M A R I N

Marin Community College District
Board of Trustees Regular Meeting

October 15, 2013
MINUTES

A. Open Session
1. Call to Order
The Board of Trustees of the Marin Community College District met for a regularly scheduled meeting in the Cafeteria of the Student Services Building on the Kentfield Campus, all members having received notice as required. Board President Namnath called the meeting to order at 4:12 p.m. Trustees Namnath, Conti, Dolan and Treanor were present. Also present were Superintendent/President Coon and Vice Presidents Eldridge, Nelson and Torres. M/s (Treanor/Dolan) to approve the closed session agenda. Motion carried 4-0-3.

2. Public Comment: There was no public comment.
3. Recess to Closed Session: Meeting adjourned to closed session at 4:14 p.m.

Trustee Long arrived at 4:28 p.m. Trustee Kranenburg arrived at 5:10 p.m. Trustee O’Brien arrived at 5:22 p.m.

B. Closed Session
1. CONFERENCE WITH LABOR NEGOTIATOR(S) (Govt. Code Section 54957.6)
   Agency Representative: Kristina Combs
   Employee Organizations: United Professors of Marin (UPM/AFT); California School Employees Associations (CSEA); Service Employees International Union (SEIU); Unrepresented Employees (Confidential, Supervisors, Management)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code Section 54956.9(d)(1))
   Name of Case: Robert Timothy Anton Voelker vs. Marin Community College District et al.

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Initiation of Litigation (Govt. Code Section 54956.9(d)(4))
   Number of Potential Cases: One (1)

4. LIABILITY CLAIM (Govt. Code Section 54961)
   Claimant: Puni Elston
   Agency Claimed Against: Marin Community College District
5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code Sect. – 54957)
   Title: Superintendent/President

C. Open Session
1. Call to Order, Roll Call and Adoption of Agenda
   Board President Namnath called the open session to order at 6:34 p.m. Trustees Conti, Dolan, Kranenburg, Long, Namnath, O’Brien and Treanor were present. Also present were Student Trustee Reyes, Superintendent/President Coon, and Vice Presidents Eldridge, Nelson and Torres. Dr. Coon noted that there was a revised item before the Board printed on blue paper, Item C.9.G., Approve LRC Boiler and HVAC Repairs/Replacement. M/s (Long/Treanor) to adopt agenda with modified item. Motion carried 7-0 plus an advisory aye vote by Student Trustee Reyes.

2. Report from Closed Session – There was no reportable action taken in closed session.

3. Public Comment (3 minutes per speaker)
   A. Comments regarding items not on the Agenda
      Mary Jane Burke, Marin County Superintendent of Schools, thanked the Board and President Coon for the many ways that the College participates and collaborates with the educational community, and expressed her gratitude for the support given to early childhood education with the new Child Study Center. A copy of Ms. Burke’s letter is attached to the minutes.

   Laurie Ordin, representing the Executive Council of UPM, spoke about concerns raised to UPM by the Students of Social Justice about the ethical manufacturing of clothing sold on campus. The group requested the support of UPM and will be asking the Board for Board support in the future. Ms. Ordin read a Resolution on behalf of the UPM Executive Council supporting the ethical manufacturing of clothing by the Marin Community College District. A copy of the Resolution is attached to the minutes.

   Jon Gudmundsson showed a film created by College of Marin students who took classes in our film program, which no longer exists at the College. The two individuals who produced the film went on to work for Industrial Light and Magic.

   B. Comments regarding items on the Agenda – to be heard immediately before the Board of Trustees’ consideration of the item

4. Chief Executive Officer’s Report
   A. Report on Out-of-Country Travel – Walter Turner
      Dr. Coon introduced Walter Turner, Professor of Social Sciences and Contemporary African Affairs and chairperson for the Social Sciences department at the College. Mr. Turner also serves as the President of the Board of Directors of Global Exchange and is the host and producer of the weekly radio program, Africa Today, on KPFA in Berkeley. He has traveled extensively throughout southern and western Africa, worked as a journalist in South Africa, Kenya, Cuba, Nigeria and Venezuela, covered the 1994
elections in South Africa and was the media director for Nelson Mandela’s visit to California in 1990. Mr. Turner thanked Trustees for the opportunity to speak about his recent travels to Canada and Cuba. In Toronto he moderated a conference about the historic battle of Cuito Cuanavale in 1988, which brought about the independence of Angola and affected change in the geo-political interests of South Africa and other countries around the world. In Cuba, he was commissioned by the National Black Social Workers to set the itinerary for their delegation. The tour took them to Havana, Varadero and the City of Santiago, where they saw extensive damage caused by Hurricane Sandy. The discussions centered on the issues of health, social work, race, culture, and criminal justice. Mr. Turner gave accolades to the College of Marin for its proactive global students program, noting it is impressive when compared with other community colleges in the State. He expressed his appreciation to Dr. Coon and Vice President Torres for their efforts helping the program grow and making sure the courses are articulated, supported and offered on a timely basis, allowing for growth in the program and adding valuable benefit to our students and community.

B. Accreditation
Dr. Coon reported that ACCJC has acknowledged receipt of our Accreditation Mid-Term report.

C. Quarterly Budget Report
Vice President Nelson gave a brief overview on the quarterly budget status. A copy of his presentation is available on the College of Marin Webpage, under the Board of Trustees tab for this meeting. He stated that Fiscal Services staff will be meeting with budget managers on a quarterly basis to assure they understand their budgets and to provide support and assistance in meeting their discretionary needs throughout the year. Revenue and expenditures are currently on target. The College spends about $4 million per month, borrowing from the County as needed, until receipt of property tax revenue in December and again in April. Vice President Nelson noted it was important to remember that the College has fixed costs including payroll and other costs that represent the majority of the budget, leaving a very small discretionary operating budget. Trustees were appreciative of the information presented and look forward to receiving quarterly updates on the budget status. Vice President Nelson answered questions about the cost differences for PERS and STRS, capital fund matching, and the increase in operating expenses. There was also discussion that Proposition 30 funds are temporary (4 years) and that we should consider banking Supplemental Property Tax revenue for one-time cost allocations.

D. Student Success Update
Vice President Eldridge provided an update on Student Success progress. A copy of the presentation is available on the College of Marin Website, under the Board of Trustees tab for this meeting. Vice President Eldridge spoke of the changes in Title 5 and how they are affecting funds we will receive in the future. Matriculation has been renamed the Student Success and Support Program. Funding restrictions are tighter and
focus on orientation, assessment, counseling, advising and other education planning services. It is important that we carefully review these funding restrictions and that we properly report and track the students served and our progress in those areas, which will be the basis for our funding. We are currently adding the appropriate programming that will allow us to track relevant data so that we provide an accurate funding base moving forward. We are instituting program changes and process efficiencies which will make it easier for students and better serve them. These changes will also influence how we build our budget and redirect funds to meet the directives of the State. Trustees thanked Vice President Eldridge for his excellent presentation and the updated information. There was discussion about clarity of our mission, student transportation considerations, student assessments, transfer needs, AB 1440 degrees, student intervention and problem trend identification.

E. Trustee Development

Dr. Coon referred the Board to the materials about the Excellence in Trustee Program sponsored by CCLC (Community College League of California). He noted that the professional development budget for Trustees has been increased this year to about $1200 per Trustee and he encouraged Trustees to take advantage of either this program or other programs of benefit. He also asked Trustees to respond as soon as possible to his request for retreat dates, which is also a form of Trustee development. Trustee O’Brien noted that she had enrolled in the Excellence in Trustee Program and it allows you two years to complete the 20 sections of the program and that you can include any of the work you have done going back to January of 2013.

5. Academic Senate Report (5 minutes)

Ms. Sara McKinnon provided the Academic Senate Report, attached to these minutes.

6. Classified Senate Report (5 minutes)

Ms. Alice Dieli provided the Classified Senate Report, attached to these minutes.

7. Student Association Report (5 minutes)

Mr. Reyes provided the Student Association Report noting there was a Blood Drive today, a partnership between the Associated Students and one of the College Honor Societies, which included live music and complementary food and drinks. ASCOM has also partnered with campus clubs to provide multiple social events that include free live entertainment, including a Halloween Dance and Carnival later this month. They are also co-sponsoring a Candidate Forum our Trustee candidates with the League of Women Voters on October 24 in the Student Services building at 6:00 p.m.

8. Consent Calendar Items (ROLL CALL VOTE)

M/s (O’Brien/Conti) to merge and approve consent calendar items. Motion carried by roll call vote of 7-0, plus an advisory aye vote, by Student Trustee Reyes.

A. Calendar of Upcoming Meetings

- November 19, 2013, Regular Meeting, Cafeteria, Student Services, Kentfield Campus
B. **Approve Classified Personnel Recommendations**
   1. Appointment of Classified Personnel
   2. Temporary Reassignment of Classified Personnel
   3. Resignation/Termination of Classified Personnel

C. **Approve Academic Personnel Recommendations**
   1. Appointment of Academic Personnel
   2. Appointment/Change of Temporary Credit Instructors Fall 2013
   3. Temporary Non-Credit, ESL, Community Education and Services Instructor Appointments for Fall 2013

D. **Approve Classified Management Position Recommendation**

E. **Approve Budget Transfers – Month of September 2013**

F. **Approve Warrants – Month of September 2013**

G. **Approve Declaration of Surplus Equipment**

H. **Modernization (Measure C)**
   1. Ratify/Approve Modernization Contracts, Changes, Amendments ($644,207.79)

I. **Second Reading and Approval of Board Policies (None)**

9. **Other Action Items**

A. **Resolution Designating Persons Performing Volunteer Services as Employees (ROLL CALL VOTE).** Board President Namnath asked if anyone wanted the Resolution read out loud and then asked for a motion to have the reading waived. **M/s (Treasor/O'Brien) to waive the reading of the Resolution.** Motion carried 6-1, with Trustee Dolan voting no. Student Trustee Reyes cast an advisory aye vote. **M/s (Conti/O'Brien) to approve the Resolution.** Motion to approve Resolution Designating Persons Performing Volunteer Services as Employees carried by a roll call vote of 6-1 with Trustee Dolan voting no. Student Trustee Reyes cast an advisory aye vote.

   Board Trustee Namnath asked if any Trustees wished to discuss items C.9.B – C.9.G. separately. It was noted that Item C.9.G. was passed out with revised material this evening. Trustee Dolan asked a question about any costs related to Item C.9.C. No costs are associated with that item. Trustee Long had questions for C.9.D. and C.9.F.

B. **M/s (O'Brien/Treasor) to approve Ratification of Clinical Agreement with Prima Medical Group.** President Coon and Vice President Nelson answered questions about this agreement, clarifying that it was different from the agreement with Marin General from the last meeting and required by Prima Medical Group to continue the program. **Motion carried by a vote of 7-0, plus an advisory aye vote by Student Trustee Reyes.**

C. **M/s (Treasor/Conti) to approve Injury and Illness Program.** In response to a Trustee question about program delivery, Vice President Nelson responded that the College works closely with Keenan and Associates who has a training program for our employees.
to meet requirements and timelines. The College also works with CalOSHA as required. Motion carried 7-0 plus an advisory aye vote by Student Trustee Reyes.

D. M/s (Long/Kranenburg) to approve Renewal Agreement with Marin Brain Injury Network. There was a comment that we should be proud we are helping a program that appropriately serves people with brain injuries. It was clarified that there was a CPI rent increase every year in the agreement. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

E. Action on Tort Claim – Elston
   M/s (O’Brien/Treanor) to support the staff recommendation to reject this claim. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

F. M/s (O’Brien/Conti) to approve Scheduled Maintenance Five Year Plan 2014-15 through 2018-19. In response to Trustee questions, Vice President Nelson clarified that a five-year plan is submitted annually and can change to meet our needs. We are not anticipating receiving funds from the State this year and any funds we might receive would require a match by the District. The facilities assessment will help to identify maintenance needs for future maintenance plan projects. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

G. M/s (O’Brien/Conti) to approve LRC Boiler and HVAC Repairs/Replacement. In response to a Trustee question, staff confirmed that while future plans could include hooking up the LRC HVAC system to the geothermal system, in the short-term the system must be replaced as we cannot properly control heat and air in the building at this time. Funds for this project will initially come from the Reserve; however, we have applied for Prop 39 funds to help pay for this project due to energy efficiency rebates available from PG & E. Once Prop 39 funds are approved by the State Chancellor’s Office and the Department of Energy, the College would receive the rebate. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

10. Board Policy Review (1st Reading) - None

11. Future Agenda Items
   A. City College Impact
   B. Health Benefits
   C. Bond Spending Plan
   D. Indian Valley Campus

12. Board Reports and/or Requests (15 minutes)
   A. Committee Chair Reports
      Trustees O’Brien and Conti will be meeting for the Superintendent/President compensation review; will report back to Trustees and agendize this item at the November Board meeting.
      Trustee Long reported that she and Trustee O’Brien were tasked with reviewing Board training options and thanked Dr. Coon for providing information about the CCLC Excellence in Trustees program. Trustee Treanor noted that the course offerings have been developed by colleges as well and that a retreat on understanding the scorecard
and how we use it could be included as credit for the program. It was noted that this training program is good for all Trustees, is cost and time efficient and will make the Board more effective.

B. Legislative Report – No Report

C. Individual Reports/or Requests

Trustee Treanor reported on the successful Diebenkorn reception, noting that she had the privilege of bringing Betty Wilson, friend and former instructor and chair of the art department to the event. Ms. Wilson took courses from Diebenkorn and it was wonderful to see her interact with staff who learned from her and hear about their experiences together. She thanked Dr. Coon and Cathy Summa-Wolfe for making this happen. She also encouraged people to bring children to the campus to see it from a young person’s eyes, noting the new Math/Science/Nursing building was exceptionally fun for her grandchildren along with meeting “The President.”

Trustee Dolan asked about surplus equipment and when and where it would be available for viewing.

Trustee O’Brien requested that the professional development discussion be adgendized so that she and Trustee Long can put together a presentation.

Trustee Conti also commented on the Diebenkorn exhibit and reception, noting it was beautifully done and very impressive that the College of Marin was able to get the work. It was good to see the Marin community drawn to the College for this kind of event.

Trustee Long expressed her appreciation to Dr. Coon for taking the time to respond to Gloria Kopshever about the concerns she raised at the last meeting. She also reported that she appreciates weekly updates on construction and that the photos really help her understand what is going on with construction.

Phil Kranenburg echoed the comments on Diebenkorn exhibit, noting that we have done a lot of work here, made progress on our facilities and that you can see the potential in what we have been doing. The event was a celebration and gathering and encourages the community to come together as well as the potential for fund raising.

Student Trustees Reyes thanked everyone for the card noting that the well wishes at the loss of his father meant a lot to him.

13. Approval of Meeting Minutes (2 minutes)

A. Approve Minutes of September 17, 2013 Board Meeting

M/s (Treanor/Conti) to approve the minutes of the September 17, 2013 Board meeting. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

14. Information Items (see written reports)

A. Contracts and Agreements for Services – September 2013

B. 9/31/2013 YTD Financial Report

C. Modernization Update

1. Director’s Report
2. Program Schedule
3. Milestones Report

D. Administrative Procedures - None

E. Calendar of Special Events

- Yard Sale, Indian Valley Campus, Parking Lot 3
  Preview for COM Staff- October 24, 2013, 12:00 – 4:00 p.m.
  Public Sale – October 25, 2013, 9:00 a.m. to 4:00 p.m.
- Transfer Day, November 4, 10:00 – 1:00 p.m., Cafeteria, Student Services
- Harvest Day Lunch, IVC, November 20, 2013, 12:00 noon
- Bay 10 Trustees & CEO Meeting, April 14, 2014, Ohlone College

15. Correspondence

16. Board Meeting Evaluation - Good

17. Adjournment

M/s (O’Brien/Kranenburg) to adjourn the meeting. Motion carried 7-0, plus an advisory aye vote by Student Trustee Reyes.

Meeting adjourned at 8:40 p.m.
Members of the Board of Trustees
835 College Avenue
Marin Community College District
Kentfield, CA 94904

Dr. David Wain Coon, Superintendent/President
835 College Avenue
Marin Community College District
Kentfield, CA 94904

Dear Board Members and Dr. Coon:

On January 18, 2011, I appeared before you to urge the Board to maintain the Center for Early Childhood Education. The Board took the visionary action to include the Center in the bond measure of March, 2011. On November 14, 2011, I wrote to the Board supporting the provision of some additional funding needed for site preparation. Again, the Board found those resources.

I am now writing to you to share that I had the privilege of visiting the new Center for Early Childhood Education on Tuesday, October 8, 2013, with my colleagues who are members of the Marin Early Childhood Education Partnership. What an incredible experience! The facility is beautiful, the staff, under Lyda Beardsley’s directorship, is first-rate and the program is solidly designed to provide a preschool experience that will prepare children for successful entry into school and give them the core knowledge, skills and values that they will need to succeed in their studies and, more importantly, in life in the 21st Century. I saw a staff that knew how to create a safe and nurturing environment for learning. I observed the gratitude of parents who were leaving their precious children in a place where they knew they were not just being watched, but taught.

On behalf of the children, parents and our entire education community, I want to thank the Board and President Coon for your courageous actions in keeping the Center in operation and in providing such a beautiful place for this critical program. The Center is a demonstration classroom for furthering our understanding of how young children learn. It provides for observation and research, student teacher training and work study jobs for students studying to be Pediatric Nurses, Child Psychologists and other related fields. Its effects are felt in all of Marin County and had improved the quality of childcare and early childhood education everywhere. It is an important part of closing the achievement gaps and giving its students a chance to succeed.

The challenges facing Trustees and Community College Presidents, faculty and support staffs over the past years have been almost overwhelming. Yet, this Board and your staff have never wavered in keeping your focus on students. By providing a wonderful Early Childhood Education Center, you have provided our youngest and most vulnerable students with a program that will affect their lives long after all of us here tonight are gone. You have reached out and touched the future. You have shown what courageous public service means. I commend you for this achievement and I am committed to continuing the partnership the Marin Community College District and the Marin County Office of Education have had over many years.

Sincerely,

MARY JANE BURKE
Marin County Superintendent of Schools

BUILDING THE FUTURE . . . ONE STUDENT AT A TIME
ETHICALLY-MANUFACTURED CLOTHING RESOLUTION
October 1, 2013

Urging the College of Marin to become affiliated with the Worker Rights Consortium (WRC) in an effort to ensure that all apparel sold at or purchased by the College of Marin is ethically made in order to reduce the risk of supporting sweatshops and unfair labor practices.
WHEREAS sweatshops pay poverty wages, and/or force workers to labor long hours without adequate compensation under threat of job loss, and/or deny workers their right to form unions, and/or fire women who become pregnant, and/or generally subject workers to dangerous working conditions;
WHEREAS sweatshops routinely employ child laborers in exploitative conditions;
WHEREAS sweatshops routinely engage in arbitrary discipline, which includes verbal and physical abuse;
WHEREAS the use of sweatshop labor is among the most blatant examples of abuse of power in the global economy;
WHEREAS the United Professors of Marin, Local 1610 AFT, (UPM) recognizes that the existence and prevalence of sweatshops worldwide represents an unacceptable affront to the dignity of human life and an unacceptable condition of contemporary society;
WHEREAS the United Professors of Marin recognizes the College of Marin to be an institution that provides moral leadership to its community;
THEREFORE, BE IT RESOLVED that the United Professors of Marin requests that the Marin Community College District publicly take initiative against the use of sweatshop labor in the hope that others will follow the example by:
1. Requiring that all campus vendors sell only clothing that has been certified by the Worker Rights Consortium.
2. Requiring that all College of Marin purchases of clothing be certified by the Worker Rights Consortium.
3. Requiring that the Marin Community College District include #1 above as an amendment to the contract with bookstores or any other on-campus vendors.
4. Requiring that the bookstore and any other office of the District that purchases clothing with College funds provide a list of their clothing vendors to the Students for Social Justice and the Vice President of College Operations.

Signed,

[Signature]

Laurie Ordin,
President, United Professors of Marin
for the United Professors of Marin Executive Council
Academic Senate Report to the Board of Trustees – October 15th, 2013

As President of the Academic Senate, I will be attending the Area B meeting at De Anza College on Friday. There we will be vetting resolutions already written, and proposing new ones to be taken to the Fall 2013 Plenary Session in early November. Resolutions considered at Plenary Sessions cover the gamut of topics from Accreditation to Technology, Curriculum to Articulation and Transfer, Professional Standards to the Disciplines List and more – there are 22 categories. Our Senate is proposing a resolution regarding changes to Title 5 on Course Repetition – Significant Lapse of Time.

There has been some discussion recently about students who enroll in our classes, but are not really participating and for whatever reason appear to not really care whether or not they pass. While we are not allowed to base our grades on attendance, we can factor in "participation". The Academic Senate will be sending out a single-item survey to all faculty, face to face and DE, to gather a set of “best practices” they might be willing to share. We will be asking the following:

What do you do in your classes to assess your students' level of engagement and participation? What strategies do you employ early on to keep your students on their toes? What activities do you use to find out if your students are more than "minimally" participating? How do you objectively quantify "participation"? Please note if you have special strategies for online classes.

We hope to be able to publish responses in the next Academic Senate News.

--Sara McKinnon
Academic Senate President
Good Evening,

On behalf of the Classified Senate, I would like to express appreciation for your letter of support for the Chancellor’s Professional Development Committee Recommendations. We will keep you updated on the program developments.

The Senate officers asked me to thank the trustee candidates who attended our joint meeting with the Academic Senate officers. It was extremely informative.

Our October meeting was a standing room only event. President Coon presented an update on the progress to close the budget deficit and the programmed reinstatement of classes following the thoughtful and deliberate allocation of resources. Interim Vice President Nelson joined him with an explanation of the guidance provided by the purchasing matrix. Both the President and Interim Vice President fielded questions from the staff and their candid answers were very much appreciated!

Finally, a reminder that the Senate’s Annual Halloween Costume Contest/Fundraiser is coming up on Thursday, October 31st in the Staff Lounge at noon and we hope you can join us.

Respectfully submitted,

Alice L. Dieli

Alice L. Dieli
Classified Senate President