

COLLEGE OF  
**MARIN**

**Board of Trustees Meeting  
July 27, 2010  
Minutes**

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**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 AS 101 conference room on the Indian Valley campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 5:04 p.m. All publicly elected Trustees were present except Trustee Namnath, who arrived at 5:13 p.m. Trustee Conti participated by telephone from Kohala Coast, Hawaii. Al Harrison, Nick Chang, Linda Beam, and Bruce Heid were also in attendance.

M/s (Treanor/Hayashino) to adopt the agenda with this change: Consent Calendar Item B.8.K was moved to the Action Calendar as B.9.C. The motion passed by a unanimous vote of 5-0.

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 at 5:12 p.m.

The closed session recessed at 6:32 p.m.

**B. Regular Meeting**

1. Board President Long reconvened the meeting at 6:45 p.m. All publicly elected Trustees were present except Trustee Conti, who participated by telephone from Kohala Coast, Hawaii. Student Trustee Parker arrived at 7:10 p.m.

Board President Long announced that the meeting was being recorded to facilitate the

preparation of minutes.

Board President Long announced that the agenda had been approved in closed session with the change enumerated above.

**2. *Report of Closed Session for July 27, 2010***

Board President Long reported that no action was taken in closed session.

**3. *Citizens' Requests to Address the Board on Non-Agenda Items***

Brian O'Connor of Friends of Kentfield commented on the July 13 meeting held for the community to discuss the New Academic Center and the LED sign to announce events at the COM athletic facility. He stated that the public thought they were invited to give feedback on the LED sign and were surprised to hear that the sign had already been approved by the Board, ordered and paid for. He also commented that he was amazed to hear that we are just finding out that we don't have enough classrooms and that we are planning to keep the Austin Science Center and the portables. Mr. O'Connor stated that community wants to work in partnership with the college and that the July 13 meeting was a great concept but was poorly executed.

Scott Peoples, also representing Friends of Kentfield, voiced his dissatisfaction with the July 13 meeting and stated that a clear, more defined relationship between the Board, the administration and the community is needed. He described that meeting as a non-meeting about something already done. He stated that Kentfield sign regulations did not include an LED sign and that COM and Kentfield need to work together better. He commented that the July 13 meeting was not successful and that there was an information disconnect as everything was already signed, sealed and delivered. Mr. Peoples stated that the Board and the community need to be properly informed and that these community meetings should be documented with minutes.

Richard Benson, Assistant County Assessor for Evaluation, introduced himself and encouraged Board members to contact him with questions or requests for information.

Earl Downing, Kees Tuinzins and Mimi Willard, representing Friends of COM Track, informed the Board that COM's track is a wonderful asset to the community and that it is in use continuously by various school and community groups every day of the week. They encouraged us to maintain and improve our regulation track. Ms. Willard advocated for one 400 meter regulation track and one multi-use playing field as a solution.

**Administration of Oath of Office to Student Trustee**

Superintendent/President Harrison administered the Oath of Office to Student Trustee Nathaniel Parker.

#### **4. Chief Executive Officer's Report**

Superintendent/President Harrison reported that fall enrollment is 17% above where it was last year at this time. He announced that the COM Foundation has agreed to sponsor the Opening Day Breakfasts. Mr. Harrison called the Board's attention to his written report in the Board packets.

##### **a. Staff Reports**

###### **1. Follow-Up Report (in packet)**

Board members were referred to the Follow-Up Report in their Board packets.

#### **5. Academic Senate Report**

Sara McKinnon, Academic Senate President, updated the Board on the makeup of this academic year's Academic Senate and its officers. She offered a heartfelt thank you to outgoing Academic Senate President Yolanda Bellissimo for being the Senate's voice and visionary leader for the past four years. A copy of Ms. McKinnon's statement is attached to the minutes as part of the official record.

#### **6. Classified Senate Report**

None

#### **7. Student Senate and Student Association Report**

None

#### **8. Consent Calendar Items (Roll Call Vote)**

M/s (Hayashino/Treanor) to approve all items on the Consent Calendar. The motion passed by a roll call vote of 6-1 with Trustee Dolan casting the no vote. Student Trustee Parker cast an advisory aye vote.

##### **A. Calendar of Upcoming Meetings**

##### **B. Approve Classified Personnel Recommendations**

1. Appointment of Hourly Personnel
2. Temporary Increase/Decrease in Assignment/Salary for Classified Personnel

##### **C. Approve Classified Management Personnel Recommendation**

1. Appointment of Classified Management Personnel

##### **D. Approve Short-Term Hourly Positions**

##### **E. Approve Academic Personnel Recommendations**

1. Appointment of Academic Personnel
2. Temporary Credit Instructors Appointments Summer 2010
3. Appointment of Temporary Non Credit ESL Instructors and Community Education and Services Instructors for Summer 2010

**F. Budget Transfers – Month of June – FY 2009/10**

**G. Warrant Approval**

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

**I. Modernization (Measure C) - *BP3.1 (Keep modernization program on track)***

1. Ratify/Approve Modernization Contracts, Changes and Amendments (\$34,557,166)

**J. Approve Revised Board Policies – *BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)***

1. BP 3410 Nondiscrimination
2. BP 3900 Speech, Time, Place & Manner
3. BP 4020 Program, Curriculum and Course Development
4. BP 4025 Criteria for Associate Degree and General Education
5. BP 5010 Admissions
6. BP 5140 Disabled Students Programs
7. BP 7160 Professional Development

**9. Other Action Items**

**A. M/s (Treanor/Hayashino) to Approve 5-Year Construction Plan.**

After concern was expressed that the Trustees did not have a copy of the plan to review, Trustees Treanor and Hayashino withdrew the motion. This item will be brought back to the August Board meeting.

**B. M/s (Treanor/Namnath) to Reject Camille Noble Claim.**

The motion passed by a unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Parker.

**10. Board Study Session**

**a. Options and Recommendations for Balancing the Budget – BP1 (Fiscal Accountability)**

**1. Options for Balancing the Budget**

Superintendent/President Harrison made a presentation on the district's financial condition and options for eliminating the deficit (copy attached). He noted that we are looking at an anticipated deficit of \$930,000 for the 2010/11 fiscal year and that staff have been looking at where reductions can be made. He noted that there are pressures from the state to transfer classes to fee based status and that across the board cuts would have to be selective. Some of the options under consideration for

eliminating the 2010/11 deficit include:

- Eliminate overload not mandated by agreements
- Convert noncredit, PE and art avocational classes to CES in spring 2011
- Reduce summer session 50%
- DSPS self-funded
- 10% across the board cut

Superintendent/President Harrison commented that 2011/12 and 2012/13 will be worse and that we will have to start thinking about strategies early and decide what is in the best interests of the students and the community. Staff will come back with a balanced budget in August.

**a. DSPS Program**

Vice President Chang reviewed the reports in the Board packets on DSPS programs and classes for older adults (copies attached). The current proposal includes funding all mandated services with DSPS categorical funding (counseling, support for individuals with learning disabilities, physical disabilities, the deaf and visually impaired and those with psychological disabilities). All special classes not mandated will be cancelled except for 6 classes in adapted PE. The program will stay within its budget if additional personnel actions are taken.

**b. Emeritus Classes**

Vice President Chang reported that some free non-credit classes for older adult students will be converted back to fee based community service classes for the 2010-2011 academic year for two main reasons: the State did not approve them and the College has limited fiscal resources to offer them fully subsidized. After consulting with members of the Emeritus students the following decisions were reached:

- The noncredit classes usually offered for the Fall 1, Fall 2, Winter and Spring quarters are cancelled. This represents 44 sections and a saving of slightly over \$50,000.
- Three specific classes will be offered as free community service classes with the College absorbing a loss of \$1,000. These were identified to be essential to the physical education of some of the Emeritus students.
- Twelve specific classes that address the physical well-being of the older adults will be offered at a much discounted fee of \$15 per student with the College absorbing a negative of \$3,000.
- The remaining noncredit classes, which primarily serve the general public, will be given a chance to succeed as regular, self-sustaining, community service classes at no cost to the College.

Vice President Chang recommended that we assess the impact of these decisions at the end of this academic year and make changes as necessary.

Board members discussed these issues and posed several questions and requests for information as follows:

Trustee Kranenburg asked if there are budget items that can be adjusted immediately? mid-term? long term?

Trustee Namnath asked how we can help subsidize classes if Title 5 requires community services classes to be self-supporting. He questioned the legality of subsidizing classes.

Trustee Dolan asked how we can meet the needs of our unique community.

(Trustee Dolan left the meeting at 8:15 p.m. and returned at 9:25 p.m.)

Trustee Hayashino asked how other basic aid districts are handling their DSPS program and classes for older adults.

Trustee Conti asked what statistics have been gathered for the amount of people affected by the fee changes and cancelled classes. She also brought up the possibility of letting people audit fee based classes if they can't afford them.

Trustee Kranenburg asked if we could keep the 44 cancelled noncredit classes going and charge for them.

Trustee Long asked several questions:

What are the policy decisions the Board needs to make if it wants to maintain some level of program in these areas? What policy issues are appropriate to come before the Board to deal with these issues?

How can we find solutions that will enable us to serve a significant group of our students who also are our strongest voters on any bond measure or any time we ask for additional funds?

How do we use non-traditional methods to create a win-win situation?

How are community services faculty paid?

Is there an Emeritus Advisory Committee? What is its role and has the process been followed?

Board President Long asked Superintendent/President Harrison to bring back a report responding to the questions and issues raised. She said that the Board needs more discussion time before making any significant decision related to these two programs (DSPS and emeritus). No vote was taken on B.9.C (formerly B.8.K), Approve New Community Services Courses.

Several Trustees commented on the need for further discussion of budget and institutional planning issues.

Public Comment:

Erika Harkins, speaking on behalf of a large group of Emeritus students and Marin County senior citizens, expressed disagreement regarding ESCOM's request that COM again start offering free non-credit Community Services classes. She stated that she and the individuals she is speaking for are outraged by the article in the Marin IJ written by one of ESCOM's members, stating that COM is discriminating against seniors in Marin County. Ms. Harkins commented that the great majority of Marin County residents can afford to pay the cost of the Emeritus classes and that those who need help receive funds through the COM Foundation. A copy of Ms. Harkins' statement is attached to the minutes as part of the official record. Courtney Luddon, Joanna Hinkle, and Joanne Gotelli spoke in support of Erika Harkins' comments, noting that the fees for emeritus classes are reasonable, that most people who take the classes can afford the fees, and that the college needs to get the deficit under control. Nancy Wasson read a statement from William T. Horne, M.D. (copy attached) expressing support for charging fees for emeritus classes.

Richard Park, Vice President of the Emeritus Student Council, commented that it is difficult for him and many others to pay even the current level of fees for emeritus classes. He stated that he appreciates the administration's willingness to sit down and compromise but is disappointed that ESCOM didn't get everything they wanted.

Deborah Haberman commented that it is hard to make cuts to programs that have been around a long time but that it is important for the college to get the budget under control. She suggested looking at fundraising and scholarships for students who have financial difficulty. Ms. Haberman stated that she thinks the community would support fee based classes, knowing that these are unusual times.

**b. College of Marin Integrated Planning – Board's Role in the Process**

Superintendent/President Harrison reviewed the information in the Board packets on this subject, noting that the college can only have one set of priorities and that the Board needs to develop activities to help us meet the Strategic Objectives. Board members complimented staff on the strategic planning documents and commented that they need more time to discuss the data. A Study Session will be scheduled in the near future.

Trustee Conti concluded her phone participation in the meeting at 9:25 p.m.

**11. Board Policy Review (1<sup>st</sup> Read) - BP1.4a (*Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan*)**

None

**12. Board Reports and/or Requests**

**a. Commendation Resolutions and Other Resolutions**

None

**b. Legislative Report**

Trustee Hayashino reported that there is no state budget yet, that members of the legislature are in recess, and that the Governor is threatening not to sign the budget before he leaves office if there is no action on pension reform.

**c. Committee Chair Reports**

**1. Fund Development Committee Report**

Trustee Hayashino reported that she and Trustee Conti have received background documents related to consultant Patricia Stirling's work and that they plan to convene a committee meeting in August. She noted that the Harry Moore Memorial Bench is a fundraising opportunity for the Board and that we need to move on this and get it launched.

**d. Individual Reports and/or Requests**

Trustee Long reported that she met with Ann Hill, the new COM Foundation President, and that she was impressed with many of her statements. Trustee Long commented that she was pleased to hear that the Foundation will sponsor the "Welcome Back" breakfasts. She also reported that she and several other Trustees attended the July 13 community meeting and noted that comments were presented in a positive manner.

**13. Approval of Minutes**

**• Minutes of June 22, 2010 Special Board Meeting**

M/s (Treanor/Namnath) to approve the minutes of the June 22, 2010 Board meeting. The motion passed by a unanimous vote of 6-0 (plus an abstention by Student Trustee Parker).

**14. Possible Future Agenda Items for Discussion**

**A. Fundraising - BP4.1 (*Implement a Strategic Plan for College Development*)**

## 15. Information Items

Board members were asked to review the information items in their Board packets.

- A. **Contracts and Agreement for Services Report – June, 2010 – BP1 (*Fiscal Accountability*)**
- B. **Audit Plan for the Year Ending June 30, 2010 – BP1 (*Fiscal Accountability*)**
- C. **Modernization Update – BP3.1 (*Keep modernization program on track*)**
  - 1. **Director’s Report – BP3.1 (*Keep modernization program on track*)**
  - 2. **Contract Milestones Report through June, 2010 – BP3.1 (*Keep modernization program on track*)**
  - 3. **Schedule – BP3.1 (*Keep modernization program on track*)**

### D. Revised Administrative Procedures

None

### E. Calendar of Special Events

#### Welcome Back Breakfasts

**August 12, 2010 - 8:30 a.m., IVC – Admissions & Records Lobby**

**August 12, 2010 – 8:30 a.m., Kentfield – area in front of Fusselman Hall**

**Fall Convocation – August 13, 2010, 10:00 a.m. to noon, Olney 96**

## 16. Correspondence

Board members were referred to the correspondence in their Board Packets.

## 17. Board Meeting Evaluation

Trustee Hayashino commented that she was glad there was a focus on budget and planning at this meeting. Several Trustees advocated for a Board Study Session on these topics.

## 18. Adjournment

M/s (Namnath/Treanor) to adjourn the meeting. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker) and Board President Long adjourned the meeting at 9:40 p.m.