      1) receive a copy of the company's drug-free workplace policy statement; and,
      2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION:

Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES $50,000 OR MORE- PRO BONO REQUIREMENT:

Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Revised: May 11, 2009
Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of 30 multiplied by the number of full time attorneys in the firm’s offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. **EXPATRIATE CORPORATIONS:**

Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. **SWEATFREE CODE OF CONDUCT:**

   a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b. The contractor agrees to cooperate fully in providing reasonable access to the contractor’s records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor’s compliance with the requirements under paragraph (a).

7. **DOMESTIC PARTNERS:**

For contracts over $100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with Public Contract Code section 10295.3.

**DOING BUSINESS WITH THE STATE OF CALIFORNIA**

The following laws apply to persons or entities doing business with the State of California.
1. CONFLICT OF INTEREST:

Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.


   a. No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

   b. No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

   a. For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

   b. For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION:

Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT:

Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

Revised: May 11, 2009
4. **CONTRACTOR NAME CHANGE:**

An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. **CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:**

   a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.
   b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.
   c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. **RESOLUTION:**

A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. **AIR OR WATER POLLUTION VIOLATION:**

Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. **PAYEE DATA RECORD FORM STD. 204:**

This form must be completed by all contractors that are not another state agency or other governmental entity.
CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed above as Exhibit D1. This certification is made under the laws of the State of California.

<table>
<thead>
<tr>
<th>Contractor/Bidder Firm Name (Printed)</th>
<th>Federal ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>By (Authorized Signature)</td>
<td></td>
</tr>
<tr>
<td>Printed Name and Title of Person Signing</td>
<td></td>
</tr>
<tr>
<td>Date Executed</td>
<td>Executed in the County of</td>
</tr>
</tbody>
</table>

Revised: May 11, 2009
EXHIBIT D2: FEDERAL CERTIFICATIONS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 34 CFR Part 82, new restrictions on Lobbying, and 34 CFR Part 85, Government-wide Debarment and Suspension (Non procurement) and Government-wide requirements for Drug-Free Workplace (Grants). The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over $100,000 as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement:

(b) If any funds other than federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an employee of Congress, or any employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, □Disclosure Form to Report Lobbying in accordance with this instruction;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by executive Order 12549, Debarment and Suspension, and other responsibilities implemented at 34 CFR Part 85, for prospective participants in primary or a lower tier covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction

Revised: May 11, 2009
or contract under a public transaction violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period proceeding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violation of such prohibition.

(b) Establishing an on-going drug-free awareness program to inform employees about-
(1) The danger of drug abuse in the workplace;

(2) The grantee’s policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.

Revised: May 11, 2009
Employers of convicted employees must provide notice, including position title, to: Director, Grants, and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant:

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee whom is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency:

   (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

______________________________________________________________

______________________________________________________________

Check [ ] if there are workplaces on file that are not identified here.

**DRUG-FREE WORKPLACE**

**(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610

a. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with he grant, and

b. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3) Washington, DC 20202-4571. Notice shall include the identification numbers(s) of each affected grant.
FEDERAL CERTIFICATIONS

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>CONTRACT #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EXHIBIT E: TRAVEL AND PER DIEM LIMITATIONS

A summary of the State of California Short-term Travel Expense Reimbursement Program Administered by the Department of Personnel Administration

Rates, time frames, and requirements are applicable to all contractors and subcontractors. Additional details applicable to the travel reimbursement program may be found in the California Code of Regulations, Title 2, Division 1, Chapter 3, Article 2 (requirements applicable to excluded employees).

Conditions of Travel
Reimbursement shall not be made for meal and lodging expenses incurred within 50 miles of home or headquarters. The CDE may approve meals and/or lodging for employees on travel status away from, but within 50 miles of home or headquarters. Delegation does not extend to the approval of meals or lodging at either the home or headquarters location.

Lodging Reimbursement Rates – In-State
Applicable when state business requires an overnight stay and the employee uses a good, moderately priced commercial lodging establishment (hotel, motel, bed and breakfast, or public campground) that caters to the short-term traveler and for day trips of less than 24 hours.

Lodging Reimbursement (receipt required)
Statewide, with the following exceptions
- Counties of Los Angeles and San Diego: up to $110.00 + tax
- Alameda, San Francisco, San Mateo, and Santa Clara: up to $140.00 + tax

Note: Travelers who do not provide a lodging receipt are eligible to claim meals/incidentals only as appropriate to the time frames of travel (see below for rates and time frames).

Mileage Reimbursement Rates
All privately owned vehicle mileage driven on state business is subject to advanced approval by the appointing authority. The rate claimed shall be considered full reimbursement for all costs related to the operation and maintenance of the vehicle, including both liability and comprehensive insurance.

   Automobile   50.5 cents per mile

If an automobile is picked up and dropped off at a common carrier and no parking expense is claimed, mileage to and from the common carrier may be claimed at the above appropriate rate times twice the number of miles the driver occupied the vehicle (pays for each round trip).

Meals and Incidentals (each 24-hour period)
Breakfast: actual expense up to $6.00
Lunch: actual expense up to $10.00

Revised: May 11, 2009
Dinner: \textit{actual expense up to} $18.00
Incidentals: \textit{actual expense up to} $6.00
Note: \textbf{YOU} must retain all meal receipts for audit by the state or the IRS.

\textbf{Time Frames}
\textbf{First Day (Trip of More Than 24 Hours)}:
- Trip begins at or after 8 a.m.: may claim breakfast
- Trip begins at or after 2 p.m.: may claim lunch
- Trip begins at or after 7 p.m.: may claim dinner

\textbf{Fractional Day (After 24 Hours of Travel)}:
- Trip ends at or after 8 a.m.: may claim breakfast
- Trip ends at or after 2 p.m.: may claim lunch
- Trip ends at or after 7 p.m.: may claim dinner

\textbf{Fractional Day (Trip of Less Than 24 Hours of Travel)}:
- Trip must begin at or before 6 a.m. AND end at or after 9 a.m. in order to claim breakfast.
- Trip must begin at or before 4 p.m. AND end at or after 7 p.m. in order to claim dinner.
  - No lunch or incidentals may be claimed.
  - If there is no overnight stay, these meals are taxable.

Note: Full meals included in airfare, hotel and conference fees, or otherwise provided may not also be claimed for reimbursement. The same meal may not be claimed more than once on any date. Continental breakfast of rolls, coffee, and juice are not considered full meals.

\textbf{Conferences/Conventions} (rooms that are contracted by the sponsors for the event)
- State sponsored: With receipt, up to $110.00 + tax
- Non-state sponsored: With receipt, up to the rate contracted for the event

\textbf{Out-of-State Travel/Out-of-Country Travel – Not allowed}

\textbf{Receipts/Miscellaneous:}
Receipts are required for each item for expense for street car, ferry fares, bridge and road tolls, local transit, taxi, shuttle, or hotel bus, and parking over $10, business phone calls over $5.00, all gas for rental cars and all lodging, regardless of amount.

Keep all receipts. The CDE may require submission of receipts with invoices. All business expenses are to be incurred as a result of conducting state business and are subject to review/verification by the CDE.

Subcontractors are subject to the same rules and requirements if they are reimbursed for travel. Meals eaten when the individual is not on travel status and refreshments or break service at meetings are not reimbursable.
EXHIBIT F: CERTIFICATION OF UNDERSTANDING: FEDERAL FUNDS

AUTHORIZATION FOR TECH PREP COLLABORATIVE:

Bay Area Career Pathways Alliance ("BACPA"), a California Department of Education Tech Prep Regional Coordination Project (California Agreement Number: CN0883316), is authorized to receive state-administered Federal funding under the Carl D. Perkins Career and Technical Education Act of 2006, Title II, Public Law 109-270, 20 U.S.C. Section 2373. This AGREEMENT is funded in part or whole with a Vocational Education Basic Grant to States or a Tech-Prep Education Grant, both from the United States Department of Education, Office of Vocational and Adult Education.

Basic Grants of funds to states are subject to Title 34 CFR sections 400 and 403; EDGAR (Title 34 CFR sections 74, 76 (except 76.103), 77, 79, 80, 81, 82, and 85); OCR Guidelines for Vocational Education. In addition to the above regulations, Tech Prep funds are subject to Title 34 CFR 406; EDGAR, Parts 86. Federal programs are described in the Catalog of Federal Domestic Assistance (CFDA) database. The CFDA numbers for Basic Grants to states and Tech Prep programs are 84.048 and 84.243, respectively.

As a PARTNER in the Bay Area Regional Tech Prep Collaborative, your organization may request reimbursement for allowable costs. This document serves as notice to the Chief Financial Officer that Federal funds are used for reimbursement of those allowable costs. As such, Federal guidelines and laws are applicable.

By signing below and returning this to PERALTA, you certify that you acknowledge notice of and understand that Federal funds may be received by your organization for reimbursement of allowable costs as a PARTNER in BARTPC.

Name:

Title:

Signature

Date

Revised: May 11, 2009
### EXHIBIT G: AUTHORIZED AGENTS

#### PERALTA'S AUTHORIZED AGENTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Elihu Harris</th>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Chancellor</td>
<td>Title</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>333 E. 8th Street</td>
<td>Address</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Oakland, CA 94606</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td>(510) 466-7202</td>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Facsimile</td>
<td>(510) 268-0604</td>
<td>Facsimile</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

#### PARTNER’S AUTHORIZED AGENTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Frances White, Ph.D.</th>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Superintendent/President</td>
<td>Title</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>835 College Ave</td>
<td>Address</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kentfield, CA 94904-2551</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td>(415) 883-2211</td>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Facsimile</td>
<td>(415) 456-0617</td>
<td>Facsimile</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

Revised: May 11, 2009
EXHIBIT H: NOTICE CONTACTS

<table>
<thead>
<tr>
<th>PERALTA’S NOTICE CONTACT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Ahmad Mansur</td>
<td></td>
</tr>
<tr>
<td>Title: Project Director</td>
<td></td>
</tr>
<tr>
<td>Address: 333 E. 8th Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Oakland CA 94605</td>
</tr>
<tr>
<td>Telephone: 510-520.3154</td>
<td></td>
</tr>
<tr>
<td>Facsimile: 510.587.7807</td>
<td></td>
</tr>
<tr>
<td>Other: <a href="mailto:amansur@peralta.edu">amansur@peralta.edu</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PARTNER’S NOTICE CONTACT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Nanda Schorske</td>
<td></td>
</tr>
<tr>
<td>Title: Dean of Workforce Development &amp; College-Community Partnerships</td>
<td></td>
</tr>
<tr>
<td>Address: 1800 Ignacio Blvd</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Novato, CA 94949</td>
</tr>
<tr>
<td>Telephone: 415-883-2211 ext 8506</td>
<td></td>
</tr>
<tr>
<td>Facsimile: 415-884-0417</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STATE’S PROJECT MONITOR</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Cindy Beck</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Telephone: 916-319-0470</td>
<td></td>
</tr>
<tr>
<td>Facsimile</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

Revised: May 11, 2009
**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.11.B</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Memorandum of Understanding- the Napa Valley Community College (&quot;College&quot;) and Marin Community College District (&quot;District&quot;).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td></td>
<td>Enclosure(s):</td>
<td></td>
</tr>
<tr>
<td>Action</td>
<td>MOU</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND:**

This Memorandum of Understanding (MOU) is submitted to the Board for action due to the time-sensitive nature of the funding period (5/13/09-6/30/09). This Memorandum of Understanding has been reviewed and approved by the District’s Legal Counsel, Adam Ferber, SCLS.

This Memorandum of Understanding ("MOU") is made effective May 12, 2009 by and between the Napa Valley Community College ("College") and Marin Community College District ("District").

This AGREEMENT provides the Marin Community College District $26,465 to enhance and support Sustainable Food Systems in the Bay Area.

Funds from this grant will support continued development of the current Organic Farm and where the Farm and Garden career programs will be enhanced and promoted.

It is anticipated that through this collaboration, the College of Marin will benefit significantly from the participation of the local schools, professional community, and community members contributing to the success of the Indian Valley Organic Farm and Garden.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the Memorandum of Understanding – Napa Valley Community College and Marin Community College District.
MEMORANDUM OF UNDERSTANDING
BETWEEN
NAPA VALLEY COMMUNITY COLLEGE
AND
MARIN COMMUNITY COLLEGE DISTRICT
REGARDING
ADMINISTRATION OF GRANT FUNDING
FOR CAREER TECHNICAL EDUCATION COLLABORATIVE GRANT
FOCUSING ON GREEN TECHNOLOGIES, CAREER PATHWAYS
AND A MIDDLE SCHOOL CAREER EXPLORATION PROGRAM

This Memorandum of Understanding ("MOU") is made effective ____________, 2009
by and between the Napa Valley College ("College") and Marin Community College District
("District").

RECATALS

A. The College has been awarded grant funding from the Chancellor’s Office for the
California Community Colleges ("Chancellor’s Office") for an 18 month Community
Collaborative Project from the period of February 1, 2009 through June 30, 2010.

B. The District has the expertise and resources to administer the Program.

C. The College wishes to use the grant funding to obtain administrative resources
and services to administer the Program in collaboration with the College’s Project Manager, all
as set forth in this MOU.

D. The District wishes to provide such resources and services, all as set forth in this
MOU.

WHEREFORE, the parties agree to the following terms and conditions:

A. TERMS AND CONDITIONS

1. Scope of Work.

   (a) The District will update the colleges current horticulture and landscape
courses to included soil and water conservation technique, organic and native planting;

   (b) The District will engage professionals who practice sustainable
landscaping/farming to advise curriculum development and teacher/faculty training on
industry standards;
(c) Secondary and post-secondary teachers will be identified to champion curriculum development and implementation and receive basic training in agriculture/horticulture coursework

(d) The District will prioritize and purchase instructional materials needed according to curriculum that will be developed in the first four months of this agreement

2. **Term.** The term of this MOU shall be from May 15, 2009 through June 30, 2010, comprised of a portion of each party’s fiscal year 2008-09 (Year One) and all of each party’s fiscal year 2009-10 (Year Two), unless sooner terminated as set forth below.

3. **Compensation and Budget.** Because the Chancellor’s Office considers the term of this MOU to comprise only fiscal year 2009-2010, the College shall pay District the sum of twenty six thousand four hundred sixty five dollars ($26,465) for services rendered the District pursuant to this MOU, in accordance with the budget detail sheet attached hereto as Exhibit A. District shall submit written invoices quarterly to College. College shall make payment to District within forty five (45) days following its receipt of each written invoice.

   Should it wish to propose changes to the budget, District shall submit such changes in writing to College’s Project Manager for review and approval. College’s Project Manager shall be authorized to approve all or any part of each such proposed change in his or her sole discretion.

4. **Subcontracts.** The parties expect that District may find it necessary to enter into written agreements with subcontracts for particular services (including but not limited to teacher training) falling within the Scope of Work. District shall submit its proposal to enter into any such sub-contract to College’s Project Manager for review and approval. College’s Project Manager shall be authorized to approve each such proposed sub-contract agreement in his or her sole discretion.

5. **Reporting.**

   (a) The College shall provide reports as required by the Chancellor’s Office regarding the expenditures of the grant funds for the Program.

   (b) District shall submit quarterly activity reports and year-to-date expenditure reports to the Project Manager no later than 10 days prior to the time such reports are due to the Chancellor’s Office, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Due To Project Manager</th>
<th>Due To Chancellor’s Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 20, 2009</td>
<td>July 30, 2009</td>
</tr>
<tr>
<td>October 20, 2009</td>
<td>October 30, 2009</td>
</tr>
<tr>
<td>January 20, 2010</td>
<td>January 30, 2010</td>
</tr>
<tr>
<td>April 20, 2010</td>
<td>April 30, 2010</td>
</tr>
<tr>
<td>July 20, 2010</td>
<td>July 30, 2010</td>
</tr>
</tbody>
</table>
(c) District shall provide financial and other data as required to the Project Manager, by August 31, 2010, for inclusion in the final report due to the State.

6. **Termination.** Either party may terminate this MOU by providing ninety (90) days written notice to the other party.

   (a) If the MOU is terminated pursuant to Section 6, College shall pay District for services District has rendered and for financial obligations it has incurred prior to effective date of termination. Such financial obligations shall include but not be limited to District’s contractual obligations to subcontractors and suppliers.

   (b) If the MOU is terminated pursuant to Section 6, District shall pay all its subcontractors and suppliers, respectively, for services and supplies they have provided to District up to the effective date of termination of this MOU. District shall include termination language in all of its agreement with subcontractors and suppliers, materially similar to this Section 6, i.e., allowing District to terminate its subcontractor and/or supplier agreements early and without cause.

B. **GENERAL PROVISIONS**

1. **Notice.** All notices, requests, demands, amendments, modifications, bills, or payments under this MOU shall be in writing. Notice shall be sufficient for all such purposes if personally delivered; sent by first class, registered or certified mail, return receipt requested; delivered by courier with receipt of delivery; or sent by facsimile transmission with written confirmation of receipt by recipient.

   District  
   Marin Community College District  
   1800 Ignacio Blvd  
   Novato, CA 94949  
   Attn: Nanda Schorske  
   FAX: 415-884-0417

   College  
   Napa Valley College  
   2277 Napa Vallejo Hwy  
   Napa, CA 94558  
   Attention Beth Pratt CTE Director  
   FAX: 707-259-8074

2. **Assignment and Successors.** Neither party may transfer or assign its rights or obligations under this MOU, in part or in whole, without the other party’s prior written consent. This MOU is binding on the heirs, successors, and permitted assigns of the parties hereto.

3. **Third Party Beneficiaries.** There are no intended third party beneficiaries to this MOU.

4. **Nondiscrimination.** Contractor shall comply with all applicable federal, state and local laws, rules and regulations regarding nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, disability, or other prohibited basis. All nondiscrimination rules or regulations required by law to be included in this MOU are incorporated by this reference.
5. **Choice of Law and Venue.** This MOU shall be governed by California law, and venue shall be in the County of Napa, California, and no other place.

6. **Severability.** If any provision of this MOU is determined to be illegal, invalid, or unenforceable, in part or in whole, the remaining provisions, or portions of the MOU shall remain in full force and effect.

7. **Amendment.** No supplement, amendment, or modification of this MOU shall be binding unless it is in a writing duly authorized and signed by the parties to this MOU.

8. **Provisions Deemed Inserted.** Every provision of law required to be inserted in this MOU shall be deemed to be inserted, and this MOU shall be construed and enforced as though included. If it is discovered that through mistake or otherwise that any required provision is not inserted, or not correctly inserted, this MOU shall be amended to make the insertion or correction.

9. **Entire Agreement.** This MOU constitutes the final, complete, and exclusive statement of the terms of the agreement between the parties regarding the subject matter of this MOU and supersedes all prior written or oral understandings or agreements of the parties.

10. **Waiver.** No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this MOU shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, failure, right, or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

11. **Force Majeure.** If either party is delayed or hindered in or prevented from the performance of any act required hereunder because of strikes, lockouts, inability to procure labor or materials, failure of power, riots, insurrection, war, fire or other casualty, or other reason beyond the reasonable control of the party delayed, excluding financial inability ("**Force Majeure Event**"), performance of that act shall be excused for the period during which the Force Majeure Event prevents such performance, and the period for that performance shall be extended for an equivalent period. Delays or failures to perform resulting from lack of funds shall not be Force Majeure Events.

12. **Headings.** The headings in this MOU are included for convenience only and shall neither affect the construction or interpretation of any provision in this MOU nor affect any of the rights or obligations of the parties to this MOU.

13. **Execution in Counterparts.** This MOU may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

14. **Authorization.** Each individual executing this MOU, or its counterpart, on behalf of the respective party, warrants that he/she is authorized to do so and that this MOU constitutes the legally binding obligation of the entity which he/she represents.
15. **Mutual Indemnification.** Each party (individually herein as “**Indemnifying Party**”) shall indemnify, defend, and hold harmless to the full extent permitted by law, the other party, its governing body, officers, agents, employees, and volunteers (collectively, “**Indemnified Party**”) from and against any and all liability, loss, damage, claims, expenses and costs (including, without limitation, attorney fees and costs and fees of litigation) (collectively, “**Liability**”) of every nature arising out of or in connection with Indemnifying Party’s performance or failure to comply with any of its obligations under this MOU, except such Liability caused by or arising from the sole negligence or willful misconduct of the Indemnified Party.

16. **Dispute Resolution.** The parties agree to make a good faith effort to resolve any dispute arising from or relating to this MOU through mediation prior to commencing litigation. Within sixty (60) days following a written request by either party to mediate a dispute that has not been resolved by informal negotiation, the parties shall mutually agree upon a mediator, schedule a mediation, and shall share the costs of mediation equally, except costs incurred by each party for representation by legal counsel.

IN WITNESS WHEREOF, the parties agree to the foregoing:

**MARIN COMMUNITY COLLEGE DISTRICT:**

______________________________

Date: ____________________________

**NAPA VALLEY COLLEGE:**

______________________________  
Dr. Christopher J. McCarthy

Date: ____________________________
EXHIBIT A  
Budget Detail Sheet

District: Napa Valley College  Sub-Contractor: COM
College: Napa Valley College
RFA Specifications No.: 08-140-241
Program Year: 2009-10

All program funds must be spent or encumbered by 6/30/2010

<table>
<thead>
<tr>
<th>Classification</th>
<th>Amount</th>
<th>1st Quarter Expenditures</th>
<th>2nd Quarter Expenditures</th>
<th>3rd Quarter Expenditures</th>
<th>4th Quarter Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructional Salaries</td>
<td>$16,022</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Non instructional Salaries</td>
<td>1,325</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Benefits</td>
<td>5,811</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Supplies and Materials</td>
<td></td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Other Operating Expenses and Services</td>
<td></td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Business Office Indirect</td>
<td>965</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$24,123</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

*Total Amount Received to Date:*
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.11.C</td>
</tr>
<tr>
<td>Subject:</td>
<td>Memorandum of Understanding- Dominican University of California and the Marin Simulation Center</td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Approval</td>
<td></td>
</tr>
<tr>
<td>Enclosure(s):</td>
<td>MOU</td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND:**

This Memorandum of Understanding (MOU) is submitted to the Board for approval. This Memorandum of Understanding has been developed, reviewed and approved by the District’s Legal Counsel, Adam Ferber, SCLS.

This MOU is between the Board of Trustees, College of Marin (“the District”), and Dominican University of California (“Dominican”). The “MOU” is for the purpose of clarifying the role of both parties regarding the educational and community activities undertaken by the District and Dominican in the operation of the Marin Simulation Center at the District’s Indian Valley Campus. This agreement commits Dominican University of California to fund the full-time position of the Simulation Center Technician at the Indian Valley Campus Marin Simulation Center.

It is anticipated that through this collaboration, the College of Marin will benefit significantly from the participation of all the local schools of nursing and the hospitals in the Marin Simulation Center.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the Memorandum of Understanding – Dominican University of California and the Marin Simulation Center.

Administrator Initiating Item  Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
MEMORANDUM OF UNDERSTANDING – MARIN SIMULATION CENTER

RENEWAL 2009

This Memorandum of Understanding ("MOU") is dated for identification purposes as of the 13th of April, 2009 and is entered into by and between the Marin Community College District ("the District") and Dominican University of California ("Dominican").

RECITALS

A. The National Institute of Medicine has estimated that nearly 100,000 patients die in hospitals each year due to medical errors. (Corrigan J.; L. Kohn, M. Donaldson, eds. To Err is Human; Building a Safer Health System. Committee on Quality of Health Care in America, Institute of Medicine, The National Academies Press, 1999.)

B. Recognizing the need to develop a local response to the forgoing figures, the parties to this MOU wish to collaborate to establish and maintain a state-of-the-art emergency simulation facility to provide training opportunities to healthcare students and emergency workers.

C. By means of this MOU, the parties wish to establish the Marin Simulation Center, located at the College of Marin’s Indian Valley Campus, and featuring advanced robotic manikins and realistic health emergency simulations to increase the clinical skills of students from the District, Sonoma State University ("SSU"), and Dominican, along with regional healthcare professionals and emergency responders in the area.

D. The Marin Simulation Center will be established and maintained by the District, Dominican, Kaiser Foundation Hospital of San Rafael, Sonoma State University, Marin General Hospital, and Novato Community Hospital (All are collectively referred to as “Participants”).

I. OBLIGATIONS OF THE DISTRICT

A. For purposes of conducting clinical simulation activities and other activities reasonably related thereto, for each year during the term of this MOU and any and all extensions hereto, the District shall provide to Dominican, and to their respective students, invitees and licensees, access to the portion of the District’s Indian Valley Campus (1800 Ignacio Blvd., Novato, CA) typically known as “the Pomo Cluster – Rooms 180, 188, and 189”. Said access shall be provided equally to each of the Participants on a first come, first served basis. The allocation to the Participants will be reviewed quarterly by the Coordinating Council, as described in Section I(G), to assure equitable access. District shall also provide office space in Rooms 101 and 102, Building 6 to be shared with other Simulation Center Staff.
B. In connection with the access described in Section I(A), District shall provide staff parking permit for the Indian Valley campus to the Simulation Center Technician that it employs as provided in this MOU. Such instructor shall be subject to all District parking policies and regulations.

C. In connection with the access described in Section I(A), District shall provide Dominican reasonable access to an internet connection and use of telephone and fax service for reasonable business purposes, to be shared with other Simulation Center Staff. Dominican’s use of such internet connection or telephone service shall not interfere or impede with District’s use of the same, as determined by the District in its reasonable discretion. Dominican shall not modify or adjust District-provided internet or telephone service without 30-days advance written approval from District.

D. In connection with the access described in Section I(A), District shall provide all necessary utilities, including water and electricity and all appropriate security.

E. In connection with the access described in Section I(A), District shall identify all building and room locations on the Indian Valley campus maps as “Marin Simulation Center”.

F. District shall post a sign on Building 5, which shall include recognition of all Participants in the “Marin Simulation Center.”

G. District and Dominican shall each identify a representative for the Coordinating Council, which shall consist of one representative from each of the Participants. The Coordinating Council will provide input and oversight and participate in all decisions concerning the Marin Simulation Center, including, staffing, budget, scheduling, and the curricular program.

H. District shall assist the Simulation Center Manager in preparing quarterly reports to all Participants. Such assistance shall include complying with all requests of the Simulation Center Manager within 15 days of the request.

II. OBLIGATIONS OF DOMINICAN

A. At its sole expense, Dominican shall hire, retain as its employee, and supervise one full-time equivalent (FTE) position entitled “Simulation Center Technician”.

B. Dominican shall provide the Simulation Center Technician with a personal computer, education/training, travel and personal office supplies as required for the duties of this position.

C. Dominican shall review this MOU annually and shall make best efforts to renew its commitment for the continued employment of the Simulation Center Technician
annually.

D. Dominican shall identify a representative from Dominican for the Coordinating Council.

E. Dominican shall assist the Simulation Center Manager in preparing quarterly reports to all Partners. Such assistance shall include complying with all requests of the Simulation Center Manager within 15 days of the request.

F. In all documents and materials announcing Marin Simulation Center events (including trainings) at the Indian Valley Campus, Dominican shall recognize the District by adding language as follows: “In cooperation with the College of Marin...”

III. GENERAL PROVISIONS

A. To the fullest extent permitted by law, each party to this MOU shall indemnify, defend, release, and hold the other harmless from, and shall indemnify each other against all claims, demands, or liabilities arising from or encountered in connection with this MOU, or the participation of any students or employees under it, excepting only such injuries, damages, fines or penalties as may be caused by the indemnified party’s negligence or willful acts. Each party’s obligation to indemnify, defend, release and hold each other harmless shall extend to claims, demands and liabilities for injuries, damages, fines, and penalties contemplated within this MOU.

B. During the term of this MOU, Dominican and the District shall each provide comprehensive general public liability and property damage coverage, or programs of self-insurance satisfactory to both in their reasonable discretion, with minimum limits of $3 million, combined single limit. Each party shall name the other as additional insured, or additional covered party if self-insured, on all said insurance policies carried by each for the life of this MOU and shall annually furnish the other with written proof of said coverage. Each party shall be given a copy of the other party’s applicable insurance policy and notice of cancellation thirty (30) days prior to cancellation. No later than 15 calendar days following the execution of this MOU each party shall tender to the other for review and written approval, its proposed form of insurance or self-insurance.

C. Use of the Marin Simulation Center by Dominican personnel, students, licensees or invitees of any character will be governed by and are subject to the District’s policies and rules of conduct, including those relating to civil rights and non-discrimination while in the Marin Simulation Center or any District owned property.

D. The Marin Simulation Center shall be used by Dominican only for Dominican’s educational program. Dominican shall not assign any portion of this MOU without the District’s written consent. All other use of the Marin Simulation Center, either by Dominican or the District, shall be agreed to in advance by the parties in writing.
E. The term of this MOU shall commence upon the date first set forth herein and, unless terminated in accordance with the terms and conditions of this MOU, shall continue in effect for a period of one year, and shall continue thereafter for successive periods of one year until terminated by either party upon one hundred eighty (180) days written notice.

F. Failure to obtain funding for the Marin Simulation Center will allow for termination of this MOU if all best efforts to obtain such funding have been exhausted.

G. A party shall not be in material breach of this MOU unless and until the following shall first occur:

a. The non-breaching party delivers written notice to the breaching party giving the breaching party thirty (30) days to cure the breach. If the breach cannot be cured within thirty (30) days, the breaching party must commence, with due diligence and reasonable dispatch, to cure the breach and complete the cure within a reasonable time thereafter, not to exceed ninety (90) days after delivery of said notice to breach;

b. The notice of breach must specify each of the events or circumstances given rise to the breach and the means whereby the breach(es) may be cured; and,

c. The breaching party fails to cure the breach within the time permitted under this MOU.

H. This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns. Nothing in this MOU, expressed or implied, is intended to confer upon any person other than the parties hereto and their successors and permitted assigns, any rights or remedies under or by reason of this MOU.

I. This MOU may only be amended or modified by written instrument executed by the parties.

J. Each individual executing this MOU, or its counter part, on behalf of the respective party thereto, warrants that he/she is authorized to do so and that this MOU constitutes the legally binding obligation of the party which he/she represents.

K. This MOU contains the entire understanding of the parties and constitutes the sole and only agreement between them concerning the subject matter hereof or the rights and duties of any of them in connection therewith. Any agreements or representations among the parties hereto regarding the Marin Simulation Center not expressly set forth in this MOU are null and void.

L. Each of the parties hereto agrees that it shall act in good faith in an attempt to cause all the conditions precedent to the respective obligations to be satisfied.
M. Any notice required to be given pursuant to this MOU shall be given in writing to the other party either personally or by depositing the same in the United States mail, by first class mail, registered or certified, postage pre-paid, addressed to the party at the addresses set below:

Albert Harrison  
Vice President of College Operations  
Marin Community College District  
835 College Avenue  
Kentfield, CA 94901  
Phone: 415-457-8811  
Fax: 415-485-0135

Kenneth J. Porada  
Provost  
Dominican University of California  
50 Acacia Avenue  
San Rafael, CA 94901

Any notice delivered by mail shall be deemed delivered five (5) days after the date of deposit in the mail. The address at which any notices to be delivered may be changed by either party by compliance with terms of this paragraph.

N. Time is of the essence in this MOU and each of its provisions and failure to comply with this provision shall be a material breach of this MOU.

O. This MOU shall be governed by and interpreted under laws of the State of California, with venue for the judicial resolution of any dispute to be Marin County, California. Should any term, condition or provision be deemed to be invalid or unenforceable, the remaining terms and conditions shall remain in full force and effect.

P. No waiver by a party of any provision of this MOU shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this MOU or at law shall not present the exercised by that party of any other remedy provided in this MOU or at law.

Q. The District and Dominican are independent contractors and this Agreement will not establish any relationship of partnership, joint venture, employment, franchise or agency between the parties, and each party agrees to refrain from representing itself to be anything other than an independent contractor. The District and Dominican will each be responsible for all aspects of any employment and/or contractor-subcontractor relationship of its respective employees and independent subcontractors, including compliance with all applicable employment and tax law requirements, including by way of example, but not limitation, withholding taxes, workers compensation, and health and welfare related benefits. Under no
circumstances shall employees be considered or otherwise deemed to be employees or agents of the other for any purpose whatsoever. Accordingly, neither the District or Dominican nor any of its employees or agents shall be or become entitled to any of the compensation or their employment-related benefits of any nature whatsoever which employees of the District or Dominican receive from their respective employers. Each party understands that it is not authorized and shall not make any agreement, contract or representation on behalf of the other or create any obligation, express or implied, on the part of the other

Executed the day, month and year first above written.

MARIN COMMUNITY COLLEGE DISTRICT

By:____________________________________
Dr. Frances White, Superintendent/President

MARIN COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

By:____________________________________
Philip Kranenburg, President of the Board of Trustees

DOMINICAN UNIVERSITY OF CALIFORNIA

By:____________________________________
Kenneth J. Porada, Provost

By:____________________________________
Cecilia Minalga, Interim CFO
BACKGROUND:

This resolution is submitted to the Board of Trustees for approval of this resolution to declare the following:

Resolution No. 5/12/09 B.11.D Declaring 200 SF Solar Charging Facility as a Non-School Building for Instructional Purposes.

The solar charging station will not be used as instructional space.

This resolution was prepared in consultation with the District’s legal counsel, Adam Ferber, SCLS.

RECOMMENDATION:

The Superintendent/President recommends the Board of adopt Resolution No. 5/12/09 B.11.D declaring the Solar Charging Structure as Non-School Buildings for Instructional Purposes at the Indian Valley Campus.
BEFORE THE BOARD OF TRUSTEES
OF THE
MARIN COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 5/12/09 B.11.D

Declaring “Solar Charging Station” structure charging electric vehicles facility as a Non-School Building for Instructional Purposes

WHEREAS, the purpose of the Field Act, which is outlined in the Education Code (“Code”), Title 1, Division 1, Part 10.5, Chapter 3, Article 3, (commencing with Section 17280) and Article 6 (commencing with Section 17365), and Title 3, Division 5, Part 49, Chapter 1, Article 3 (commencing with Section 81050) and Article 7 (commencing with Section 81130) of Part 49, is to protect the safety of students and school-based staff; and

WHEREAS, the Uniform Building Code, 24 Cal. Code of Regulations, sections 4-314 and 4-315, adopted under the authority of Education Code section 81142 found in the Field Act, state that buildings or structures of a temporary nature may be utilized by the Governing Board for a period of up to three years for instructional use on its own responsibility without first submitting plans and specifications to Division of State Architect (DSA), but such buildings or structures shall not be used for classroom purposes beyond three years; and

WHEREAS, the Code does not require DSA approval for such temporary buildings or structures, but does state that the Governing Board assumes responsibility for employing appropriately licensed architects and/or registered engineers to prepare the plans and specifications and for adequate inspection of materials and work of construction to ensure compliance with the provisions of Parts 2-7 and 12, Title 24 Code of California Regulations (CCR), as adopted by the Building Standards Commission; and

WHEREAS, the Code requires that a resolution be passed by the Governing Board stating that the exempt temporary building or structure shall not be used for classroom purposes and that no pupils or teachers, as such, will be required to use the said building for classroom purposes or be subjected to a hazard resulting from its collapse beyond three years of use; and

WHEREAS, the solar charging station for the Auto Technology temporary swing space facility is in an area separated from other school buildings, which is not to be used or entered by pupils or teachers for instructional purposes beyond three years; and

WHEREAS, the solar charging station for the Auto Technology temporary swing space facility located at College of Marin, Indian Valley Campus, Novato, California will not be certified by the Division of State Architect; and
NOW THEREFORE, BE IT RESOLVED that design and construction of the four 200 square foot “Solar Charging Station” structure facility as a Non-School Building for Instructional Purposes include the employment of appropriately licensed architects and registered engineers to prepare the plans and specifications and for adequate inspection of materials and work of construction to ensure compliance with the provisions of Parts 2-7 and 12, Title 24 CCR, as adopted by the Building Standards Commission, but does not require Division of State Architecture approval of such plans and specifications and that the site shall be marked appropriately to indicate such a design process and posted by signage in accordance with law.

PASSED AND ADOPTED on May 12, 2009, by the following vote of the Board of Trustees of the Marin Community College District of the County of Marin, State of California.

AYES:
NOES:
ABSENT:
ABSTAIN:

Philip J. Kranenburg, President

Eva Long, Member

Annan Paterson, Vice President

James Nammah, Member

Carole Hayashino, Clerk

Wanden Treanor, Member

Barbara Dolan, Member

Todd McCleary, Student Trustee
RESOLUTION NO. 5/12/09 B.11.E

RESOLUTION OF THE GOVERNING BODY OF THE

Marin Community College District

PROPOSING AN ELECTION BE HELD IN ITS JURISDICTION;
REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE
WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE;
AND
REQUESTING ELECTION SERVICES BY THE REGISTRAR OF VOTERS

WHEREAS, it is the determination of said governing body that a Consolidated School, District and Municipal Election to be held on the 3rd day of November, 2009, at which election the issue to be presented to the voters shall be:

To elect members to the governing body

Number of Regular Term Governing Board Member Positions (4 years) ___ 3
Number of Short Term Governing Board Member Positions (2 years) ___

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Marin is hereby requested to:

1) Consolidate said election with any other applicable election conducted on the same day;

2) Authorize and direct the Registrar of Voters, at governing body expense, to provide all necessary election services and to canvass the results of said election.

PASSED AND ADOPTED at a regular meeting of the governing body on the 12th Day of ___ May __, 2009 by the following vote, to wit:

AYES:
NOES:
ABSENT:

______________________________
CHAIRMAN, BOARD OF DIRECTORS

ATTEST: _______________________
Secretary
Carole Hayashino, Member

Philip J. Kranenburg, Member

Eva Long, Ph.D., Member

James Nunnally, Ph.D., Member

Wanden Treanor, Member

Barbara Dolan, Member

Annan Paterson, Member

Todd McCleary, Student Member
BACKGROUND:

In December 2008, the Marin County Health Department adopted the Virginia Graeme Baker Act, a Federal law requiring that swimming pools meet minimum safety standards for drainage. The scope of work includes the replacement of an existing drain cover and addition of a new drain to the dive-pool, which will also require the refinishing of the pool surface. Additional work includes the replacement of broken pool skimmers (filters), diving boards and underwater pool light(s), as recommended in the District’s facility assessment. A pool consultant will also be hired as part of this request to prepare design documents, a bid package, and construction administration services.

The pool will remain closed until the Marin County Environmental Health Services approves the final construction work to the pool.

The District now seeks Board authorization to initiate the PE Pool Renovation Project (308F) and approve the new short form professional services agreement for Aquatic Design Group, Inc. in the amount of $22,500.

FISCAL IMPACT:

The engineer’s preliminary estimate for this project is $311,500 against a total project construction budget of $415,100. This project will be paid from bid savings realized on the Diamond PE Alterations Project (308B). The new short form professional services agreement for the Aquatic Design Group, Inc. will be paid from bond funds for the PE Pool Renovation Project (308F).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees initiate the PE Pool Renovation Project (308F), establish a project budget in the amount of $415,100 and approve the new short form professional services agreement for pool consulting and pool design work for the Aquatic Design Group, Inc. in the amount of $22,500 for the PE Pool Renovation Project (308F).
BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>B.11.F.2</td>
</tr>
<tr>
<td>Subject:</td>
<td>SMCP Increments 2 &amp; 3 Building Project (305A)</td>
<td>Testing and Inspection Services</td>
<td>Consolidated Engineering Laboratories – New Short Form Professional Services Agreement</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Enclosure(s):</td>
<td>None</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The SMCP Increments 2 & 3 Building Project (305A) at the Kentfield Campus was submitted to the Division of the State Architect (DSA) and is awaiting final approval. Material and Geotechnical Testing and Inspection services are required for this project.

A selection process was completed as required by the District and Consolidated Engineering Laboratories was selected as the Materials and Geotechnical Testing and Inspection firm for the SMCP Increments 2 & 3 Building Project (305A).

The District recommends that the Board award a new professional services agreement for testing and inspection services with Consolidated Engineering Laboratories in the amount of $350,000. The professional services agreement (template) was reviewed by legal counsel (MBD). The agreement is available upon request.

**FISCAL IMPACT:**

This professional services agreement will be paid from Measure C bond funds set aside for the SMCP Increments 2 & 3 Building Project (305A).

**RECOMMENDATION:**

The Superintendent/President recommends that the Board approves a new professional services agreement for testing and inspection services with Consolidated Engineering Laboratories in the amount of $350,000 for the SMCP Increments 2 & 3 Building Project (305A).
BACKGROUND:

SMCP Increments 2 & 3 (305A) on the Kentfield Campus was submitted to the Division of the State Architect (DSA) and is awaiting final approval. Project Inspection services are required for this project. In addition, the current DSA Project Inspector for the Diamond PE Center Alterations Project and the West Campus Bridge Project (Peter R. Hull Construction Consultation) will be closing his practice and leaving the Bay Area on June 1, 2009.

A selection process to replace Mr. Hull and to hire a new inspector for the SMCP project was completed as required by the District. 4Leaf, Inc., was selected as the DSA Project Inspector for the SMCP Increments 2 & 3 Building Project (305A), the Diamond PE Center Alterations Project (308B) and the West Campus Bridge Project (301A).

The District recommends that the Board award a new project inspection services agreement for DSA Project Inspector services with 4Leaf, Inc. in the amount of $1,249,750. This specialized professional services agreement (template) was reviewed by legal counsel (MBD). The agreement is available upon request.

FISCAL IMPACT:

This specialized professional services agreement will be paid from Measure C bond funds set aside for the SMCP Increments 2 & 3 Building Project (305A), the Diamond PE Center Alterations Project (308B) and the West Campus Bridge Project (301A).

RECOMMENDATION:

The Superintendent/President recommends that the Board approve a project inspection services agreement for DSA Project Inspector services with 4Leaf, Inc. in the amount of $1,249,750 for the SMCP Increments 2 & 3 Building Project (305A), the Diamond PE Center Alterations Project (308B) and the West Campus Bridge Project (301A).
To: Board of Trustees  
From: Superintendent/President  
Subject: New Fine Arts Building Project (306C)  
          DSA Project Inspector Services  
          Gary Proctor Construction Consultation. – New Project Inspection Services Agreement  

Reason for Board Consideration: APPROVAL  

Enclosure(s): None  

BACKGROUND:  

The New Fine Arts Building Project (306C) at the Kentfield Campus was submitted to the Division of the State Architect (DSA) and is awaiting final approval. DSA Project Inspector services are required for this project.  

A selection process was completed as required by the District and Gary Proctor Construction Consultation was selected as the DSA Project Inspector for the New Fine Arts Building Project (306C).  

The District recommends that the Board award a new project inspection services agreement for DSA Project Inspector services with Gary Proctor Construction Consultation in the amount of $336,452. This specialized agreement for professional services (template) was reviewed by legal counsel (MBD). The agreement is available upon request.  

FISCAL IMPACT:  

This project inspection services agreement will be paid from Measure C bond funds set aside for the New Fine Arts Building Project (306C).  

RECOMMENDATION:  

The Superintendent/President recommends that the Board approve a project inspection services agreement for DSA Project Inspector services with Gary Proctor Construction Consultation in the amount of $336,452 for the New Fine Arts Building Project (306C).
**MARIN COMMUNITY COLLEGE DISTRICT**  
Kentfield, CA  94904

**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.11.F.5</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Exterior Site Signage Award Construction Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Enclosure(s):</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

**ACTION – AWARD**

**BACKGROUND**

On March 17, 2009 the Board of Trustees approved and authorized bidding for various Exterior Site Signage on the Kentfield and Indian Valley Campuses. This project is currently out to bid with the bid opening scheduled for May 5, 2009.

The Board of Trustees is asked to award a construction contract to the lowest responsive bidder, **whose name will be announced at the Board meeting**, following the five (5) business day bid protest period (May 12, 2009) or upon successful resolution of any bid protests. The construction contract will be brought to the Board for ratification at the first scheduled meeting following execution of the contract.

**FISCAL IMPACT**

The final construction cost estimate for this contract is $475,000. The contract will be paid from bond funds budgeted for Exterior Site Signage on the Kentfield and Indian Valley Campuses.

**RECOMMENDATION**

The Superintendent/President recommends that the Board award a construction contract for Exterior Site Signage to the lowest responsive bidder subject to successful completion of the five (5) business day bid protest period.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.11.G</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Notice of Completion</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative Center Courtyard Paving Rehabilitation Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Enclosure(s):</td>
<td>Notice of Completion</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

On March 17, 2009, the Board of Trustees awarded the bid for the Administrative Center Courtyard Paving Rehabilitation Project, Kentfield Campus, to W. K. McLellan in the amount of $16,000.

The work on the project was completed over the Spring break and has been inspected. There were no change orders.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees accept the work for the Administrative Center Courtyard Paving Rehabilitation Project at the Kentfield Campus and authorize staff to file the attached Notice of Completion with the County of Marin.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
Notice of Completion
(In pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

In execution of this Notice, notice is hereby given that:
1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

<table>
<thead>
<tr>
<th>NAMES</th>
<th>ADDRESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Work on the property hereinafter described was completed on: April 17, 2009
7. The Project Name is: Administrative Center Courtyard Rehabilitation Project, Kentfield Campus
8. The contractor for such work of modernization is W. K. McLellan
9. The name of the contractor’s Surety Co is International Fidelity Insurance Company
10. The date of contract between the contractor and the above owner is April 9, 2009
11. The street address of said property is 835 College Avenue
12. The property on which said work of modernization was completed is in the Town of Kentfield, County of Marin, State of California, and is described as follows: Administrative Center Courtyard

Date

Signature of Owner
Marin Community College District

Verification

I, undersigned, say:
I am ____________________________________________
("President," "Owner," "Manager," etc.)

Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is correct and true.

Executed on __________________________, at __________________________, California.
(City or Town where signed)

________________________________________
(Personal signature of the individual swearing that the contents of the notice are true)
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Public Hearing on MCCD/CSEA Chapter 196 Collective Bargaining Agreement

Date: May 12, 2009
Item & File No. B.11.H

Reason for Board Consideration:

PUBLIC HEARING

Enclosure(s):

Proposals

BACKGROUND:


The California School Employees Association (CSEA) has submitted a “Demand to Negotiate the Equity Study Implementation.” It proposes a number of salary changes for a majority of the CSEA members.

Government Code Section 3547 and Board Policy 5.0031 provide that proposals which relate to matters within the scope of representation shall be presented at a public meeting and, thereafter, shall be public record.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees present the CSEA notice/proposal and hold a public hearing.

Administrator Initiating Item: Linda Beam, Executive Dean, Human Resources and Labor Relations
**MARIN COMMUNITY COLLEGE DISTRICT**  
Kentfield, CA  94904  

**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.12.B</td>
</tr>
<tr>
<td>Subject:</td>
<td>First Reading of Revised Board Policies</td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Enclosure(s):</td>
<td></td>
</tr>
</tbody>
</table>

**INFORMATION**

**BACKGROUND:**

The Marin Community College District is in the process of updating and aligning the District’s Board Policies with the recommended policies developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). The District is a member of the Board Policy and Administrative Procedure Subscription Service coordinated by the CCLC.

**ANALYSIS:**

The District’s current Board Policy Manual has not been revised for quite some time. Therefore, the Board Policy Manual is being reorganized and updated to align with the recommended policy information provided by the Policy and Procedure Subscription Service. Fifty-nine community college districts throughout the state are embarking on or have completed this same process.

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. The goal will be to review the current Board Policies and align them with the recommended policy information provided by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for *Chapters 1 and 2* will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the Board Subcommittee on Policy for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies and Administrative Procedures for *Chapters 3 through 7* will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies 3100, 3200, 3275, and 5300 are now ready for review by the Board of Trustees.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees receive Board Policies 3100, 3200, 3275, and 5300 for first reading and discussion.
BP 3100  ORGANIZATIONAL STRUCTURE

Reference:
Education Code Section 72400

The Superintendent/President shall establish:
- organizational charts that delineate the lines of responsibility and
general duties of employees within the District.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language underlined italics is recommended by the Office of Organizational Development and Planning. This BP was reviewed by Board Policy Task Force and College Council and is recommended to move forward.

Date Adopted:
(This is a new policy recommended by the League and the League's legal counsel)
BP 3200  ACCREDITATION

Reference:

ACCJC Accreditation Eligibility Requirement 20:
ACCJC Accreditation Standard IV.B.1.

The Superintendent/President shall ensure the District complies with the accreditation process and standards of the Accrediting Commission of Community and Junior Colleges and of other District programs that seek special accreditation.

The Superintendent/President shall keep the Board of Trustees informed of approved accrediting organizations and the status of accreditations.

The Superintendent/President shall ensure that the Board of Trustees is involved in any accreditation process in which Board participation is required.

The Superintendent/President shall provide the Board of Trustees with a summary of any accreditation report and any actions taken or to be taken in response to recommendations in an accreditation report.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). This policy was reviewed by the Office of Organizational Development and Planning and the Board Policy Taskforce. College Council recommends it move forward.

Date Adopted:
(This is a new policy recommended by the League and the League's legal counsel)
BP 3275  ANNUAL REPORT

Reference:

- From current College of Marin Policy 7.0011 titled Annual Report

The Superintendent/President shall submit to the Board of Trustees an annual report on the operation of the District, including recommendations for the immediate and long-range priorities of the District. In addition, the management employees of the District shall submit to the Superintendent/President annual reports of their respective units’ operations including recommendations for short- and long-term priorities approved by the Board.

NOTE: language in black ink is from current College of Marin Policy 7.0011 titled Annual Report adopted on 5/12/81 and revised on 4/9/85. The language in underlined italics is recommended by the Office of Organizational Development and Planning. It has been reviewed by the Board Policy Taskforce and College Council and recommended to move forward.

Date Adopted:
(Replaces current College of Marin Policy 7.0011 – just re-numbered)
BP 5300 STUDENT EQUITY

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
Title 5 Section 54220

The Board of Trustees is committed to assuring student equity in educational programs and college services. The Superintendent/President shall establish and implement a Student Equity Plan that meets the Title 5 standards and

❖ From current College of Marin Policy 4.0035 titled Student Equity

College of Marin is committed to the attainment and maintenance of student equity for all students. The college is further dedicated to the full participation and academic success of all individuals, including those from all historically underrepresented groups. The College will develop a Student Equity Plan to ensure that all students, especially underrepresented students, have the opportunity to achieve their academic goals. The Student Equity Plan developed under this policy will be part of a continuum toward student success and will be interconnected with the Educational Master Plan and the Enrollment Management Plan.

________________________________________________________________________

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language that is struck through is from current College of Marin Policy 4.0035 titled Student Equity adopted on 6/28/05 and is recommended for deletion. Language in regular text highlighted in gray is language from current Policy 4.0035 that is recommended to be retained. The language in underlined italics is recommended by Student Services. This BP was reviewed by Student Services and the Board Policy Task Force. It was recommended to go forward to the Board by College Council on 4/9/09.

Date Adopted:
(Replaces current College of Marin Policy 4.0035)
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.13.A</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>contracts and Agreement for Services Report—April 30, 2009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>INFORMATION</td>
<td>Enclosure(s):</td>
<td>Attachment</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

In accordance with Board Policy 6.0017 on External Consultants and Evaluators, attached for your information is a listing of all External Consultants and External Evaluators with whom we entered into a contract in excess of $1,000 with a description of services provided.

Administrator Initiating Item  
Albert J. Harrison II, Vice President, College Operations
<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P0205473</td>
<td>Ikon Office Solutions</td>
<td>Logistics</td>
<td>$4,000.00</td>
</tr>
<tr>
<td></td>
<td>Maintenance/Service agreement for Canon Copiers in Harlan Center, Science Center and the Mail Room.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205478</td>
<td>Print Incorporated/Paul Giampaoli</td>
<td>Logistics</td>
<td>$2,439.46</td>
</tr>
<tr>
<td></td>
<td>Printing services to print High School brochure for the College.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205482</td>
<td>Sonoma County Education Legal</td>
<td>District Wide</td>
<td>$13,324.50</td>
</tr>
<tr>
<td></td>
<td>Legal services for mandated cost review for the College, February 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205490</td>
<td>Hertz Equipment Rental</td>
<td>Maintenance</td>
<td>$1,155.88</td>
</tr>
<tr>
<td></td>
<td>Rental services for boom lift, which includes delivery and pick-up.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205500</td>
<td>Equal Opportunity Employment Journal, Inc</td>
<td>Human Resources</td>
<td>$1,750.00</td>
</tr>
<tr>
<td></td>
<td>Advertising services for placement of recruitment advertisements in the Journal for the April/May 2009 issue.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205515</td>
<td>DaVinci Fusion, Inc</td>
<td>Performing Arts</td>
<td>$1,200.00</td>
</tr>
<tr>
<td></td>
<td>Production design services for the Spring Dance Concert.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205518</td>
<td>Casey Printing</td>
<td>Community Relations</td>
<td>$43,000.00</td>
</tr>
<tr>
<td></td>
<td>Printing services for the Fall 2009 Credit Schedule.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205526</td>
<td>Peter Levi Plumbing</td>
<td>Maintenance</td>
<td>$2,449.33</td>
</tr>
<tr>
<td></td>
<td>Locate and repair services for the water leak in the entry road to the Magnolia Lot in Larkspur.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205549</td>
<td>Dollar Thrifty Automotive Group, Inc</td>
<td>Physical Education</td>
<td>$5,689.99</td>
</tr>
<tr>
<td></td>
<td>Vehicle/Van rental services for 39 12 passenger vans for the 2009 Baseball season.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205561</td>
<td>B Cantarutti Electric Company</td>
<td>Maintenance</td>
<td>$1,051.00</td>
</tr>
<tr>
<td></td>
<td>Repair/Installation services for seven lamps and lens for the Kentfield pool.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205562</td>
<td>B Cantarutti Electric Company</td>
<td>Maintenance</td>
<td>$1,853.00</td>
</tr>
<tr>
<td></td>
<td>Installation of the mandatory pool suction pit strainer for the IVC pool.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205584</td>
<td>Alexa McCrea</td>
<td>Community Relations</td>
<td>$2,000.00</td>
</tr>
<tr>
<td></td>
<td>Designing services for the Educational Master plan document.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205590</td>
<td>Rosemary Bock</td>
<td>Performing Arts</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Costumer services for the performance of Big Love.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement Number</td>
<td>Vendor/Description</td>
<td>Location/Dept.</td>
<td>Amount</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------</td>
<td>----------------</td>
<td>----------</td>
</tr>
<tr>
<td>P0205595</td>
<td>Empire Elevator</td>
<td>Maintenance</td>
<td>$1,877.50</td>
</tr>
<tr>
<td></td>
<td>Repair of elevator in the Fine Arts Building, Kentfield</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205604</td>
<td>Casey Printing</td>
<td>Community Relations</td>
<td>$3,000.00</td>
</tr>
<tr>
<td></td>
<td>Printing services for 25,000 Summer 2009 IVC flyers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205607</td>
<td>Law Office of Larry Frierson</td>
<td>District Wide</td>
<td>$18,450.00</td>
</tr>
<tr>
<td></td>
<td>Legal services for UPM fact finding, arbitration and miscellaneous service.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205630</td>
<td>Dorius &amp; MacCarthy Plumbing &amp; Heating</td>
<td>Maintenance</td>
<td>$2,200.00</td>
</tr>
<tr>
<td></td>
<td>Testing services for mandatory annual backflow testing at the Kentfield Campus, as required by the Marin Water District.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205631</td>
<td>Lexipol</td>
<td>Police</td>
<td>$1,950.00</td>
</tr>
<tr>
<td>P0205639</td>
<td>Transitions</td>
<td>Maintenance</td>
<td>$4,000.00</td>
</tr>
<tr>
<td></td>
<td>Additional coordination services for the Learning Resource Center move.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205647</td>
<td>West Coast Turf</td>
<td>Grounds</td>
<td>$3,447.60</td>
</tr>
<tr>
<td></td>
<td>Seeding services for Tifway Bermuda sod for Macky Soccer field (Expense shared with restricted funds)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205653</td>
<td>American Sentry Systems, Inc</td>
<td>Maintenance</td>
<td>$1,300.00</td>
</tr>
<tr>
<td></td>
<td>Installation services for the entry alarm system at the Bolinas Marine Lab.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205654</td>
<td>McQuary International</td>
<td>Maintenance</td>
<td>$5,676.00</td>
</tr>
<tr>
<td></td>
<td>Inspection/maintenance services for the Learning Resource Center heating, ventilation and air conditioning unit.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205655</td>
<td>North Bay Professional Official’s, Inc</td>
<td>Physical Education</td>
<td>$5,610.00</td>
</tr>
<tr>
<td></td>
<td>Officiating services for the 22 home games, for the 2009 Mariners Men’s Baseball team.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205657</td>
<td>Firemaster</td>
<td>Maintenance</td>
<td>$2,200.00</td>
</tr>
<tr>
<td></td>
<td>Annual inspection/maintenance services for fire extinguisher service for the IVC campus.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205658</td>
<td>Novato Ford</td>
<td>Maintenance</td>
<td>$1,254.22</td>
</tr>
<tr>
<td></td>
<td>Auto repair services, diagnose, remove and replace fuel pump and filter and re-program carburtor and repair gear shift of Truck #60.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205675</td>
<td>Bluestone Engineering, Inc</td>
<td>Maintenance</td>
<td>$9,000.00</td>
</tr>
<tr>
<td></td>
<td>Structural engineering services for the Learning Resource Center cooling tower project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205676</td>
<td>O’Mahoney &amp; Myer</td>
<td>Maintenance</td>
<td>$4,000.00</td>
</tr>
<tr>
<td></td>
<td>Electrical engineering services for the Learning Resource Center cooling tower project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement Number</td>
<td>Vendor/Description</td>
<td>Location/Dept.</td>
<td>Amount</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------</td>
<td>---------------------</td>
<td>------------</td>
</tr>
<tr>
<td>P0205677</td>
<td>Community College League Of California District Wide</td>
<td>$19,800.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Review and updating services to continue updating Board Policy and Procedures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205703</td>
<td>American College Testing Program (ACT)</td>
<td>Organizational Dev</td>
<td>$ 1,756.00</td>
</tr>
<tr>
<td></td>
<td>Processing services for the 2009 Student Opinion Survey, includes the extended reporting package</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205722</td>
<td>DecoTech Systems</td>
<td>Information Technology</td>
<td>$ 3,960.00</td>
</tr>
<tr>
<td></td>
<td>Onsite audit and usage services for the evaluation of network traffic utilization, includes bandwidth usage, current state of existing network infrastructure and recommendations and report preparation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205491</td>
<td>Print Incorporated/Paul Giampaoli Logistics</td>
<td>$ 2,439.46</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Printing services for 3,000 student handbooks, includes tax, freight, proofs, shrink wrapping for 116 pages plus cover project identical to last year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205531</td>
<td>Conservation Corps North Bay</td>
<td>Career Education</td>
<td>$ 5,000.00</td>
</tr>
<tr>
<td></td>
<td>Farm services for the prepping of soils, planting of cover crop and the installation of fencing for the Indian Valley Campus Farm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205537</td>
<td>Marin County Office of Education</td>
<td>Career Education</td>
<td>$ 5,000.00</td>
</tr>
<tr>
<td></td>
<td>Work and training services for the Multi Media grant to train High School Instructors in Gaming area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205540</td>
<td>Eureka</td>
<td>Student Development</td>
<td>$ 1,503.11</td>
</tr>
<tr>
<td></td>
<td>Maintenance services for the Career Education related databases that are used for the College.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205541</td>
<td>College Source, Inc</td>
<td>Student Development</td>
<td>$ 2,600.00</td>
</tr>
<tr>
<td></td>
<td>Online library services for the College’s online complete cover-to-cover Catalogue in original page format, for access to all students.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205578</td>
<td>Barbara Garfien</td>
<td>President's Office</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td></td>
<td>Coordination services for the President’s Circle activities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205588</td>
<td>Marin Airporter Charter &amp; Tours</td>
<td>EOPS-B</td>
<td>$ 1,028.00</td>
</tr>
<tr>
<td></td>
<td>Bus Charter services for the College for April 24 and May 1, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205647</td>
<td>West Coast Turf</td>
<td>Grounds</td>
<td>$ 6,692.40</td>
</tr>
<tr>
<td></td>
<td>Seeding services for Tifway Bermuda sod,for Macky Soccer field (Expense shared with Unrestricted funds)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement Number</td>
<td>Vendor/Description</td>
<td>Location/Dept.</td>
<td>Amount</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------</td>
<td>----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>P0205652</td>
<td>Tennant Company</td>
<td>Grounds</td>
<td>$2,000.00</td>
</tr>
<tr>
<td></td>
<td>Maintenance/repair services for the parking lot/street cleaning vehicle.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205668</td>
<td>Fahy Tree Service</td>
<td>Maintenance</td>
<td>$3,200.00</td>
</tr>
<tr>
<td></td>
<td>Tree removal service for a tree in the IVC parking lot/road access.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205681</td>
<td>Embassy Suites</td>
<td>President’s Circle</td>
<td>$3,210.48</td>
</tr>
<tr>
<td></td>
<td>Rental/Catering services for the 2009 President’s Circle Breakfast.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205688</td>
<td>Essanay Film &amp; Television</td>
<td>President’s Circle</td>
<td>$4,500.00</td>
</tr>
<tr>
<td></td>
<td>Video/Film services for the making of the Education Excellence video for the President’s Circle.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205689</td>
<td>Barbara Garfien</td>
<td>President’s Circle</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Coordination services for the President’s Circle.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**MEASURE C BOND**

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Measure C</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P0205484</td>
<td>North Marin Water District</td>
<td>$55,183.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Water Service Facilities Construction-Phase 2 Agreement dated 2/4/09 for work associated with the Main Building Complex Project 417A. Services include NMWD supplying 4 new fire hydrants as required by DSA, and a new 3&quot; water service meter with associated vault &amp; back-check valve assembly.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205565</td>
<td>Evisions</td>
<td>Measure C</td>
<td>$2,160.00</td>
</tr>
<tr>
<td></td>
<td>Maintenance services to update the Payroll template to include year to date deductions columns.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205592</td>
<td>Marin Independent Journal</td>
<td>Measure C</td>
<td>$1,005.00</td>
</tr>
<tr>
<td></td>
<td>Advertising services for the Community forums. Held on 3/31/09 at Kentfield and on 04/02/09 for the IVC forum. Advertising run dates were 3/14/09, 3/22/09 and 3/29/09</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205602</td>
<td>McGraw-Hill Construction Regional Publications</td>
<td>Measure C</td>
<td>$1,364.00</td>
</tr>
<tr>
<td></td>
<td>Advertising services for construction signage for three projects: Gateway Complex, Science-Math and the Central Power Complex projects.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205662</td>
<td>Evisions</td>
<td>Measure C</td>
<td>$17,545.00</td>
</tr>
<tr>
<td></td>
<td>Maintenance/Support services IntelleCheck, FormFusion and Argos, annual fee.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0205707</td>
<td>Pacific Filtration Systems, Inc</td>
<td>Measure C</td>
<td>$4,250.00</td>
</tr>
<tr>
<td></td>
<td>Structural calculation and California license fee for the ceramics area dust collector, per Department of State Architect (DSA) request for the new Fine Arts Building.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Marin Community College District
Measure C Bond Modernization Program

Modernization Director's Report to Board of Trustees
May 12, 2009
B.13.B.1

**BUDGET UPDATE**

- Bond spending plan: $264.5 million ($249.5 m bond, $15 m interest)
- Reserves: $17,789,000
- Expended to date: $67.5 million (25.5% of bond spending plan)
  - Assessment $ 5.5 million
  - Planning/design $32.3 million
  - Construction $29.7 million

**Summary of modernization items in this agenda:**

*Consent (all routine items not requiring resolution or discussion):*
Three (3) new construction contracts ($22,465)
Five (5) construction contract change orders ($298,204)
Eleven (11) professional services agreement modifications ($40,417)

*Action (items requiring resolution or discussion):*
One (1) project initiation
Four (4) new professional services agreements ($1,958,702)

- Net value of new contracts / changes / amendments in this agenda: $2,217,001

**MAJOR BUILDING PROJECTS (DESIGN) - BOARD UPDATE/ACTION SCHEDULE**

1. KTD Science/Math/Central Plant  
   Next action: bidding  
   *(Plans in DSA review)*

2. KTD Fine Arts Building  
   Next action: bidding  
   *(Backcheck April 28)*

3. KTD Performing Arts Building  
   Design review pending  
   *(Plans in DSA review)*

4. KTD Gateway Complex  
   Staff recommendation pending

**CURRENT CONSTRUCTION (major building projects are listed in bold)**

- Diamond PE Center:  
  *CO #12 submitted this meeting; contingency 8.3% to date.* Change order exposure is expected to exceed 10%.

  *Rededication ceremony is scheduled for August.*

- IVC Trans. Tech. Complex:  
  No issues this reporting period.

- IVC Main Building Complex:  
  *COs #4 and #5 submitted this meeting; contingency 2.5% to date.*
Marin Community College District
Measure C Bond Modernization Program

- KTD Geothermal Fields:
  No action this month. Change order exposure is expected to exceed 10%.

- KTD PE Photovoltaics:
  CO #5 submitted this meeting; contingency 3.8% to date.

- KTD SMCP Utility Project:
  Significant schedule delay is anticipated because of unforeseen site conditions; detailed analysis is underway.

  CO #4 submitted this meeting; contingency 4.5% to date. Change order exposure is expected to exceed 10%.

- KTD West Bridge:
  DSA review ongoing; construction on non-DSA scope ongoing.

- KTD Pool Repair Project:
  Project initiation and design contract submitted this meeting.

FUTURE CONSTRUCTION (major projects are listed in bold)

- KTD Demo (Dickson, D/L, DPSS):
  Fall 2009

- KTD Fine Arts Building:
  Summer 2009 – Winter 2011
  New professional services agreement for inspection submitted this meeting.
  Ground-breaking is scheduled for June 23.

- KTD Science/Math/CP:
  Fall 2009 – Fall 2012
  New professional services agreements for testing and inspection submitted this meeting.
  Ground-breaking is scheduled for September 15.

- KTD Performing Arts Building:
  Winter 2011 – Summer 2012

- KTD Gateway Complex:
  TBD

OTHER OPEN INITIATIVES

- Swing space/relocation:
  o Literacy Lab
  o Health Center
  o Dance
  o Dickson Hall

- Furniture, fixtures, equipment:
  Design underway.
  Construction nearly complete. DSA waiver resolution submitted this meeting. Change Order #5 submitted this meeting; contingency 8% to date.
  Relocation planning underway.
  Move scheduled for Fall 2009.
  Proceeding.
Marin Community College District
Measure C Bond Modernization Program

- Building Signage, Phase 1:
  
- Project Stabilization Agreement:

- LEED

  Bids received; contract submitted for award this meeting.

  PSA committees for Main Building project have met.
  No issues.

  Owner's Project Requirements submitted this meeting for acceptance.
### 305A - Science Math Central Plant Complex

**See Note 1**

<table>
<thead>
<tr>
<th>Year</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Current Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$4,188,000</td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$38,246,000</td>
</tr>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$42,434,000</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$69,540,000</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$69,540,000</td>
</tr>
</tbody>
</table>

- **Oct. 06 Schedule / Budget**
- **Feb. 07 Schedule / Budget**
- **March 09 Schedule / Budget**
- **Current Schedule (% of current phase):** 95%
- **Current expenditures (% of budget):** 89%
- **Total: $5,902,204**

### 306C New Fine Arts Building

**See Note 2**

<table>
<thead>
<tr>
<th>Year</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Current Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,733,000</td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$15,977,000</td>
</tr>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17,710,000</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$19,000,000</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$19,000,000</td>
</tr>
</tbody>
</table>

- **Oct. 06 Schedule / Budget**
- **Feb. 07 Schedule / Budget**
- **March 09 Schedule / Budget**
- **Current Schedule (% of current phase):** 95%
- **Current expenditures (% of budget):** 95%
- **Total: $1,762,770**

### 306A Performing Arts Modernization

**See Note 3**

<table>
<thead>
<tr>
<th>Year</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Current Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,052,000</td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$9,721,000</td>
</tr>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$10,773,000</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$15,622,000</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17,200,000</td>
</tr>
</tbody>
</table>

- **Oct. 06 Schedule / Budget**
- **Feb. 07 Schedule / Budget**
- **March 09 Schedule / Budget**
- **Current Schedule (% of current phase):** 95%
- **Current expenditures (% of budget):** 92%
- **Total: $1,452,893**
### 2.1 Schedule
Marin Community College District – College of Marin
Based on expenditures as of 04-28-09

#### 308B Diamond PE Center Alterations
See Note 4
- **Oct. 06 Schedule / Budget**
  - $2,101,000
- **Feb. 07 Schedule / Budget**
  - $2,149,000
- **March 09 Schedule / Budget**
  - $2,149,000
- **Current Schedule (% of current phase)**
  - 100%
- **Current expenditures (% of budget)**
  - 91%
- **2005 – 2013**
  - Q3: $1,960,312
  - Q4: $9,039,500

#### 402A Transportation Technology Complex
See Note 5
- **Oct. 06 Schedule / Budget**
  - $854,000
- **Feb. 07 Schedule / Budget**
  - $1,465,000
- **Current Schedule (% of current phase)**
  - 100%
- **Current expenditures (% of budget)**
  - 94%
- **2005 – 2013**
  - Q3: $1,379,170
  - Q4: $1,785,318

#### 417A Main Building Complex
See Note 6
- **Oct. 06 Schedule / Budget**
  - $2,119,000
- **Feb. 07 Schedule / Budget**
  - $2,410,000
- **Current Schedule (% of current phase)**
  - 100%
- **Current expenditures (% of budget)**
  - 79%
- **2005 – 2013**
  - Q3: $1,912,971
  - Q4: $3,807,764

#### 303B Gateway Complex
See Note 7
- **Oct. 06 Schedule / Budget**
  - $4,964,000
- **Feb. 07 Schedule / Budget**
  - $1,823,000
- **Current Schedule (% of current phase)**
  - 0%
- **Current expenditures (% of budget)**
  - 0%
- **2005 – 2013**
  - Q3: $1,283,000
  - Q4: $11,823,000
  - $13,106,000

#### 302B LRC Modernization
See Note 5
- **Oct. 06 Schedule / Budget**
  - $13,106,000
- **Feb. 07 Schedule / Budget**
  - $13,106,000
- **Current Schedule**
  - Removed from Schedule
2.1 Schedule
Marin Community College District - College of Marin
Based on expenditures as of 04-28-09

304A Fusselman Hall Modernization  See Note B

Oct. 06 Schedule / Budget
Feb. 07 Schedule / Budget
Current Schedule

<table>
<thead>
<tr>
<th></th>
<th>0</th>
<th>0</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>547,000</td>
<td>5,190,000</td>
<td>5,737,000</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Removed from Schedule</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1A) Project has been submitted to DSA, therefore the project design is 95% complete. There will be very little additional invoiced until DSA releases the Project.

1B) Project has been submitted to DSA and is expected to be out of DSA in Mid May, 2009

1C) Project duration has not changed. However, project now spans additional quarters due to start and end date in each quarter.

2A) Project has been submitted to DSA, therefore the project design is 95% complete. There will be very little additional invoiced until DSA releases the Project.

2B) Project has been submitted to DSA and is expected to be out of DSA in Mid May, 2009

3A) Project has been submitted to DSA, therefore the project design is 95% complete. There will be very little additional invoiced until DSA releases the Project.

3B) Project has been submitted to DSA and is expected to be out of DSA in Mid May, 2009

3C) Project start date is affected by the FA completion date.

4A) Project has encountered unforeseen conditions that will affect project duration.

4B) The 91% is based on the amount spent of the Preconstruction budget. We are now in the construction budget and, therefore, expect little additional expenses for preconstruction.

5A) No notes at this time

6A) Minor revisions to sitework allocation.

7A) No State funding will be available for his project

8A) Project funds reallocated to other projects.

9A) Project funds reallocated to other projects.
A. Alfa Tech Cambridge Group (Geothermal / PV @ PE / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal System at Kentfield Campus</td>
<td>Construction: Original 11/15/07-3/15/08</td>
<td>Amendment 10</td>
<td>In close out</td>
</tr>
<tr>
<td></td>
<td>Current: 4/7/06-10/15/08</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Revisions / clarifications to the design documents delayed bid into holidays. To have adequate bid response it was determined to postpone bid until after the holidays. Project was then rebid, with BOT approval, due to incomplete bid documentation. Construction delays due to out of sequence work in Parking Lot 4 and incorrect piping in Parking Lot 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electrical &amp; IT design services for 12KV Utility extension project</td>
<td>to follow project 402A schedule</td>
<td>Amendment 14</td>
<td></td>
</tr>
<tr>
<td>Provide a fix for damaged anchor bolts; PE Complex PV</td>
<td>N/A</td>
<td>Amendment 19</td>
<td>X</td>
</tr>
</tbody>
</table>

B. Amy Skewes-Cox (EIR)

Activity | Milestone Date | Document | Completed |
---------|----------------|----------|-----------|
No outstanding items |                        |          |           |

C. CSW Stuber-Stroeh (Bioswale / West Campus Bridge / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vertical &amp; horizontal pad certification</td>
<td>to follow 417B project schedule</td>
<td>Amendment 15</td>
<td>N/A</td>
</tr>
<tr>
<td>Civil engineering design svcs for new metal bldg (850N)</td>
<td>Original: 2/1/08 for CD Revised: 12/31/08</td>
<td>Amendment 20</td>
<td></td>
</tr>
<tr>
<td>Construction Admin Services for Ignacio Creek (419A)</td>
<td>N/A</td>
<td>Amendment 21</td>
<td>X</td>
</tr>
</tbody>
</table>

Due to user group questions concerning classroom quantity and sizes and location, the CD drawing process was delayed. Project revised to MS3

D. Degenkolb Engineers (District Structural Engineers)

Activity | Milestone Date | Document | Completed |
---------|----------------|----------|-----------|
No outstanding items |                        |          |           |

E. ED2 International (Science / Math / Central Plant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated DSA Stamp-out (100% CD's)</td>
<td>Original 2/1/2009 - Current 5/15/09</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Bidding Phase - to Notice to Proceed</td>
<td>Original 5/1/2009 - Current 8/15/09</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Construction Phase - 24 Months</td>
<td>5/15/09-4/30/11</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>4/30/2012</td>
<td>Contract</td>
<td></td>
</tr>
</tbody>
</table>

F. Fugro West, Inc. (District Soils Engineer)

Activity | Milestone Date | Document | Completed |
---------|----------------|----------|-----------|
No outstanding items |                        |          |           |
### G. HKIT (Hardison, Komatsu, Ivelich & Tucker) (Transportation Technology Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase</td>
<td>Original 8/15/09-8/31/09</td>
<td>Contract</td>
<td>On Going</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>9/1/09-9/1/10</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Additional Design and CA services for Health and DSFS</td>
<td>12/31/2008</td>
<td>Amendment 5</td>
<td>On Going</td>
</tr>
<tr>
<td>Due to the design revisions needed for DSFS and Health Services the additional design and CA services were extended.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### H. Kate Keating Associates, Inc. (District Signage Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Development Drawings</td>
<td>8/31/08</td>
<td>Amendment 2</td>
<td>X</td>
</tr>
<tr>
<td>Construction Documents</td>
<td>10/31/2008</td>
<td>Amendment 2</td>
<td>X</td>
</tr>
<tr>
<td>SMCP Complex project specific design work</td>
<td>12/31/2008</td>
<td>Amendment 2</td>
<td></td>
</tr>
<tr>
<td>Construction Docs at 100% for bid and 100% for fabrication (306C)</td>
<td>3/30/2009</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Construction Docs for DSA Review and back check (306A)</td>
<td>10/15/2009</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Construction Docs at 100% for bid and 100% for fabrication (306A)</td>
<td>5/1/2010</td>
<td>Amendment 4</td>
<td></td>
</tr>
</tbody>
</table>

### I. Kwan Henmi (Diamond PE Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase</td>
<td>Original 12/4/07-5/15/09</td>
<td>Contract</td>
<td>On Going</td>
</tr>
<tr>
<td>Revised to 3/15/08 - 5/13/09</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DSA took longer to review the plans than originally scheduled which then required a revised bid date, which then revised the construction start date.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>1/1/10-1/11/11</td>
<td>Contract</td>
<td></td>
</tr>
</tbody>
</table>

### J. Marcy Wong and Donn Logan (FA / PA Buildings)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Performing Arts</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated DSA Stamp-out (100% CD’s)</td>
<td>Original: 10/14/2008 Current: 5/01/09</td>
<td>Contract</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bidding Phase</td>
<td>12/1/09-3/15/10</td>
<td>Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Phase</td>
<td>5/1/11-7/31/11</td>
<td>Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>4/30/11-8/31/11</td>
<td>Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extra programming &amp; conceptual design schemes</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Survey space and prelim project scope guidelines</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fine Arts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated DSA Stamp-out (100% CD’s)</td>
<td>Original: 9/14/2008 Current: 4/19/09</td>
<td>Contract</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bidding Phase</td>
<td>Original: 11/18/08-1/15/09 Current Bid Date: 5/15/09 Revised to 9/28/09</td>
<td>Contract</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Phase</td>
<td>Original: 1/15/09-5/31/10 Current: 5/16/09 - 9/31/10</td>
<td>Contract</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>Original: 5/7/10-7/31/10 Current: 9/31/10 - 12/31/10</td>
<td>Contract</td>
<td>Amendment 4</td>
<td></td>
</tr>
</tbody>
</table>
Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.

<table>
<thead>
<tr>
<th>Project Close-out with DSA</th>
<th>Original: 4/30/10-8/31/10</th>
<th>Contract Amendment 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current: 2/1/11</td>
<td></td>
</tr>
</tbody>
</table>

Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.

K. Ninyo & Moore (District Industrial Hygienist Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No outstanding items</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

L. Royston Hanamoto Alley & Abey (District Landscape Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
<td></td>
</tr>
<tr>
<td>Indian Valley Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
<td></td>
</tr>
<tr>
<td>Diamond PE Complex Construction Phasing Diagrams</td>
<td>Quarterly through 2009</td>
<td>Amendment 3</td>
<td></td>
</tr>
<tr>
<td>LEED Services</td>
<td>6/15/07 through CA Phase</td>
<td>Amendment 4</td>
<td></td>
</tr>
<tr>
<td>Construction Administration</td>
<td>Part of IVC Main project</td>
<td>Amendment 5</td>
<td>In Construction</td>
</tr>
<tr>
<td>Credit for work tasks related to tree species diversity 419A</td>
<td>Not applicable</td>
<td>Amendment 7</td>
<td></td>
</tr>
</tbody>
</table>

M. Steinberg Architects (District Architect)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No outstanding items</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

N. Transitions (FF & E Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>FF&amp;E Specifications - PA Modernization (306A)</td>
<td>1/1/2011</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>FF&amp;E Specifications - SMCP Increment #3 (305A)</td>
<td>9/1/2009</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>FF&amp;E Specifications - TransTech Complex (402A)</td>
<td>7/1/2008</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>FF&amp;E Specifications - Main Building Complex (417A)</td>
<td>7/1/2008</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>FF&amp;E Specifications - New FA Building (306C)</td>
<td>1/15/2009</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>FF&amp;E Specifications - Diamond PE Center (306B)</td>
<td>9/1/2009</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
</tbody>
</table>

O. VBN Architects (IVC Main Building)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase</td>
<td>Original: 4/4/08-12/1/09</td>
<td>Contract</td>
<td>On Going</td>
</tr>
<tr>
<td></td>
<td>Current: 11/20/08-11/20/10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Phase</td>
<td>Bidding and construction start was delayed with plan check review</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase</td>
<td>12/1/09-5/31/10</td>
<td>Contract</td>
<td></td>
</tr>
</tbody>
</table>
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 12, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.13.B.4</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Quarterly Progress Report – Period Ending March 31, 2009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Enclosure(s):</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INFORMATION**

SMC Quarterly Report 1Q 2009

**BACKGROUND:**

The following bond program item is presented herein for Board information:


**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

For information only.

---

Administrator Initiating Item  
V-Anne Chernock  
Director of Modernization

Administrator Approving Item  
Albert J. Harrison II  
Vice President, College Operations
Marin Community College District
Sustainability Initiatives

Report to the Board
May 12, 2009
B.13.C

Presidents Climate Commitment (PCC)

The Presidents Climate Commitment (PCC) has released its 2008 annual report, "Climate Leadership for America." As of December 31, 2008, over 600 schools in all 50 states have become signatories to the PCC, representing over 30% of the higher education student population in America. The College of Marin is listed in this report as "in good standing." Since joining the PCC, we have:

1. Formed an institutional structure (the PCC Task Force) for administering implementation
2. Identified two "tangible actions" for immediate implementation (one is complete; the other is scheduled for completion in September)
3. Completed our first bi-annual emissions inventory
4. Begun work on our Climate Action Plan

The PCC Work Group (a sub-group of the PCC Task Force) joined the Transportation Demand Management Work Group in April to discuss public transit incentives (see TDM below). The PCC Work Group will meet in early May to continue discussions about the Climate Action Plan, due to the PCC on September 15, 2009.

The PCC Work Group is also ready to begin development of a student-initiated Recycling Program, aimed at a “go live” date within the next school year.

Transportation Demand Management (TDM)

The TDM Work Group has completed an advertising brochure for the Carpool / Vanpool (high occupancy vehicle, or HOV) / Alternative Fuel Vehicle (AFV) Program geared at encouraging staff, faculty and students to reduce their use of single occupant vehicles when commuting to campus for work or study. This program will "go live" in the Fall semester 2009 with the installation of 20 preferred parking spaces (10 HOV and 10 AFV) at the Diamond PE Center in Kentfield.
Marin Community College District
Sustainability Initiatives

The TDM Work Group met with a representative of the Marin Transit Agency to discuss their proposed support of a public transit incentive program for the College of Marin. More information will be forthcoming within the next month or two. This incentive meets the requirements of a "Tangible Action" of the Presidents Climate Commitment, which encourages the use of and provides access to public transportation for all faculty, staff, students and visitors to the college.

AB 32

The District is still studying the Climate Change Proposed Scoping Plan, a framework for change prepared in October 2008 by the California Air Resources Board to address the California Global Warming Solutions Act of 2006 (AB 32).

Leadership in Energy and Environmental Design (LEED)

Individual bond project teams and District staff continue to refine LEED credit applications and commissioning plans.

Owner's Project Requirements (OPR's) for the bond program, required for a LEED enhanced commissioning credit, are included in this agenda for Board acceptance. OPR's for individual projects are being finalized.

Renewable Energy

Umbrella structures for the photovoltaic system array in Parking Lot 12, Kentfield, are completed, and installation of the photovoltaic panels has started. The project is expected to be completed in May, with hookup to the PE Complex scheduled for early August.

Sustainability Database

Development of a master "database" of sustainability resources and initiatives is ongoing.
BACKGROUND:

The Marin Community College District is in the process of updating and aligning the District’s Board Policies with the recommended policies developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). The District is a member of the Board Policy and Administrative Procedure Subscription Service coordinated by the CCLC.

ANALYSIS:

The District’s current Board Policy Manual has not been revised for quite some time. Therefore, the Board Policy Manual is being reorganized and updated to align with the recommended policy information provided by the Policy and Procedure Subscription Service. Fifty-nine community college districts throughout the state are embarking on or have completed this same process.

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. The goal will be to review the current Board Policies and align them with the recommended policy information provided by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for Chapters 1 and 2 will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the Board Subcommittee on Policy for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative procedures will be presented as information items.

Board Policies and Administrative Procedures for Chapters 3 through 7 will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Administrative Procedures 3100, 3200, and 5300 are presented herein for information.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

For information only. No action is required.

Administrator Initiating Item    Dr. Frances L. White, Superintendent/President
AP 3100 ORGANIZATIONAL STRUCTURE

References:
Education Code Section 72400;
Title 5 Section 53200

The District's organizational structure shall be available on the District's website.
The organizational structure will be updated on an as-needed basis.

Office of Primary Responsibility: Office of Organizational Development and Planning

NOTE: This procedure is legally advised. The underlined regular text is language recommended by
the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in
underlined italics is recommended by the Office of Organizational Development and Planning.

Date Approved:
(This is a new procedure recommended by the CCLC
and the League’s legal counsel)
AP 3200    ACCREDITATION

References:
  ACCJC Accreditation Eligibility Requirement 20;
  ACCJC Accreditation Standard IV.B.1.i

In accordance with the standards of the Accrediting Commission for Community and Junior Colleges, the colleges shall conduct a comprehensive self study every six years and host a visit by an accreditation team. Mandatory midterm reports are prepared and submitted to the Accrediting Commission in the third year of each six-year cycle.

Those employees who are responsible for the functions related to the accreditation standards must be involved in the self study and team visit. There will be active, campus-wide involvement of administrators, faculty, classified staff, and students in the development of the Accreditation Self Study.

The process for producing the Self Study shall include appointments by the Superintendent/President for:
  • An Accreditation Liaison Officer;
  • A Self Study Chair or Co-Chairs and;
  • A Steering Committee.

When the Self Study is completed, it shall be reviewed and approved by the Board of Trustees prior to submission to the Accrediting Commission a minimum of 45 days prior to the team visit.

Office of Primary Responsibility: Office of Organizational Development and Planning

NOTE: This procedure is legally required. There does not appear to be a current College of Marin Procedure that relates to this procedure. The language in underlined italics is recommended by the Office of Organizational Development and Planning. This procedure has been reviewed by the Board Policy Taskforce and College Council and recommended to move forward.

Date Approved:
(This is a new procedure recommended by the League and the League’s legal counsel)
AP 5300 STUDENT EQUITY

References:
   Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
   Title 5 Section 54220

The District has a Student Equity Plan. The Plan is filed as required to the California Community Colleges Chancellor's Office, following approval by the Board of Trustees.

The Plan addresses:
- active involvement of the groups on campus through governance committees, and instructional and student development departments, and through the program review process
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups
- campus-based research as to the extent of student equity
- institutional barriers to equity
- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group
- activities most likely to be effective to attain the goals, including coordination of existing student equity related programs
- sources of funds for the activities in the Plan
- a schedule and process for evaluation of progress toward the goals
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the Director of Student Affairs.

Office of Primary Responsibility: Student Affairs

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was recommended by Student Services. This AP was reviewed by the BP Task Force and recommended to go forward by College Council on April 9, 2009.

Date Approved:
(This is a new procedure recommended by the CC League and the League's legal counsel)
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees       Date: May 12, 2009
From: Superintendent/President       Item & File No. B.13.E
Subject: Marin and Sonoma Counties Regional Occupational Program Course Sequencing 2008-2009

Reason for Board Consideration: Information

Enclosure(s):

BACKGROUND:

AB2448 is a comprehensive piece of legislation impacting Regional Occupational Programs (ROP's) across the state of California. Its main focus redirects training and service to better serve high school students by limiting the number of adults served and requiring ROP's to align (sequence) their occupational course offerings with high school and community college courses. The certification of course sequencing process requires collaboration between secondary and community college partners and review by other workforce development stakeholders involving representatives from government, business and industry, labor organizations and educational institutions both public and private.

The attached matrix of courses was developed by Marin County Office of Education and Sonoma County Office of Education in collaboration with Santa Rosa Junior College and the College of Marin and our local education and business partners. This matrix represents the programs of study developed by the partners for the purpose of creating seamless pathways between County Offices of Education and local community colleges.

RECOMMENDATION:

The Superintendent/President recommends that the Board accept this matrix as an information item.

Administrator Initiating Item    Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
<table>
<thead>
<tr>
<th>CTE Industry Sector</th>
<th>ROP Course Title</th>
<th>Community College (CC) Course Title</th>
<th>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion:</th>
<th>E.C. 5343(a)(2)</th>
<th>E.C. 53203 (a)(4)</th>
<th>Articulation Agreement</th>
<th>High School Sequencing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural and Natural Resources</td>
<td>Agricultural Mechanics</td>
<td>Welding I (SRJC) Agricultural Mechanics I (AGMEC51) (SRJC)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
</tr>
<tr>
<td>Arts, Media, and Entertainment</td>
<td>Computer Graphics and Electronic Publishing</td>
<td>Presentations and Publications (CIS113) (COM)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
</tr>
<tr>
<td>Multimedia Technology and Web Page Design</td>
<td>Multimedia Production (MST111) (COM)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Radio Broadcasting</td>
<td>Radio and Television Announcing and Performance (SPCH 153) (COM)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Technical Theatre</td>
<td>Introduction to Technical Theatre (DRAM150) (COM)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Television / Video Occupations</td>
<td>Multimedia Production (MST111) (COM)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

COM = College of Marin  
SRJC = Santa Rosa Junior College

Page 1  
5/6/09
<table>
<thead>
<tr>
<th>CTE Industry Sector</th>
<th>ROP Course Title</th>
<th>Community College (CC) Course Title</th>
<th>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion by:</th>
<th>E.C. 5343(a)(2)</th>
<th>E.C. 53203(a)(4)</th>
<th>Articulation Agreement</th>
<th>High School Sequencing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Trades and Construction</td>
<td>Construction Technology</td>
<td>Introduction to Project Management (CONS 70A) (SRJC)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Architecture &amp; Construction Technology</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Education, Child Development, and Family Services</td>
<td>Early Childhood Occupations</td>
<td>Introduction to Early Childhood Education (ECE114) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Early Childhood Education, Occupational</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Teaching Occupations</td>
<td>Introduction to Education (EDUC 110) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Energy and Utilities</td>
<td>Electronics / Engineering</td>
<td>Introduction to Engineering Design (ENGG 110B) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Engineering Technology, Occupational</td>
<td>✓</td>
<td>G</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fundamentals of Electronics (ELEC 039) (COM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CTE Industry Sector</td>
<td>ROP Course Title</td>
<td>Community College (CC) Course Title</td>
<td>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion:</td>
<td>E.C. 5343(a)(2)</td>
<td>E.C. 53203(a)(4)</td>
<td>Articulation Agreement</td>
<td>High School Sequencing</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Engineering and Design</td>
<td>Drafting and Construction Design</td>
<td>Beginning Architectural Design (ARCH 110) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Architecture</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fashion and Interior Design</td>
<td>Fashion Design and Marketing</td>
<td>Introductory Textiles (FASH 8) (SRJC)</td>
<td>✓</td>
<td>✓</td>
<td>A.A. Fashion Studies: Apparel Design &amp; Production</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Finance and Business</td>
<td>Business Office Technology, Level 1</td>
<td>Beginning Word Processing (BOS114) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Business Office Systems</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Computer Keyboarding (BOS120) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Introduction to Spreadsheet Design (CIS118) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CTE Industry Sector</td>
<td>ROP Course Title</td>
<td>Community College (CC) Course Title</td>
<td>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion: ROP</td>
<td>CC</td>
<td>Apprenticeship or degree program</td>
<td>High Wage or Significant Wage Increase</td>
<td>E.C. 53203(a)(4)</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------</td>
<td>-------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>-----</td>
<td>-----------------</td>
<td>------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Finance and Business (Continued)</td>
<td>Business Office Technology, Level II</td>
<td>Intermediate Word Processing (BOS115) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Beginning Computerized Accounting (BUS1114) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Presentations and Publications (CIS113) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Introduction to Spreadsheet Design (CIS1118) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical Terminology (BOS230) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CTE Industry Sector</td>
<td>ROP Course Title</td>
<td>Community College (CC) Course Title</td>
<td>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion</td>
<td>E.C. 5343(a)(2)</td>
<td>E.C. 53203(a)(4)</td>
<td>Articulation Agreement</td>
<td>High School Sequencing</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------------------------------------------</td>
<td>-------------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>----------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Finance and Business (Continued)</td>
<td>Computer Applications; Computer Studies</td>
<td>Beginning Word Processing (BOS114) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Business Office Systems</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intermediate Word Processing (BOS115) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Computer Keyboarding (BOS120) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Beginning Computerized Accounting (BUS114) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Presentations and Publications (CIS113) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Introduction to Spreadsheet Design (CIS118) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CTE Industry Sector</td>
<td>ROP Course Title</td>
<td>Community College (CC) Course Title</td>
<td>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion:</td>
<td>E.C. 5343(a)(2)</td>
<td>Articulation Agreement</td>
<td>High School Sequencing</td>
<td></td>
</tr>
<tr>
<td>------------------------------------</td>
<td>---------------------------</td>
<td>------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>------------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>Finance and Business (Continued)</td>
<td>Computerized Accounting</td>
<td>Beginning Computerized Accounting (BUS114) (COM)</td>
<td>✓ ✓</td>
<td>A.S. Business Office Systems</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Health Science and Medical Technology</td>
<td>Direct Support Professional, Year 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Direct Support Professional, Year 2</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Health Aide</td>
<td>NE 90 - Introduction to Nursing Education (COM)</td>
<td></td>
<td>✓ ✓</td>
<td>A.S. Nursing (ADN)</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Assisting</td>
<td>NE 90 - Introduction to Nursing Education (COM)</td>
<td></td>
<td>✓ ✓</td>
<td>A.S. Medical Assisting: Administrative and Clinical Option Occupational</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nurse's Assistant</td>
<td>NE 90 - Introduction to Nursing Education (COM)</td>
<td></td>
<td>✓ ✓</td>
<td>A.S. Nursing (ADN)</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Home Care Worker</td>
<td>Nursing Assistant / Home Health Aide (NRA 51.1) (SRJC)</td>
<td></td>
<td>✓ ✓</td>
<td>A.S. Nursing (ADN)</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 6
5/6/09
<table>
<thead>
<tr>
<th>CTE Industry Sector</th>
<th>ROP Course Title</th>
<th>Community College (CC) Course Title</th>
<th>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion:</th>
<th>E.C. 5343(a)(2) Apprenticeship or degree program</th>
<th>High Wage or Significant Wage Increase</th>
<th>E.C. 53203(a)(4) Articulation Agreement</th>
<th>UC/ CSU A-G</th>
<th>High School Sequencing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Science and Medical Technology (Continued)</td>
<td>Sports Fitness; Sports Medicine</td>
<td>Fitness (PE 125A) (COM) Basic Athletic Injuries (PE 143) (COM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Hospitality, Tourism, and Recreation</td>
<td>Culinary Arts; Gourmet Catering and Creative Foods</td>
<td>Culinary Cafe 1 (CUL 253A) (SRJC) Culinary Cafe 2 (CUL 253B) (SRJC) Professional Cooking Basics (CUL 253.1) (SRJC) Sanitation and Safety (CUL 50) (SRJC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Manufacturing and Product Development</td>
<td>Welding Occupations</td>
<td>Welding I (MACH 130) (COM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Marketing, Sales and Services</td>
<td>Career Management</td>
<td>Introduction to Marketing (BUS 104) (COM) Retail Marketing (BMK 60) (SRJC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>CTE Industry Sector</td>
<td>ROP Course Title</td>
<td>Community College (CC) Course Title</td>
<td>E.C. 53292(a)(1) Occupational Skill Certificate issued for course or sequence completion:</td>
<td>E.C. 5343(a)(2) Apprenticeship or degree program</td>
<td>High Wage or Significant Wage Increase</td>
<td>E.C. 53203 (a)(4) Articulation Agreement</td>
<td>UC/CSU A-G</td>
<td>High School Sequencing</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------</td>
<td>------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>----------------------------------------</td>
<td>------------------------------------------</td>
<td>-----------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Public Services</td>
<td>Public Safety Careers</td>
<td>Introduction to Administration of Justice (AJ 110) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Administration of Justice, Occupational (COM)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Introduction to Administration of Justice (SRJC)</td>
<td>✓</td>
<td></td>
<td>A.A. Administration of Justice (SRJC)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>Auto Technology</td>
<td>Introduction to Automotive Maintenance (AUTO110) (COM)</td>
<td>✓</td>
<td>✓</td>
<td>A.S. Automotive Technology</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Automotive Maintenance - Intermediate (AUTO111) (COM)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 8
5/6/09