

COLLEGE OF
MARIN

**Board of Trustees Meeting
June 22, 2010
Minutes**

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, all members having received notice as prescribed by law. Board President Long called the meeting to order at 5:10 p.m. All publicly elected Trustees were present except Trustee Kranenburg, who arrived at 5:27 p.m., Trustee Namnath, who arrived at 5:45 p.m., and Trustee Dolan, who was absent. Al Harrison, Nick Chang, and Linda Beam were also in attendance.

M/s (Conti/Treanor) to adopt the agenda with these changes: Action item B.10.K was moved up on the agenda to follow B.4; B.9.J.2 was pulled from the Consent Agenda and moved to the Action Calendar as B.10.L. The motion passed by a unanimous vote of 4-0.

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 5:20 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 Dolan, who arrived at 7:00 p.m., and Student Trustee Parker. 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 changes enumerated above. M/s (Namnath/Conti) to move the Consent Calendar items up on the agenda to follow B.2. The motion passed by a unanimous vote of 6-0.

2. Report of Closed Session for June 22, 2010

Board Clerk Conti reported that no action was taken in closed session.

9. Consent Calendar Items

M/s (Treanor/Hayashino) to approve all items on the Consent Calendar (with the exception of J.2 which was moved to the Action Calendar as 10.L). The motion passed by a unanimous vote of 7-0.

A. Calendar of Upcoming Meetings

B. Approve Classified Personnel Recommendations

1. Appointment of Classified Personnel
2. Resignation/Retirement of Classified Personnel
3. Temporary Reassignment of Classified Personnel
4. Temporary Increase/Decrease in Assignment for Classified Personnel
5. Classified Request for Leave of Absence/Uncompensated Leave

C. Approve Educational Management Personnel Recommendations

1. Appointment and/or Change of Educational Management Personnel

D. Approve Short-Term Hourly Positions

E. Approve Academic Personnel Recommendations

1. Resignation/Retirement of Academic Personnel
2. Academic Request for Increased Assignment

F. Budget Transfers – Month of May – 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 (\$340,035)**
2. **Approve Construction and Financial Management Software**
Citadon, Inc. – Amendment 2 (\$33,680) and EADOCS 3 Year Agreement (\$64,850)
3. **Approve New Short Form Professional Services Agreement**
New Academic Center Project (303B) – EIR Services for Initial Study
ESA (Environmental Science Associates) (\$25,000)
4. **Approve Amendment 1 to Short Form Professional Services Agreement**
New Academic Center Project (303B)
TLCD Architecture (\$50,000)

- 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 3500 Emergency Preparedness
 - 3. BP 4235 Credit by Examination
 - 4. BP 4300 Field Trips and Excursions
 - 5. BP 5050 Matriculation
 - 6. BP 5052 Open Enrollment
 - 7. BP 5055 Enrollment Priorities
 - 8. BP 7120 Employment Recruitment
 - 9. BP 7210 Academic Employees
- K. Approve New Credit Courses - *SP.2 (Improve Student Learning and Success)***
- L. Approve Credit Course Revisions – *SP.2 (Improve Student Learning and Success)***
- M. Approve Credit Course Deletions - *SP.2 (Improve Student Learning and Success)***
- N. Approve New Noncredit Courses – *SP.2 (Improve Student Learning and Success)***
- O. Approve Noncredit Course Revisions – *SP.2 (Improve Student Learning and Success)***
- P. Approve Sabbatical Leave Revision**

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

The following individuals urged the Board reinstate some of the free classes for emeritus students that have recently been cut: Marian Mermel, Jerry Weisman, Professor Scott Merrick, Len Pullan, Beverly Munyon, Richard Park, Dori Organ, and Jim Moore. Copies of the statements of Ms. Mermel, Mr. Weisman, and Ms. Organ are attached to the minutes as part of the official record.

Board President Long quoted some comments from a seminar she recently attended which featured a presentation on “Myths & Realities of an Aging Society” by John W. Rowe, M.D., an expert on the aging population. A copy of an article in the Marin IJ on Dr. Rowe’s presentation is attached to the minutes as part of the official record.

Trustee Hayashino commented on a report on the History of Emeritus College (Older Adult) Noncredit at College of Marin which was prepared by Vice President Chang (copy attached). In view of the state directive to not use general funds to cover non-credit courses, she requested information on how other colleges are handling this situation and also asked Vice President Chang to continue to update the Board on state directives. Vice President Harrison stated that the administration will bring additional information and options to the Board. He noted that since the State Chancellor’s Office is not approving our noncredit older adults courses this spring and can declare them nonpayable with state funds, finding a solution within the community is the only way to go.

4. Superintendent/President Search Update

Dr. Stan Arterberry updated the Board on the search for a new Superintendent/President, noting that the committee has been reviewing 65 applications and would meet on June 23 to determine the semi-finalists. The committee is tentatively scheduled to interview the semi-finalists on July 12, 13 and 14. Dr. Arterberry proposed August 30 and 31 and September 1, 2, 3 and possibly 4 for the Board's interview schedule. Dr. Arterberry presented and the Board discussed four possible candidate interview schedule options: 2 variations of a one candidate per day on campus option (one with a campus forum and one with both a campus and a public forum) and 2 variations of a one candidate per half day on campus option (one with a campus forum and one with both a campus and a public forum).

B.10.K Approve COM Superintendent/President Candidates Final Interview Schedule with the Board.

M/s (Namnath/Hayashino) to adopt Option 1B for the selection of the Superintendent/President on August 30 through September 3 and possibly September 4 if there are five finalists.

“Option 1B

1. One candidate per day (August 30, 31 and September 1, 2,3)
2. Candidate meets with various College constituent groups
3. One candidate's forum for College members
4. One candidate's forum for Community members
5. Board may interview finalist on each day and Board deliberation after last finalist or Board may hold an open reception or a private dinner for the candidate
6. If Board decides not to hold interviews on each day, interviews will be held on September 4.
7. Required day(s): Candidates – 1 day per candidate on campus and interviews and if reception or dinner are held, 2nd day for interview; Board – 5 days for interviews and if reception or dinner are held, 6th day for interview)”

The motion passed by a vote of 6-0-1 with Trustee Dolan abstaining.

Board President Long asked the Trustees to think about the questions they will want to ask the candidates during the interviews.

5. Chief Executive Officer's Report

Vice President Harrison called the Board's attention to his report and the written staff reports in their Board packets. He reported that summer school enrollment is up 3%. The growth is primarily at IVC and there is a slight decline in the number of students at Kentfield.

a. Staff Reports

1. Academic Priorities at College of Marin and Budget, Enrollment and Achievement

Nick Chang, Vice President of Student Learning, and Yolanda Bellisimo, Academic Senate President, reviewed the presentation on “Setting Allocation Priorities” in the Board packets. Vice President Chang noted that the state wants us to differentiate between recreational/avocational courses and courses leading to a degree and that the state is seriously looking at the possibility of capping or cutting back PE courses. Board members recognized the need to further discuss COM’s allocation priorities in light of our mission statement, financial resources, state directives, and demographic data. Trustee Treanor requested a Study Session on this subject in the near future.

2. Athletic Field Proposal Presentation

Vice President Harrison reported that The Branson School has been working with the Ross Valley LaCrosse Club on a proposal for our athletic field. If the Board is amenable to pursuing the proposal we will have to develop a resolution describing what we would like to see done with the athletic field and inviting interested parties to respond.

Vice President Harrison introduced Michael Lateef of the Ross Valley Lacrosse Club who described the joint use proposal his organization has been working on with The Branson School and COM staff. The proposal envisions developing two synthetic turf fields that could be used for lacrosse or soccer fields on the site of the existing football field and track. The fields could be reconfigured for baseball. Architect Peter Arnold of Abey Arnold Associates of San Rafael provided further details on the proposal, noting that all facilities are in close proximity and that the footprint has been kept within existing parameters. A warm up area, plaza and 600 yard long practice track are included in the plan.

Trustee Namnath asked for a review of the California Ed Code, particularly sections 81420 and 81422, with regard to transfers of community college property and joint use agreements. Vice President Harrison responded that we always check with legal counsel and that they will determine what we can or cannot do.

Sara McKinnon, representing the Academic Senate, read a statement written by Yolanda Bellisimo (copy attached) expressing concern about the proposal to eliminate the track and replace the current track and football field with two soccer-lacrosse fields. The Academic Senate considers the removal of the track to be an academic matter which requires Board consultation with the Academic Senate under 10 + 1. The track is used by our athletic teams and physical education classes and affected PE

faculty do not support the removal of the track. Negotiations for the refurbishing or building of fields should be discussed with the affected faculty and consultation with the Academic Senate is required prior to a decision on this proposal.

Board members generally expressed support for moving forward with consideration of this proposal as long as legal and scheduling issues are worked out and our Academic Senate process is followed. Vice President Harrison stated that our classes and academic program would have to have scheduling priority. He noted that we are a long way from an agreement and that the next step will be to design a resolution to go to the public for response. This will be worked on in the next few months.

3. Modernization Report

The Trustees were referred to the written report in their Board packets.

4. College Avenue Visioning Committee Update

Board members were referred to the written report in their Board packets.

5. Follow-Up Report (in packet)

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

6. Academic Senate Report

Sara McKinnon, Academic Senate President, read a statement prepared in response to comments made by one of our Trustees at the June 8 Board meeting about her perceptions of College of Marin's graduating class of 2010. A copy of this statement is attached to the minutes as part of the official record.

7. Classified Senate Report

None

8. Student Senate and Student Association Report

None

10. Other Action Items

A. Modernization (Measure C) – BP3.1 (*Keep modernization program on track*)

1. PE Center Supplemental Cooling Project (308C)

Pre-Authorization Award of Construction Project

M/s (Namnath/Hayashino) to pre-authorize award of a construction contract for the PE Center Supplemental Cooling Project to the lowest responsive bidder

subject to successful completion of the five business day bid protest period. The motion passed by a unanimous vote of 7-0.

B. M/s Hayashino/Kranenburg) to Approve 2010/2011 Tentative Budget – BP1 (Fiscal Accountability).

Trustee Long noted that community services courses have to support themselves and that any surplus goes back into the general fund. She commented that she always advocates for putting some of this money back into the community services program and that we need to look at the fairness of charging our community services students more than regular students.

The motion to approve the 2010/2011 Tentative Budget passed by a unanimous vote of 7-0.

C. M/s (Namnath/Treanor) to Approve Resolution Designating Signature Authority on Behalf of the Board of Trustees for 2010/2011– BP1 (Fiscal Accountability.) The motion passed by a unanimous roll call vote of 7-0.

D. Approve 2010 Accreditation Self-Study Draft – BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)

M/s (Namnath/Dolan) to modify the approval of this document with the removal of one finding for further discussion (the commentary above IV.B.1.a on page 2 of Standard IVB: Board and Administrative Organization).

After considerable discussion Trustees Namnath and Dolan withdrew this motion.

M/s (Hayashino/Kranenburg) to approve the 2010 Self-Study Draft. The motion was defeated by a roll call vote of four noes (Trustees Dolan, Conti, Namnath and Long) to three ayes (Trustees Kranenburg, Hayashino and Treanor).

Board President Long recessed the meeting at 10:35 p.m. and reconvened it at 10:55 p.m.

M/s (Hayashino/Namnath) to approve the 2010 Accreditation Self-Study Draft with this wording change to one paragraph in Standard IV.B.1.a:

Original sentence: “Although the football program was discontinued after a program review process had been completed, some trustees attempted to overturn the final decision, which caused a conflict with the Academic Senate and BP 4021 policy and procedure.”

Revised sentence: “Although the football program was discontinued after a program review process had been completed, some trustees questioned the data presented and did not accept the recommendation of the Academic Senate, which caused a conflict with the Academic Senate and BP 4021 policy and procedure.”

The motion passed by a unanimous vote of 7-0.

This wording change will be sent to the Self-Study Steering Committee for review and approval.

M/s (Kranenburg/Namnath) to approve items 10.E through L in one vote. The motion passed by a unanimous vote of 7-0.

- E. Award Bid for IVC Locker/Shower Project – BP3 (Facilities)**
- F. Approve Agreement with Nelnet Business Solutions for Student Payment Plan**
- G. Approve Retainer Agreement with School & College Legal Services for 2010/2011**
- H. Approve Agreement with County of Marin for Dental Assisting Clinical Training – SP.2 (Improve Student Learning and Success)**
- I. Approve Purchase Order for Printing of Community Education Schedules**
- J. Ratify Collective Bargaining Agreement between MCCD and California School Employees Association, Local 196 (2009/2010 through 2011/2012)**
- L. Approve Revised Board Policy 4050 Articulation (formerly 9.J.2).**

11. Board Policy Review (1st 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*)

Board members were asked to review the Board Policies and submit comments to the Board Policy Committee.

- 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 and Services**
- 7. BP 7160 Professional Development**

12. Board Study Session

None

13. Board Reports and/or Requests

- a. Commendation Resolutions and Other Resolutions**

None

- b. Legislative Report**

None

c. Committee Chair Reports

1. Report on Meetings with COM Foundation (*Trustee Long*)

Board President Long reported that she met with consultant Patricia Stirling and Margaret Elliott and Dr. Frank Parnell representing the COM Foundation in January. She has a draft of a letter documenting that meeting and was asked by Trustee Hayashino for a copy of that letter. Trustee Long reported that the Foundation just elected new directors.

Trustee Dolan left the meeting at 11:10 p.m.

2. Fund Development Committee Report (*Trustees Hayashino and Conti*)

Trustee Hayashino distributed and reviewed a chronology of the work of the Board Development Committee (copy attached). She also handed out a sample case statement for a capital project and asked to continue this fundraising discussion at the next Board meeting.

d. Individual Reports and/or Requests

Trustees Treanor and Hayashino asked that two legal opinions obtained by Board President Long from the law firm of Kronick, Moskovitz, Tiedemann & Girard be circulated to Board members during closed session.

14. Approval of Minutes

M/s (Namnath/Hayashino) to approve the minutes of the May 18 Board meeting and June 8, 2010 Special Board Meeting. The motion passed by a unanimous vote of 6-0.

- **Minutes of May 18, 2010 Board Meeting**
- **Minutes of June 8, 2010 Special Board Meeting**

15. Possible Future Agenda Items for Discussion

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

16. Items for Possible Future Board Action

A. Unfunded Liability Program (July) – BP1 (*Fiscal Accountability*)

B. Resolution for Athletic Field - BP1 (Fiscal Accountability)

17. Information Items

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

A. Contracts and Agreement for Services Report – May, 2010 – BP1 (Fiscal Accountability)

B. 3rd Quarter Financial Report - 311Q – 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. Schedule – BP3.1 (Keep modernization program on track)**
- 3. Contract Milestones Report through May, 2010 – BP3.1 (Keep modernization program on track)**

D. Revised Administrative Procedures

- 1. AP 3410 Nondiscrimination**
- 2. AP 3900 Speech, Time, Place & Manner**
- 3. AP 4020 Program, Curriculum and Course Development**
- 4. AP 4025 Criteria for Associate Degree and General Education**
- 5. AP 4225 Course Repetition**
- 6. AP 5011 Admission of High School and Other Young Students**
- 7. AP 5055 Enrollment Priorities**
- 8. AP 5075 Credit Course Adds & Drops**
- 9. AP 5140 Disabled Students Programs**
- 10. AP 7160 Professional Development**

E. Calendar of Special Events

**Marin County Mayors and Councilmembers' Dinner – June 23, 5:00 p.m.,
San Francisco Yacht Club, Belvedere**

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

18. Correspondence

Correspondence in Board Packets

19. Board Meeting Evaluation

Trustee Conti stated that she was proud of the Board for compromising,

coming to a solution and acting. Trustee Hayashino commented that some discussion got out of hand. Trustees Treanor and Kranenburg advocated for scheduling a Board Retreat.

Board President Long recognized and welcomed Peggy Isozaki, our new Vice President of College Operations.

20. Adjournment

Board President Long adjourned the meeting at 11:25 p.m.