Rewards and Challenges of Trusteeship
Annual Trustees Conference
Community College League of California

How to Breathe Life into
Standard IV Recommendations

DON'T RUN AND HIDE!

- Identify collective responsibilities
- Boldly tackle the issues
- Embrace institutional self-improvement

Presented by: Wanden P. Trenor, Trustee
Marin Community College District

Annual Trustees Conference
May 5, 2012
9:45 – 10:45 a.m.
HOW TO BREATHE LIFE INTO STANDARD IV RECOMMENDATIONS

BALANCING CHANGE

Rewards and Challenges of Trusteeship

Community College League of California
Annual Trustee Conference - 2012

Wanden P. Treanor, Trustee – College of Marin

HOW TO BREATHE LIFE INTO STANDARD IV RECOMMENDATIONS

- DON'T RUN AND HIDE
- BOLDLY TACKLE THE ISSUES
- EMBRACE THE OPPORTUNITIES
- TO ENSURE INSTITUTIONAL & BOARD SELF-IMPROVEMENT

WHAT TO DO WITH A LETTER FROM THE ACCJC

- GET INFORMED
- OUTLINE WHAT NEEDS IMPROVEMENT,
- HOW TO STRUCTURE & IMPLEMENT STEPS RESULTING IN IMPROVEMENT and
- DEFINE SHORT-TERM AND LONG-TERM STEPS TOWARD IMPROVEMENT
WHAT IS ACCREDITATION?

- Accreditation is a system of self-regulation developed by higher education institutions to evaluate overall institutional effectiveness, quality and continuous improvement. There are four phases to the accreditation process: internal evaluation (institutional self-study); external evaluation (conducted by professional peers); commission evaluation and institutional self-improvement to meet evolving regional and federal standards.

WHY IS IT IMPORTANT?

ACHIEVING AND MAINTAINING ACCREDITATION ASSURES:

- the public that the institution meets standards of quality;
- that the education earned there is of value to the student who earned it; and
- that employers, trade or profession related licensing agencies and other colleges and universities can accept a student's credential as legitimate.

WHAT IS EVALUATED?

- institutional operations
- institutional mission
- providing effective educational services, instruction, support services, library and learning resources
- human resources
- facilities and physical resources
- information technology resources
- fiscal resources and fiscal management
- governance and decision making
WHY CARE?

- Accreditation enables colleges to qualify for federal Title IV financial aid for students and other federal grants and contracts
- Any level of sanction hurts the institution=
- Students worry if the courses will transfer, students don't enroll, the community loses confidence, morale deteriorates
- It negatively impacts student

WHAT IS EVALUATED UNDER STANDARD IV?

- LEADERSHIP, GOVERNANCE
- UNDERSTANDING THE ROLE OF THE TRUSTEE,
- UNDERSTANDING THE RESPONSIBILITY TO PROVIDE LEADERSHIP
- POLICY DEVELOPMENT
- EVALUATION
- GOOD STEWARDSHIP

STANDARD IV ISSUES ATTRACTING ATTENTION

- INTEGRATED PLANNING (lack thereof)
- MICRO-MANAGEMENT (not understanding the role of the trustee)
- BREACH OF ETHICS POLICY (arrogance, independence without regard to the broad view of what is in the best interest of the institution, as opposed to the narrow, self-serving view of what benefits the "Trustee's district"


EVALUATING THE SELF STUDY REPORT

- Regarding previous recommendations, provide evidence the institution fully addressed the recommendations.
- The evaluation team should verify that the evidence referenced in the Self Study Report demonstrates that the institution meets or exceeds the Accreditation Standards and that the institution is achieving its educational goals and objectives.
- Provide evidence that systematic and effective institutional planning and evaluation are being incorporated into institutional decision-making.

EXAMPLES OF SOURCES OF EVIDENCE FOR STANDARD IV:

- A. Decision-Making Roles and Processes
  - Evidence that shows board and other governance policies and descriptions of the participation of constituencies in decision-making bodies.
  - Evidence that includes documents showing the transmission of recommendations from faculty and academic administrators to decision-making bodies, and descriptions of the institution's information and decision-making process.

EVIDENCE FOR DECISION-MAKING ROLES AND PROCESSES

- Copies of governance policies and procedures, the composition of governance bodies, minutes of meetings, and documents showing the roles academic staff plan in reviewing and planning student learning programs and services.
- Evaluations and analyses the institution conducts of its governing and decision-making processes, and the form of communication of same to the community.
- Policy Manual, institutional statement of mission, vision or philosophy, and institutional planning documents.
EVIDENCE -B. Board and Administrative Organization

- Evidence that includes board minutes or a schedule showing board evaluation of policies.
- Evidence that includes the materials from board training workshops.
- Evidence that includes the board’s policy and instruments used for self evaluation, analyses and reports on the last few self-evaluations completed.

EVIDENCE -B. Board and Administrative Organization

- Board policy statement of ethics.
- Board minutes, statements to college constituents on this delegation of authority, the board policy manual, any contracts with administrators that specify delegation of authority, board agreements with faculty bodies regarding delegation of authority.
- Results of surveys, other evaluations of the president’s activities directed toward the communities served by the institutions.

EVIDENCE -B. Board and Administrative Organization

- Financial policies and manuals, the content of internal audits and reviews, annual independent external audits, fiscal program reviews conducted by other agencies, and the annual budget documents.
- Written information about institutional planning processes, minutes of meetings, records of participation in institutional evaluation and planning sessions.
- District/system's evaluation instruments, the results of the evaluation, and plans for improvement increasing.
EXAMPLES OF STANDARD IV RECOMMENDATIONS

- In order to meet the Standard, the Board of Trustees shall complete an analysis of its self-assessment pursuant to Board Policy and formally adopt expected outcomes and measures for continuous quality improvement that will be assessed and reported as a component of the immediately succeeding self-assessment. (IV.B.1.g)

EXAMPLES OF STANDARD IV RECOMMENDATIONS

- In order to meet the Standards, the District shall develop clearly defined organizational maps that delineate the primary and secondary responsibilities of each, the college-to-college responsibilities, and that also incorporate the relationship of major District and college committees established to assure the integrity of activities related to such areas as budget, research, planning, and curriculum. (IV.B.3.a-b, IV.B.3.g)

EXAMPLES OF STANDARD IV RECOMMENDATIONS

- In order to meet the Standards, the Board of Trustees shall assess its actions in relation to its policy making role and implement a program for ongoing Board member professional development to enhance and improve the demonstration of its primary leadership role in assuring the quality, integrity, and effectiveness of the student learning programs and services delivered by the District. (IV.A.3, IV.B.1.e-g)
EXAMPLES OF STANDARD IV RECOMMENDATIONS

- In order to meet the Standard, the District shall document evidence that a review of District Policies and Procedures that may impede the timely and effective operations of the departments of the colleges has taken place and that appropriate modifications are made that facilitate the operational effectiveness of the colleges. A calendar that identifies a timeline for the regular and consistent review of policies shall be developed. (IV.B.1.e)

QUESTIONS ASKED

Standard IV A - Decision-making Roles and Processes:
- What does documentation of the institution's past accreditation history show about integrity in its relationship with the Commission – has it responded expeditiously and honestly to recommendations, are there citations indicating difficulty, etc.?
- Are the institution's communications of institutional qualities or effectiveness to the public accurate?

Standard IV B - Decision-making Roles and Processes:
- What process does the institution use to evaluate its governance and decision-making structures? Are the results communicated within the campus community?
- How does the institution use identified weaknesses to make needed improvements?
QUESTIONS ASKED

Standard IV B - Board and Administrative Organization
- Do the records of board actions (minutes, resolutions) indicate that it acts consistent with its policies and bylaws?
- Does the board have a system for evaluating and revising its policies on a regular basis? Is this system implemented?
- What is the board’s program for development and orientation?

AGCAC - Guide to Evaluating Institutions

QUESTIONS ASKED

Standard IV B - Board and Administrative Organization
- What is the board self-evaluation process as defined in its policies? Does that process as described likely to be an effective review?
- Does the policy call for regular self-evaluation? Does the institution’s board regularly evaluate its own performance?

AGCAC - Guide to Evaluating Institutions

QUESTIONS ASKED

Standard IV B - Board and Administrative Organization
- What kinds of training are provided to the board about the accreditation process, and Commission standards?
- How does the board participate appropriately in institutional self-study and planning efforts?
- How do board actions, including planning and resource allocation, indicate a commitment to improvements planned as part of institutional self-evaluation and accreditation processes?
- How do board actions reflect the commitment to supporting and improving student learning outcomes as reflected in the Accreditation Standards and expectations for institutional improvement?
QUESTIONS ASKED
Standard IV B - Board and Administrative Organization

- Is the board informed of institutional reports due to the Commission, and of Commission recommendations to the institution?
- Is the board knowledgeable about Accreditation Standards, including those that apply to the board?
- Does the board assess its own performance using Accreditation Standards?

QUESTIONS ASKED
Standard IV B - Board and Administrative Organization

- How is the board delegation of administrative authority to the chief administrator defined? In policy documents? In a contract with the chief administrator?
- Is this delegation clear to all parties?
- How effective is the board in remaining focused at the policy level?

QUESTIONS ASKED
Standard IV B - Board and Administrative Organization

- What mechanisms does the board use in its evaluation of the chief administrator's performance on implementation of board policies and achievement of institutional goals?
- How does the board set clear expectations for regular reports from the chief administrator on institutional performance?
- How does the board set expectations for sufficient information on institutional performance to insure that it can fulfill its responsibility for educational quality, legal matters, and financial integrity?
QUESTIONS ASKED

Standard IV B - Board and Administrative Organization

• What is the board's stated process for dealing with board behavior that is unethical? Is there any track record of the board implementing this process?
• What was the result?

ACJC – Guide to Evaluating Institutions

THE COMMISSION CONSISTENTLY EMPHASIZES:

• The policy role of boards, which means stewardship and oversight, i.e. the Big Picture, and the Long View.
• Measurable standards and a focus on results.
• Coordination rather than silos; formal, integrated, and "transparent" planning; and ethical conduct.
• Strategic thinking, focus on data and results, robust research, and diligent follow through.

CONCERNS

• Sorting out the roles of boards and CEOs is an ongoing concern of the Commission.
• Tensions about authority undermine a college's ability to plan effectively, leading to personal exchanges.
• Disrespect of the CEO in public reduces the CEO's ability to function effectively and contributes to administrative turnover, leading to instability.
A CONSULTANT'S VIEW

REGARDING COMMENTS SUCH AS:
Deliberate with due diligence and make timely decisions that are in the best interests of the institution. & Act as a whole and adhere to board policy once a decision has been made.
- The above comments are indicative of the Commission's concern that the Board has difficulty doing its homework, keeping its eyes on-the prize, and getting along with each other.
- If problems such as this are not firmly addressed, the college can lose its accredited status.

TRUSTEE CONDUCT ALONE

CAN PUT THE DISTRICT ON PROBATION
AN EXAMPLE - In its letter to one District, the Commission made the following comment about one Trustee's actions
"a particular board member's disruptive and inappropriate behavior, and the entire board's responsibility to address and curtail it."

Rubric for Evaluating Institutional Effectiveness

- Effectiveness was developed to assist colleges as they conduct self evaluation, and to assist external review teams as they examine institutional quality during accreditation reviews.
- The Rubric gives institutional members, evaluators, and the Commission a common language to use in describing the institution's practices in three key areas of the continuous quality improvement process—Program Review, Integrated Planning, and Student Learning, Outcomes.
Characters of
Institutional Effectiveness in Planning

Level of Awareness
- Awareness
- Development
- Proficiency
- Sustainable – Continuous Quality Improvement

Sustainable – Continuous Quality Improvement
- The institution uses ongoing and systematic evaluation and planning to refine its key processes and improve student learning.
- There is dialogue about institutional effectiveness that is ongoing, robust and pervasive; data and analyses are widely distributed and used throughout the institution.
- There is ongoing review and adaptation of evaluation and planning processes.
- There is consistent and continuous commitment to improving student learning, and educational effectiveness is a demonstrable priority in all planning structures and processes.

RESOURCES:
ACCJC – WEBSITE: http://www.accjc.org
http://www.accjc.org/all-commission-publications-policies
- Helpful PUBLICATIONS:
  • Eligibility Requirements, Accreditation Standards
  • Guide to Evaluating Institutions;
  • Accreditation Reference Handbook
  • Team Evaluator’s Manual
  • Guide to Evaluating Distance Education and Correspondence Education;
  • the Rubric for Evaluating Institutional Effectiveness
THANK YOU

For wanting to learn about a trustee role in dealing with the board's response to Standard IV recommendations about the board & for caring enough to show up on a glorious sunny day to sit inside and listen to:

WANDEN P. TREANOR, TRUSTEE, MARIN COMMUNITY COLLEGE DISTRICT
Standard IV: Leadership and Governance

Standard IV A - Decision-making Roles and Processes

IV A-2. The institution establishes and implements a written policy providing for faculty, staff, administrator, and student participation in decision-making processes. The policy specifies the manner in which individuals bring forward ideas from their constituencies and work together on appropriate policy, planning, and special-purpose bodies.

IV A-2a. Faculty and administrators have a substantive and clearly defined role in institutional governance and exercise a substantial voice in institutional policies, planning, and budget that relate to their areas of responsibility and expertise. Students and staff also have established mechanisms or organizations for providing input into institutional decisions.

IV A-2b. The institution relies on faculty, its Academic Senate or other appropriate faculty structures, the Curriculum Committee, and academic administrators for recommendations about student learning programs and services.

IV A-3. Through established governance structures, processes, and practices, the Governing Board, administrators, faculty, staff, and students work together for the good of the institution. These processes facilitate discussion of ideas and effective communication among the institution's constituencies.

IV A-4. The institution advocates and demonstrates honesty and integrity in its relationships with external agencies. It agrees to comply with Accrediting Commission standards, policies, and guidelines, and Commission requirements for public disclosure, self study and other reports, team visits, and prior approval of substantive changes. The institution moves expeditiously to respond to recommendations made by the Commission.

IVA-5. The role of leadership and the institution's governance and decision-making structures and processes are regularly evaluated to assure their integrity and effectiveness. The institution widely communicates the results of these evaluations and uses them as the basis for improvement.

Standard IV B - Board and Administrative Organization

In addition to the leadership of individuals and constituencies, institutions recognize the designated responsibilities of the Board of Trustees for setting policies and of the chief administrator for the effective operation of the institution. Multi-College Districts/systems clearly define the organizational roles of the District/system and the Colleges.

IV B-1. The institution has a Governing Board that is responsible for establishing policies to assure the quality, integrity, and effectiveness of the student learning programs and services and the financial stability of the institution.

The Governing Board adheres to a clearly defined policy for selecting and evaluating the chief administrator for the College or the District/system.

IV B-1a. The Governing Board is an independent policy-making body that reflects the public interest in board activities and decisions. Once the board reaches a decision, it acts as a whole. It advocates for and defends the institution and protects it from undue influence or pressure.

IVB-1b. The Governing Board establishes policies consistent with the mission statement to ensure the quality, integrity, and improvement of student learning programs and services and the resources necessary to support them.

IV B-1c. The Governing Board has ultimate responsibility for educational quality, legal matters, and financial integrity.
IV B-1d. The institution or the Governing Board publishes the board bylaws and policies specifying the board’s size, duties, responsibilities, structure, and operating procedures.

IVB-1e. The Governing Board acts in a manner consistent with its policies and bylaws. The board regularly evaluates its policies and practices and revises them as necessary.

IV B-1f. The Governing Board has a program for board development and new member orientation. It has a mechanism for providing for continuity of board membership and staggered terms of office.

IV B-1g. The Governing Board’s self-evaluation processes for assessing board performance are clearly defined, implemented, and published in its policies or bylaws.

IV B-1h. The Governing Board has a code of ethics that includes a clearly defined policy for dealing with behavior that violates its code.

IV B-1i. The Governing Board is informed about and involved in the accreditation process.

IV B-1j. The Governing Board has the responsibility for selecting and evaluating the District/system chief administrator (most often known as the chancellor) in a multi-College District/system or the College chief administrator (most often known as the president) in the case of a single College. The Governing Board delegates full responsibility and authority to him/her to implement and administer board policies without board interference and holds him/her accountable for the operation of the District/system or College, respectively.

IV B-2. The president has primary responsibility for the quality of the institution he/she leads. He/she provides effective leadership in planning, organizing, budgeting, selecting and developing personnel, and assessing institutional effectiveness.

IV B-2a. The president plans, oversees, and evaluates an administrative structure organized and staffed to reflect the institution's purposes, size, and complexity. He/she delegates authority to administrators and others consistent with their responsibilities, as appropriate.

IV B-2b. The president guides institutional improvement of the teaching and learning environment by the following:
- establishing a collegial process that sets values, goals, and priorities;
- ensuring that evaluation and planning rely on high quality research and analysis on external and internal conditions;
- ensuring that educational planning is integrated with resource planning and distribution to achieve student learning outcomes; and
- establishing procedures to evaluate overall institutional planning and implementation efforts.

IV B-2c. The president assures the implementation of statutes, regulations, and Governing Board policies and assures that institutional practices are consistent with institutional mission and policies.

IV B-2d. The president effectively controls budget and expenditures.

IV B-2e. The president works and communicates effectively with the communities served by the institution.
Sources of Evidence: Examples for Standard IV

Listed below are examples of potential sources of evidence for Standard IV. There may be many other sources which institutions should provide and teams should ask for.

Standard IV: Leadership and Governance

A. Decision-Making Roles and Processes

* Evidence that shows board and other governance policies and descriptions of the participation of constituencies in decision-making bodies.

* Evidence that includes documents showing the transmission of recommendations from faculty and academic administrators to decision-making bodies, and descriptions of the institution’s information and decision-making process.

* Evidence that includes copies of governance policies and procedures, the composition of governance bodies, minutes of meetings, and documents showing the roles academic staff plan in reviewing and planning student learning programs and services.

* Evidence that includes evaluations and analyses the institution conducts of its governing and decision-making processes, and the form of communication of same to the community.

* Evidence that includes the Policy Manual, institutional statement of mission, vision or philosophy, and institutional planning documents.

B. Board and Administrative Organization

* Evidence that includes published statements of institutional goals that reference the board’s expectations for student learning and quality of education.

* Evidence that includes documents describing the authority of the board; the absence of any external, higher authority than the board; descriptions of the board appointment and replacement process.

* Evidence that includes the published bylaws.

* Evidence that includes board minutes or a schedule showing board evaluation of policies.

* Evidence that includes the materials from board training workshops.

* Evidence that includes the policy on board membership, appointment and replacement.

* Evidence that includes the board’s policy and instruments used for self evaluation, analyses and reports on the last few self-evaluations completed.

* Evidence that includes the board policy statement of ethics.

* Evidence that includes board minutes, statements to college constituents on this delegation of authority, the board policy manual, any contracts with administrators that specify delegation of authority, board agreements with faculty bodies regarding delegation of authority.
Evidence that includes budget documents and independent audit reports and audited financial statements showing ending year balances, audit exceptions (if any).

Evidence that includes the results of surveys, other evaluations of the president's activities directed toward the communities served by the institutions.

Evidence that includes surveys and other evaluative instruments, and the results of evaluation. Evidence that includes descriptions of funding rules or formulas, committee minutes or other documents showing the system has assessed the needs of each institution.

Evidence that includes financial policies and manuals, the content of internal audits and reviews, annual independent external audits, fiscal program reviews conducted by other agencies, and the annual budget documents.

Evidence that includes any formal delineation of responsibilities that might be found in district/college documents, including descriptions of job duties, descriptions contained in employment contracts, and the district mapping provided to the institutions and the Commission.

Evidence: examples of written or other recorded communications.

Evidence that would include institutional analyses of performance, including fact books, reports, web page data portfolios, and publications that describe research on institutional performance.

Evidence that includes written information about institutional planning processes, minutes of meetings, records of participation in institutional evaluation and planning sessions.

Evidence that includes the district/system's evaluation instruments, the results of the evaluation, and plans for improvement increasing.

Evidence that multi-college district/system develop a "map" or description of district and college functions that delineates and distinguishes them clearly.
Standard IV: Leadership and Governance

B. Board and Administrative Organization
In addition to the leadership of individuals and constituencies, institutions recognize
the designated responsibilities of the governing board for setting policies and of the chief
administrator for the effective operation of the institution. Multi-college districts/ systems
clearly define the organizational roles of the district/system and the colleges.

1. The institution has a governing board that is responsible for establishing policies to
assure the quality, integrity, and effectiveness of the student learning programs and
services and the financial stability of the institution. The governing board adheres to a
clearly defined policy for selecting and evaluating the chief administrator for the college
or the district/system.

a. The governing board is an independent policy-making body that reflects the public
interest in board activities and decisions. Once the board reaches a decision, it acts as a
whole. It advocates for and defends the institution and protects it from undue influence or
pressure.

b. The governing board establishes policies consistent with the mission statement to
ensure the quality, integrity, and improvement of student learning programs and services
and the resources necessary to support them.

c. The governing board has ultimate responsibility for educational quality, legal
matters, and financial integrity.

d. The institution or the governing board publishes the board bylaws and
policies specifying the board’s size, duties, responsibilities, structure, and operating
procedures.

e. The governing board acts in a manner consistent with its policies and bylaws. The
board regularly evaluates its policies and practices and revises them as necessary.
  o Do the records of board actions (minutes, resolutions) indicate that it acts
    consistent with its policies and bylaws?
  o Does the board have a system for evaluating and revising its policies on a regular
    basis? Is this system implemented?

f. The governing board has a program for board development and new member
orientation. It has a mechanism for providing for continuity of board membership and
staggered terms of office.
  o What is the board’s program for development and orientation?

g. The governing board’s self-evaluation processes for assessing board performance are
clearly defined, implemented, and published in its policies or bylaws.

  o What is the board self-evaluation process as defined in its policies? Does that
    process as described likely to be an effective review?
  o Does the policy call for regular self-evaluation? Does the institution’s board
    regularly evaluate its own performance?
h. The governing board has a code of ethics that includes a clearly defined policy for dealing with behavior that violates its code.
   - What is the board’s stated process for dealing with board behavior that is unethical? Is there any track record of the board implementing this process?
   - What was the result?

i. The governing board is informed about and involved in the accreditation process.
   - What kinds of training are provided to the board about the accreditation process, and Commission standards?
   - How does the board participate appropriately in institutional self-study and planning efforts?
   - How do board actions, including planning and resource allocation, indicate a commitment to improvements planned as part of institutional self-evaluation and accreditation processes?
   - How do board actions reflect the commitment to supporting and improving student learning outcomes as reflected in the Accreditation Standards and expectations for institutional improvement?
   - Is the board informed of institutional reports due to the Commission, and of Commission recommendations to the institution?
   - Is the board knowledgeable about Accreditation Standards, including those that apply to the board?
   - Does the board assess its own performance using Accreditation Standards?

j. The governing board has the responsibility for selecting and evaluating the district/system chief administrator (most often known as the chancellor) in a multi-college district/system or the college chief administrator (most often known as the president) in the case of a single college. The governing board delegates full responsibility and authority to him/her to implement and administer board policies without board interference and holds him/her accountable for the operation of the district/system or college, respectively. In multi-college districts/systems, the governing board establishes a clearly defined policy for selecting and evaluating the presidents of the colleges.

   - What is the established board process for conducting search and selection processes for the chief administrator? Are those processes written?
   - Has the board used these processes in its most recent searches?
   - How is the board delegation of administrative authority to the chief administrator defined? In policy documents? In a contract with the chief administrator?
   - Is this delegation clear to all parties?
   - How effective is the board in remaining focused at the policy level?
   - What mechanisms does the board use in its evaluation of the chief administrator’s performance on implementation of board policies and achievement of institutional goals?
   - How does the board set clear expectations for regular reports from the chief administrator on institutional performance?
   - How does the board set expectations for sufficient information on institutional performance to ensure that it can fulfill its responsibility for educational quality, legal matters, and financial integrity?
Integrated Planning to Implement College Quality Improvement

Member institutions have been seeking more explanation of the ACCJC’s requirement for Integrated Planning.

Standard 1.B.3 requires that institutions “assess progress toward achieving stated goals and make decisions regarding the improvement of institutional effectiveness in an ongoing and systematic cycle of evaluation,

Integrated Planning, resource allocation, implementation and re-evaluation.” While many member colleges have developed sound means of evaluating institutional quality, some still lack the ability to make systemic plans for needed or desired changes, and keep the institution’s work focused on implementing those planned changes.

At the simplest level, plans describe the pathway from a current institutional quality, condition, or outcome, to an envisioned quality, condition or outcome at some defined future date. Plans are the promise to change and to do something differently. They require institutional commitments of attention and resources if they are to be achieved. Beset by the requirements of various agencies (e.g., state systems, accreditors, bond or fundraising campaigns) for different kinds of plans (strategic planning, tactical planning, enrollment planning, budget planning), institutions often have multiple plans, each targeting some part of institutional behavior but lacking alignment and cohesion to the other plans the institution has developed. Sometimes, the groups of individuals that develop various institutional planning documents are not aware of how their plan will fit with institutional priorities, but are simply hoping the existence of a plan will stimulate the institutional commitment. The result is institution-wide confusion about priorities, competition for institutional resources, and failure to achieve important changes that the institution has identified as needed or desirable. Another result can be a disarray among college constituencies toward both evaluation and planning activities.

When integrating plans and planning processes, a college must have a point in its decision-making process whereby it considers all of its plans, determines how to align them and which ones it will commit to, determines the sequence in which they might best be achieved, sets priorities, and allocates resources and responsibilities to achieve the needed changes by determined dates. Not all change-oriented actions need to be taken at the institutional level – many plans for change can be carried out at a departmental or unit level. Nevertheless, the institution needs to know about and make necessary commitments of resources to all the plans for improvement it has decided to advance. (Example of a new college library that stood empty for years because the institution had not planned to equip it comes to mind here.)

Integrated planning is neither top-down nor bottom-up; it is an interactive process in which an institution, through its governance processes, thoughtfully uses its values and vision to set priorities and deploy its resources and energies to achieve institutional changes and improvements at various levels of the organization in response to current or anticipated conditions. When institutions take a holistic, integrated approach to planning, they can find opportunities to combine and leverage plans, maximize effective use of resources as well as create more effective sequences for making changes. They may also find contradictions that need resolution – sometimes by the re-formulation or abandonment of some of the plans that were made. Actions determined through integrated planning bring the purpose of program review and evaluation alive and enable an institution to improve educational quality. F
| Levels of Implementation | Characteristics of Institutional Effectiveness in Planning  
(Sample institutional behaviors) |
|--------------------------|---------------------------------------------------------------------------------|
| Awareness                | • The college has preliminary investigative dialogue about planning processes.  
  • There is recognition of case need for quantitative and qualitative data and analysis in  
    planning.  
  • The college has initiated pilot projects and efforts in developing systematic cycle of  
    evaluation, integrated planning and implementation (e.g. in human or physical resources).  
  • Planning found in only some areas of college operations.  
  • There is exploration of models and definitions and issues related to planning.  
  • There is minimal linkage between plans and a resource allocation process, perhaps  
    planning for use of "new money"  
  • The college may have a consultant-supported plan for facilities, or a strategic plan. |
| Development              | • The Institution has defined a planning process and assigned responsibility for  
  implementing it.  
  • The Institution has identified quantitative and qualitative data and is using it.  
  • Planning efforts are specifically linked to institutional mission and goals.  
  • The Institution uses applicable quantitative data to improve institutional effectiveness in  
    some areas of operation.  
  • Governance and decision-making processes incorporate review of institutional  
    effectiveness in mission and plans for improvement.  
  • Planning processes reflect the participation of a broad constituent base. |
| Proficiency              | • The college has a well documented, ongoing process for evaluating itself in all areas of  
  operation, analyzing and publishing the results and planning and implementing  
  improvements.  
  • The Institution’s component plans are integrated into a comprehensive plan to achieve  
    broad educational purposes and improve institutional effectiveness.  
  • The institution effectively uses its human, physical, technology, and financial resources to  
    achieve its broad educational purposes, including stated student learning outcomes.  
  • The college has documented assessment results and communicated matters of quality assurance to appropriate constituencies (documents data and analysis of  
    achievement of its educational mission).  
  • The Institution assesses progress toward achieving its education goals over time  
    (uses longitudinal data and analyses).  
  • The institution plans and effectively incorporates results of program review in all areas of  
    educational services: instruction, support services, library and learning resources. |
| Sustainable Continuous  | • The institution uses ongoing and systematic evaluation and planning to refine its key  
  Quality Improvement | processes and improve student learning.  
  • There is dialogue about institutional effectiveness that is ongoing, robust and pervasive;  
    data and analyses are widely distributed and used throughout the institution.  
  • There is ongoing review and adaptation of evaluation and planning processes.  
  • There is consistent and continuous commitment to improving student learning;  
    and educational effectiveness is a demonstrable priority in all planning structures and  
    processes. |

**MEMO TO:** ACCJC MEMBER INSTITUTIONS  
**FROM:** BARBARA BENO, PRESIDENT  
**SUBJECT:** ACCJC RUBRIC FOR EVALUATING INSTITUTIONAL EFFECTIVENESS  
**JULY 2011**
The meeting was called to order at 12:00 p.m. Trustees Long and O’Brien were present.

M/s O’Brien/Long to adopt the agenda. Passed by unanimous vote 2-0.

There were no members of the public present.

Summary: The committee reviewed all evaluation instruments and forms for updating and improvement.

Action Steps:

Trustee O’Brien will develop timeline for process and issue to the Board.

Sub-committee will update the Board on timing, next steps.

Instrument to be built, including additional question about 2012/13 goals and objectives.

The meeting was adjourned at 12:55 P.M.
Call to Order and Roll Call
The Board of Trustees of the Marin Community College District met at the College of Marin, Kentfield Campus, Administrative Center, Room 108 for a Special Board Meeting (Board Retreat), all members having received notice as prescribed by law. Board President Conti called the meeting to order at 1:09 p.m.

Trustees Conti, Long, O’Brien, Treanor and Kranenburg were present. Student Trustee Bergstrom-Wood arrived at 1:12 p.m. Trustee Dolan arrived at 2:00 p.m. Trustee Namath was not present. Superintendent/President Coon also attended and Vice President Al Harrison joined the meeting for the CEO Report on budget.

M/s (O’Brien/Treanor) to adopt the agenda. Motion carried 5-0.

Public Comment
Victor Smith, a former student and current part-time biology instructor, addressed the Board with his concerns about the decision to build a new science center with less space, rather than renovating the old building. He commented that we must maintain student success and can only do so if we have adequate space to meet student needs.

Amanda Fuhrman, student, expressed her concerns with the reduction in space and classes related to the science program. She expressed her love of the College and the opportunities it has provided to her and others and encouraged the Board to think about the consequences of reducing space. She would like to see the science program expanded.

Lindsey Sutton spoke on behalf of all second career students. She is pursuing a career in health sciences and wanted the Board to be aware that the prerequisite science classes (chemistry, statistics, physiology, anatomy and microbiology) are often full, often causing delays in student progress. There is a need for additional space and additional classes.

The Board thanked the speakers for their time and comments.

Dr. Coon requested the meeting adjourn in memory of former Trustee Joe Gargiulo, who passed away on May 10 and employee Kate Dodele, who passed away on May 17.
Board Self-Evaluation
President Conti shared the results Board of Trustees Self-Evaluation Report 2012 with the Board and a discussion followed with Trustees expressing their ideas on ways to improve in the noted areas.

The Board took a ten-minute recess from 3:14 to 3:24 p.m.

Board Planning Calendar
Trustee O’Brien shared planning calendar options with the Board. Board members reviewed the calendars and discussed their ideas about the format and content. Trustees agreed this is an important planning tool and that a calendar should be included in the monthly Board packet. Superintendent/President Coon and Trustee O’Brien will continue working on a proposed calendar.

Trustee O’Brien stated that she and Trustee Long met as the President’s Evaluation Committee earlier in the day to review the evaluation process and develop a timeline for completing the evaluation. The timeline will be forwarded to the members of the Board.

CEO Report
a) Accreditation
   Superintendent/President Coon informed the Board that he would send out a detailed communication regarding accreditation next week. The technology plan is complete and the facility and distance education plans are in process.

b) Budget - Guiding Principles
   Vice President, Al Harrison shared 2012/13 budget status with the Trustees. The Board discussed possible options and ideas that might help close the structural gap.

c) Naming Policy
   Superintendent/President Coon discussed the potential for donor opportunities when naming buildings. There will be a fund-raising/dedication event for the Theater. Trustee Treanor agreed to help with this event.

Legislative Update
Trustee O’Brien asked the Board for input on items they would like the consultants to focus on. Topics included Redevelopment, 50% law and Basic Aid.

Meeting adjourned to closed session at 4:45 p.m.

Meeting reconvened to Open Session at 5:00 p.m.

Report of Closed Session May 18, 2012
There was no report.

Meeting adjourned at 5:05 p.m. in memory of Joe Gargiulo and Kate Dodele.
A. Open Session

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

A special meeting of the Board of Trustees of the Marin Community College District was called to order by Board President Conti at 9:03 a.m. on June 2, 2012, in the Staff Lounge, Student Services Building on the Kentfield Campus.

President Conti welcomed new Student Trustee, Scott Blood.

Trustees Conti, Namnath, O’Brien, Kranenburg and Treanor were present. Also in attendance were Student Trustee Blood, Superintendent/President Coon, and Nancy Klein from School & College Legal Services.

M/s (Treanor/O’Brien) to adopt agenda. Motion passed 5-0 plus an advisory aye vote from Student Trustee Blood.

Trustee Long arrived at 9:40 a.m. Trustee Dolan arrived at 9:53 a.m.

2. Public Comment

Riley Hurd, representing COM Foundation on agenda items 4.a. and 4.b.

Recess to closed session 9:06 a.m.

B. Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – Section 54956.9 (b)(2)

Meeting to decide whether a closed session is authorized pursuant to subdivision (b)(1) of Section 54956.9.

C. Reconvene to Open Session

1. The Board reconvened to Open Session at 11:05 a.m. and President Conti called the meeting to order.

2. Report from closed session: President Conti reported that the Board has concluded that there is a significant exposure to litigation at this time based on a letter received by the District on May 24, 2012 from Riley F. Hurd III, Attorney at Law, objecting to the action the Board took at closed session on May 15, 2012, and stating if the action is not rescinded within 30 days, the College of Marin Foundation reserves all rights to conduct a civil action. President Conti asked Clerk Namnath to read the vote. The vote was 4-3 with Trustees Namnath, Long and Dolan voting no.
Trustee Namnath stated that he did not agree the item should be heard in closed session and would not be participating in the closed session. He left the meeting at 11:10 a.m. Trustee Dolan stated that she believed we are in violation of our constitution, that there are ramifications and we have rights that are protected and preferred this to be a more peaceful alliance. Trustee Dolan left the meeting at 11:12 a.m. Trustee Long noted that she had to leave, since the meeting was scheduled to end at 11:00 and she had another appointment. Trustee Long left the meeting at 11:12 a.m.

Recessed to Closed session at 11:15 a.m.

D. Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9.
   One (1) potential case.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Initiation of litigation pursuant to subdivision (c) of Section 54956.9
   One (1) potential case.

E. Reconvene to Open Session

1. The Board reconvened to open session at 12:00 p.m. and President Conti called the meeting to order.

2. Report from closed session:
   President Conti reported that no action was taken at closed session.

3. Information Item
   a) Superintendent/President’s Report re: Marin Community College Foundation
      (College of Marin Foundation)

      The Marin Community College Foundation, also known as the College of Marin Foundation is a separate 501(c)3 non-profit corporation. One of the primary purposes of the Foundation is to raise funds, which are used to enable our students to succeed in their educational goals. Over the years, funds have been allocated for a variety of District programs and direct student scholarships. The District also receives gifts directly from donors to support specific programs or student scholarships. As of May 2012, the Foundation had approximately $3.8 million in assets. Of that amount, approximately $1.8 million are District funds, funds that have been donated to the District and entrusted to the Foundation for management purposes only. The Foundation’s long-time bookkeeper has informed me that he has a number of serious concerns about the fiscal practices and management of the Foundation. He came to me with these concerns after what he said were multiple failed attempts to discuss them directly with the President of the COMF Board of Directors. Community support for student scholarships and college programs has been critical to the success of fulfilling our academic mission. Responsible stewardship of gifts made for the benefit of the District and its students is an utmost
priority. Given the seriousness of the concerns that have been raised, I believe that the District should take appropriate precautionary measures at this time.

4. Action Items

Public Comment: Riley Hurd, Representing COM Foundation on Items 4.a. and 4.b.

In reference to item 4.a., Mr. Hurd referenced the letter he sent, and understood that the Board had all received copies of it.

In reference to item 4.b., Mr. Hurd noted that both Boards have a shared goal, which is the support and advancement of the College of Marin. He further stated that this was important to remember as we proceed and that we should work as a team. He explained that the current COM Foundation Board has a duty to its donors and the departments that have given money to the Foundation, that they take their finances seriously, and have hired the firm KPMG, to perform a full, third-party, objective audit of the Foundation’s finances. Mr. Hurd informed the Board that the Foundation Board found the letter from the President counterproductive because it was not supported by actual evidence or facts. He stated that he had been requested to convey the message that the Foundation Board looks forward to resolving this issue in a way that respects the source of the Foundation’s funds and best serves the students of the College of Marin.


M/s (O’Brien/Treonor) to rescind the action taken in closed session on May 15, 2012, due to the typographical error on the agenda. Motion carried by unanimous vote of 4-0.

Mr. Hurd asked for clarification of the actions rescinded. President Conti clarified that the Board passed one resolution, which was read aloud in open session.

4.b) Consider action regarding future management of the District Funds and Annual Audit of Marin Community College Foundation.

Trustee Treanor suggested starting with a motion and then having discussion, and to some degree respecting what Mr. Hurd said in terms of 4.b., due to the long-standing partnership of College of Marin and College of Marin Foundation, hoped to resolve this matter short of litigation. Based on information the Board received, the Board seeks the return of the District Funds.

M/s (Treonor/O’Brien): Motion to direct Superintendent/President Coon to do the following:

1) To send a letter to the College of Marin Foundation to return College District funds entrusted to the Foundation for management purposes only – and to include in that communication all the minutes of the Board’s meetings that reflect that transfer for management purposes only, and

2) To direct auditors to commence the annual audit of the College of Marin Foundation, which is our typical annual audit and no different than what we have done.
President Conti requested clarification from Superintendent/President Coon about the College of Marin funds that are currently being managed by the College of Marin Foundation. Superintendent/President Coon stated that there is approximately $1.8 million dollars as a result of a number of large gifts given to the College in the late 1990s/early 2000s, that were then transferred to the Foundation for the purposes of investing and management. He further clarified for President Conti that these were not funds given directly to the Foundation. Trustee O’Brien asked whether there were investment restrictions on any of the funds and Dr. Coon stated there were not. Trustee Kranenburg noted that individuals are concerned and we have a responsibility to make sure that funds entrusted to us are being managed properly and that since the funds were given to the College initially, it was our right request those funds back. Trustee Treanor noted it would be a breach of our fiduciary duty if we did not investigate the allegations that have been presented. She clarified that it is hoped this can be resolved without litigation, but it is realized that by the action being taken today, that litigation may occur. She appreciated that fact that the Foundation will be doing their own independent audit, and hoped the results of the audit would be shared with the College. She clarified that the annual audit of the Foundation by the College is part of normal business every year as required by GASB 39. Trustee Treanor echoed Mr. Hurd’s comments that it is hoped we are able to move forward in a partnership mindful of our goals for the institution and our students. President Conti added that she shared the sentiments of fellow trustees and is optimistic that we can move forward in a mutually beneficial way from here.

Trustee Treanor clarified that under item C., while we hope to resolve the issue with transparency and good communication, and while we hope not to go to litigation, we recognize by the action we are taking today, that there is the potential for future litigation if we cannot have the transparency and good communication that we hope to be able to accomplish together.

Motion carried 4-0.

M/s (O’Brien/Treanor) to adjourn the meeting. Motion carried 4-0.

Meeting adjourned at 12:15 p.m.
BACKGROUND:

Attached for your information is a listing of all External Consultants and Contractors with whom we entered into a contract in excess of $1,000 with a description of services provided.
<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Department</th>
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<td>Marc Bates</td>
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<td>Policy updating services for Campus Police manuals.</td>
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<td>Alignment Partners</td>
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<td>Judy Morgan</td>
<td>Career Education</td>
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<td>Research services for the Career Education programs, includes student surveys and studies.</td>
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<td>Environmental Resource Group</td>
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<td>Testing services for Main Building room 124 at the IVC Campus.</td>
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<td>Fire King Fire Protection</td>
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<td>Testing and maintenance services for the sprinkler systems at the IVC Campus.</td>
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<td>Sacramento Collegiate Umpires Association</td>
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<td>Umpiring services for the 2012 Women's softball season.</td>
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<td>P0214677</td>
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<td>Workshop services for staff development at College.</td>
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<td>Hutton Sherer Marketing Advertising Design</td>
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<td>Advertising for Summer and Fall 2012 credit classes.</td>
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<td>Elizabeth Bell</td>
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</table>
| P0214720         | Dave Potter  
Instructor services for Community Education for Basic Starter Culture for Cheese and Fermented Milks for Spring 2012. | Community Education               | $ 2,050.00 |
| P0214721         | University of California San Francisco  
Human cadaver services for the College. | Life and Earth Sciences           | $ 2,790.00 |
| P0214722         | JH Technologies, Inc  
Microscope repair services for Biology Department. | Life and Earth Sciences           | $ 6,800.00 |
| P0214728         | Cynthia Dianne Butler  
Donor prospecting services for the College. | President's Office                | $ 3,500.00 |
| P0214774         | WK Mclellan Co  
Repair, re-grade, re-compact parking lot #13 at the Kentfield Campus. | Grounds                           | $ 7,950.00 |
| P0214787         | BMC Software, Inc  
Licensing and maintenance software agreement for the College. | Information Technology            | $ 1,566.00 |
| P0214813         | Educational Excellence & Equity  
Speaker services for the College. | President's Office                | $ 1,000.00 |
| **Restricted**   |                                                              |                                   |        |
| P0214487         | Nature of Interpreting  
Interpreting services for the College. | Human Resources                   | $ 1,687.50 |
| P0214562         | Judy Morgan  
Research services for the Career Education programs, includes student surveys and studies. | Career Education                  | $ 3,000.00 |
| P0214683         | World Book, Inc  
Online database services for World Book and Hispanica databases. | Library                           | $ 2,660.00 |
| P0214774         | WK Mclellan Co  
Repair, re-grade, re-compact parking lot #13 at the Kentfield Campus. | Grounds                           | $ 7,950.00 |
| P0214837         | Ventek International, Inc  
Annual hosting and merchant processing services for credit card parking machines. | Police                            | $ 2,370.00 |
| P0214856         | Barbara Garfien  
Coordination services for the College. | President's Office                | $ 1,800.00 |
| P0214861         | Maggiora & Ghilotti, Inc  
Paving services for parking Lot #12 at the Kentfield Campus. | Maintenance                       | $ 14,900.00 |
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<td>Maintenance services for Banner Enterprise Data Warehouse.</td>
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Marin Community College District
Measure C Bond Modernization Program

Modernization Director’s Report to Board of Trustees
June 19, 2012

BUDGET UPDATE

Bond spending plan: $260.5 million ($249.5 m bond, $11 m interest)
Reserves: $4,914,931, of which $2,300,000 is allocated to IVC
Expended to date: $175.5 million (67.4% of bond spending plan)

- Assessment $ 5.5 million
- Planning/design $ 58.4 million
- Construction $111.6 million

Summary of modernization items in this agenda:

Notification of PCO items exceeding $50,000
- Midstate Construction Corporation, PCO 151, Extension of General Conditions due to extension of substantial completion of PA Addition to 9/27/12, 306A ($95,215.00)

Consent (all routine items not requiring resolution or discussion): ($986,584.50)
- One (1) new construction contract for ratification ($14,900.00)
- One (1) construction change order ($8,606.00)
- Twenty-one (21) professional service agreement amendments ($205,422.50) including twelve (12) amendments for no cost time extension
- Four (4) new professional service agreements ($96,300.00)
- One (1) agreement for Moving Services ($130,490.00)
- Four (4) Lease Agreement Renewals for Swing Space Portables ($125,866.00)
- Approve renewal of contract for Reposgraphic Services with ARC (formerly Ford Graphics) ($80,000.00)
- Approve Annual Renewal Agreement for Bond Program Legal Services-District Legal Counsel (831A), Dannis Wolver Kelley ($325,000)
- Approve subcontractor substitution request, Science Math Central Plant Complex (Irrigation and Planting) ($0)

Action (items requiring resolution or discussion): ($2,252,225.00)
- Approve Project Inspection Services Agreement for PA Modernization 306A, Ballard & Watkins ($86,940.00)
- Approve Long Form Professional Services Agreement for Austin Science Alterations (Structural) 301B, Noll & Tam Architects and Planners ($613,964)
- Approve Agreement for Professional Services, Amendment 1 for Dannis Wolver Kelley, District Legal Counsel, ($135,000.00)
- Approve Professional Services Agreement, Amendment 2 for Program Manager, Swinerton Management & Consulting, Inc. ($1,253,700)
- Approve International Commercial Awnings, Inc.’s Change Order 3 and Board of Trustee’s Resolution, New PA Building, 306C ($17,800.00)
- Approve Midstate Construction Corporation’s Change Order 11 and Board of Trustee’s Resolution, PA Modernization, 306A ($144,821.00)

Net value of new contracts / changes / amendments in this agenda: ($3,238,809.50)
Marin Community College District
Measure C Bond Modernization Program

CURRENT DESIGN

- **KTD New Academic Center:**

The project has completed 100% “design development” including estimate reconciliation. This process included side by side comparison of the architect’s estimate and an estimator retained independently by the District. The results were very closely aligned giving us confidence in the estimates. Market conditions are still the big unknown however, we will continue to track market movement as the design progress through the “construction document phase.” The cost forecast is that we are on target for a construction cost of $23.6M. CEQA documents are being drafted and community notifications will begin by late June.

- **KTD Child Study Center:**

Design for the second increment, site work has been submitted to DSA. We anticipate their review to be complete by late August allowing bidding to commence by early September. Cost estimates are currently underway.

- **Austin Science Center: swing space and voluntary seismic retrofit:**

An action item is presented this meeting for the long form architectural services contract in the amount of $613,964 for both phases (Noll & Tam Architects). This figure was thoroughly negotiated with the architect and contains a large percentage for structural engineering. The architects have completed their assessment and have proposed a scope that is within the limited budget of $4.3M. As we suspected, the needs of the building far outrun the available budget and expectations must be set very low. Phase 1 of the project will include minimal cleanup of rooms to be used as classrooms and re-use of offices basically as-is. Phase 2, the seismic retrofit has been carefully scoped to work within the limited budget. The type of retrofit that falls within the budget is limited to that which would allow occupants to exit the building after a “maximum credible earthquake” (MCE) but will not save the building. Damage to the building after such an earthquake would be substantial and likely beyond repair. By comparison, our new buildings are designed to have minor damage after such a seismic event.

CURRENT CONSTRUCTION

- **KTD Performing Arts Building:**

Change order #11 is presented this period. Change orders now = 11.0%. Since this exceeds the 10% threshold, this BOT agenda includes a resolution item for this change. The largest change order (PCO 151 for $95,215) this month was for a negotiated settlement for the schedule delays and the resulting “extended overhead” costs due to the contractor for delays not caused by the contractor. The project managers thoroughly reviewed the contractor’s submitted costs for the delay and were able to reduce the costs to a justifiable amount. Also presented this meeting is an action item for additional inspection services due to the schedule delay in the project in the amount of $86,940 (Ballard & Watkins).

In an effort to manage the risk of this project, we have undertaken a peer review of the design. We are focusing on items which could cause future problems of the nature we experienced on the Fine Arts building such as water intrusion and early wearing of materials. We have notified the architect of this review and anticipate meetings with them and the contractor to discuss the items. This peer review has raised concerns that the project will be within its $17.2M BOT approved budget, however, we will report back next month with more information. Construction of the new dance addition and art gallery is on schedule for completion in September 2012.
Marin Community College District
Measure C Bond Modernization Program

- **Science Math Central Plant:**

The revised substantial completion date for the contractor is currently under negotiation based on the portion of schedule delay for which the contractor is not responsible. Critical move preparation activities are underway this summer, including haz mat abatement, chemical disposal, radioactive materials survey, and extensive move planning tasks such as disposal and surplussing of equipment. FF&E procurement is being finalized with all vendors. Move-in forecasted for January 2013.

- **KTD Fine Arts Weatherization:**

Design is near completion and is forecast to be submitted to DSA on August 1, 2012. DSA has indicated they will review the document, but not stamp it complete until final DSA closeout has been achieved on the main FA project. We are aggressively managing the architect to closeout the main project however; this condition does pose a schedule risk. We are working with DSA inspectors and building operations staff to gain sign off on several DSA requirements. Construction is forecasted for summer 2013.

A change order in the amount of $17,800 is presented this month for this project. Although this amount is relatively small, due to the original contract’s size ($67,800), it represents 26.25% of the original contract amount, requiring a Board action. This change was made to accommodate user requests for additional coverage of the kiln area.

**OTHER OPEN INITIATIVES**

- **Swing space/relocation:**

Summer 2012: The PA faculty will move back into the modernized PA space. Move prep has begun for science, math, and nursing departments.

- **Furniture, fixtures, equipment:**

FF&E activities are intensive for the SMCP and PA. We continue to work with user groups refining the equipment selections and planning for infrastructure. The budget for the PA project continues to be very tight and it is anticipated that there will only be funds for the highest priority items.

- **Signage**

Minor signage activities took place this report period.

- **LEED**

FA project is tracking for “Silver,” pending final approval of project documentation.

**BOARD FUND-RAISING OPPORTUNITIES**

- **KTD Science Complex**

Installation of historic items salvaged from Dickson Hall, part of museum in new facility (~$150,000)

- **PA Performing Arts**

Donor opportunities for FF&E are being developed.
# Marin Community College District
## Measure C Bond Modernization Program

<table>
<thead>
<tr>
<th>COMPLETED PROJECTS</th>
<th>Budget (approx.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>KTD College Avenue Utility Conduit Crossing</td>
<td>$68,000</td>
</tr>
<tr>
<td>KTD Dance Relocation</td>
<td>$770,800</td>
</tr>
<tr>
<td>KTD Diamond PE Center</td>
<td>$20,900,000</td>
</tr>
<tr>
<td>KTD Dickson Hall Faculty Relocation</td>
<td>n/a</td>
</tr>
<tr>
<td>KTD DSPS Relocation</td>
<td>$212,000</td>
</tr>
<tr>
<td>KTD Health Services Relocation</td>
<td>$495,000</td>
</tr>
<tr>
<td>KTD Larkspur Annex Restoration</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>KTD Literacy Lab (partially funded by Redevelopment funds)</td>
<td>n/a</td>
</tr>
<tr>
<td>KTD Parking Lot 10 Paving Project</td>
<td>n/a</td>
</tr>
<tr>
<td>KTD Photovoltaic System</td>
<td>$3,700,000</td>
</tr>
<tr>
<td>KTD Pool Repair Project</td>
<td>$425,100</td>
</tr>
<tr>
<td>KTD Portable Village Swing Space</td>
<td>$1,300,000</td>
</tr>
<tr>
<td>KTD West Bridge</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>KTD Hazmat Abatement</td>
<td>n/a</td>
</tr>
<tr>
<td>KTD Science Math Central Plant Complex Increment 1 Site Utilities</td>
<td>7,800,000</td>
</tr>
<tr>
<td>KTD and IVC Geothermal Fields</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>KTD and IVC Greenhouse/Shade Structure Relocation</td>
<td>$359,000</td>
</tr>
<tr>
<td>KTD and IVC Tree Removal</td>
<td>$315,000</td>
</tr>
<tr>
<td>KTD New Fine Arts</td>
<td>$17,721,000</td>
</tr>
<tr>
<td>KTD PE Track renovation</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>IVC 12kV Utility Extension</td>
<td>$472,000</td>
</tr>
<tr>
<td>IVC Creek Erosion Mitigation</td>
<td>$788,000</td>
</tr>
<tr>
<td>IVC Fire Mitigation</td>
<td>$785,000</td>
</tr>
<tr>
<td>IVC Gas Main Replacement</td>
<td>$534,000</td>
</tr>
<tr>
<td>IVC Pomo 4 Roof Replacement</td>
<td>$159,000</td>
</tr>
<tr>
<td>IVC Storm Drain Repairs</td>
<td>$349,000</td>
</tr>
<tr>
<td>IVC TransTech Swing Space</td>
<td>$538,000</td>
</tr>
<tr>
<td>IVC Trans. Tech. Complex:</td>
<td>$13,042,826</td>
</tr>
<tr>
<td>KTD SMCP Utility Project:</td>
<td>$5,900,000</td>
</tr>
<tr>
<td>IVC New Main Building</td>
<td>$18,827,000</td>
</tr>
<tr>
<td>IVC Utilities &amp; MEP supplemental</td>
<td>$399,127</td>
</tr>
</tbody>
</table>

### Total completed projects to date:
$109,609,853
A. Alta Tech Consulting Enterprise (GallatinPave @ PE / Sliverwork)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestones Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create trail record set documenting all comp added drainage infrastructures on the project anca seeks C2A, District Civil Engineer Project (PC104)</td>
<td>6/30/2011</td>
<td>Amendment 35</td>
<td>In progress</td>
</tr>
<tr>
<td>Site walk and engineering recommendations for pedestrian access to 6 lane main &amp; the loop through the paving area used by buses during construction Phase 1 (HA)</td>
<td>6/30/2011</td>
<td>Amendment 35</td>
<td>Completed</td>
</tr>
<tr>
<td>Civil Engineering from design through construction. Package engineering design, traffic analysis, and construction documents</td>
<td>12/10/2011</td>
<td>Amendment 36</td>
<td>Completed</td>
</tr>
<tr>
<td>Design vision to be utilized for survey, site plan, grading plan, drainage plan, and design of stormwater systems</td>
<td>3/15 - 3/22/2012</td>
<td>Amendment 36</td>
<td>In progress</td>
</tr>
<tr>
<td>Confirmations of existing and additional survey points for the design of the access control point at the new fire station building at Circle Drive (Note)</td>
<td>4/17 - 4/20/2012</td>
<td>Amendment 40</td>
<td>In progress</td>
</tr>
</tbody>
</table>

B. CSW Stuube-Schoel (Biswasante / West Campus Bridge / Sliverwork)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestones Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design of a public art piece located on the bridge</td>
<td>11/20/2012</td>
<td>Amendment 27</td>
<td>Completed</td>
</tr>
</tbody>
</table>

C. ED2 International (Fine Arts Westerbandtage)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestones Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Form Contract includes: programming phase, schematic design phase, design development phase, construction document phase, bidding, construction &amp; closeout. PA Washington (WDP)</td>
<td>11/15/2011 - 9/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
</tbody>
</table>

D. ED2 International (Science / Math / Control Plant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestones Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase - 2 Months</td>
<td>6/20/2012 - 7/20/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Construction Project Close-out Phase</td>
<td>11/20/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>EDI documents for subcontractor (David) Longhi) to prepare opinions of probable cause and date for sealing design. Current State engineer-tronway &amp; Seikiti Museum (ES-105) will be updated by a new design at the site. The design will be approved by the client and submitted to the California Board of Equalization.</td>
<td>IVA</td>
<td>Amendment 3</td>
<td>In progress</td>
</tr>
<tr>
<td>Flexibility Study for the Fine Arts Westerbandtage (Project $10 Million Architect)</td>
<td>IVA</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional Services Request 95 - Museum Interior Design</td>
<td>IVA</td>
<td>Amendment 4</td>
<td>In progress</td>
</tr>
</tbody>
</table>

Additional Services Request 96 - Watering System Design Services to provide more on-site engineering services related to water use in the irrigation and fire hydrant system. | IVA | Amendment 5 | In progress |
### E. Environmental Science Associates (ESA)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Form Contract for Child Study Center Project and New Academic Center Project (District CEQA Consultant Project 316A), Scope includes providing Required Environmental Impact Report</td>
<td>9/20/2012</td>
<td>LF Contract</td>
<td></td>
</tr>
</tbody>
</table>

### F. HITC (Haridison, Kontaxis, Ivelich & Tucker) (Transportation Technology Center/Child Study Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>8/1/2010 - 9/1/2010</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Programming simulation &amp; supporting schematic design, Child Study Center at KSD Project 339C</td>
<td>12/21/2011</td>
<td>F&amp;E Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bid Set for the KSD Project (203B/262A/AN43/284B)</td>
<td>1/7/2011</td>
<td>Amendment 21</td>
<td>In progress</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bid Set for the KSD Project (203B/262A/AN43/284B)</td>
<td>11/15/2010 to 12/15/2010</td>
<td>Amendment 21</td>
<td>In progress</td>
</tr>
<tr>
<td>Contract programming simulations, continued schematic design and beginning of design development: Child Study Center Project 339C</td>
<td>11/1/2011</td>
<td>Amendment 22</td>
<td>In progress</td>
</tr>
<tr>
<td>Design &amp; engineering services for EA request &amp; final submission, ESA coordination and meetings</td>
<td>11/1/2011</td>
<td>New F&amp;E Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Transportation Task Complex Project KSD Project 339C</td>
<td>5/20/2011</td>
<td>SF Amendment 1</td>
<td>In progress</td>
</tr>
<tr>
<td>Long Form Contract for Child Study Center Project 339C</td>
<td>10/1/2010 - 11/1/2010</td>
<td>New F&amp;E Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Design &amp; engineering services for the HVAC supplemental upgrades (Main Body Complex Project 475A)</td>
<td>NA</td>
<td>Amendment 23</td>
<td>Completed</td>
</tr>
<tr>
<td>Publication system selection for Child Study Center Project 339C</td>
<td>NA</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
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</table>

### G. 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>Main Building Campus Signage (417A)</td>
<td>12/20/2010</td>
<td>Amendment 5</td>
<td>In progress</td>
</tr>
<tr>
<td>ADA Signage, construction services included in plan, required for Science-Kids PEP Campus Project 339C</td>
<td>NA</td>
<td>Amendment 5</td>
<td>In progress</td>
</tr>
<tr>
<td>Design services for Building Health Acknowledgement Project. Reference KSD proposal dated Feb 20, 2012 303.330.300: Review and approve at iTech Valley Campus (IVC) changing any reference to &quot;Medi influblce Center&quot; to &quot;Library&quot; Review finalized Campus Map showing construction completion dates</td>
<td>4/2 - 12/31/2012</td>
<td>Amendment 7</td>
<td>In progress</td>
</tr>
</tbody>
</table>

### H. Marcy Wong and Don Logan (FA/PA 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>5/15/2011 to 10/25/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>8/1/2012 to 12/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Project Close-out with ESA</td>
<td>6/2/2012 to 12/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Project Close-out with ESA, Project Close-out with ESA, Project Close-out with ESA</td>
<td>6/2/2012 to 12/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Project Close-out with ESA, Project Close-out with ESA, Project Close-out with ESA</td>
<td>6/2/2012 to 12/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Extra programming &amp; computational design efforts</td>
<td>Dates not changed</td>
<td>Amendment 1</td>
<td></td>
</tr>
<tr>
<td>Survey areas and select project scope guidelines</td>
<td>Dates not changed</td>
<td>Amendment 1</td>
<td>In progress</td>
</tr>
<tr>
<td>Finality study required by DSA and additional time and material authentication for additional review to meet DSA requirements for PA Modernization Project 339A</td>
<td>11/1/2011</td>
<td>Amendment 9</td>
<td>In progress</td>
</tr>
<tr>
<td>Add additional design services as follows: Grade Differential, and MOP room, implement revisions at Osk educational and visual appeal, raise the ceiling, add water treatment</td>
<td>NA</td>
<td>Amendment 10</td>
<td>In progress</td>
</tr>
<tr>
<td>Finalization of Design Plan for PA Modernization Project 339A</td>
<td>4/2 - 12/31/2012</td>
<td>Amendment 7</td>
<td>In progress</td>
</tr>
</tbody>
</table>

### I. Redline

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>F&amp;E Consultant for the SUCF Project 335A</td>
<td>to follow project 325A schedule</td>
<td>New Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>F&amp;E Consultant for the PA Modernization Project 336A</td>
<td>to follow project 326A schedule</td>
<td>New Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>F&amp;E Consultant for the Child Study Center Project 339C</td>
<td>to follow project 335A schedule</td>
<td>New Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>F&amp;E Consultant for the PA Modernization Project 339C</td>
<td>to follow project 335A schedule</td>
<td>New Contract</td>
<td>In progress</td>
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<tr>
<td>F&amp;E Consultant for the PA Modernization Project 330A</td>
<td>to follow project 330A schedule</td>
<td>Amendment 2</td>
<td>In progress</td>
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<tr>
<td>Activity</td>
<td>Milestone Date</td>
<td>Document</td>
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<tr>
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<tr>
<td>Kentfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2013</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>LEED Services</td>
<td>5/15/2007 through CA Phase</td>
<td>Amendment 4</td>
<td>On Going</td>
</tr>
<tr>
<td>Construction Administration</td>
<td>Part of IVC Main project</td>
<td>Amendment 5</td>
<td>In process</td>
</tr>
<tr>
<td>Credit for works related to tree species diversity</td>
<td>Not applicable</td>
<td>Amendment 7</td>
<td>On Going</td>
</tr>
<tr>
<td>One (1) Persimmon Office subtraction</td>
<td>N/A</td>
<td>Amendment 9</td>
<td>N/A</td>
</tr>
<tr>
<td>Landscape design around new Aggie for FA (300C and PC)</td>
<td>6/26/200</td>
<td>Amendment 10</td>
<td>N/A</td>
</tr>
<tr>
<td>Construction Plans Drawings</td>
<td>2/25</td>
<td>Amendment 12</td>
<td>N/A</td>
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<tr>
<td>Additional landscape design services</td>
<td>6/30/2010</td>
<td>Amendment 11</td>
<td>Closed</td>
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<tr>
<td>Additional landscape design services</td>
<td>7/15/2010</td>
<td>Amendment 11</td>
<td>Closed</td>
</tr>
<tr>
<td>Additional design services for planning</td>
<td>7/15/2010</td>
<td>Amendment 12</td>
<td>N/A</td>
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<tr>
<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 13</td>
<td>N/A</td>
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<tr>
<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 14</td>
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<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 15</td>
<td>N/A</td>
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<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 16</td>
<td>N/A</td>
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<tr>
<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 17</td>
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<tr>
<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 18</td>
<td>N/A</td>
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<tr>
<td>Additional design services for planning</td>
<td>n/a</td>
<td>Amendment 19</td>
<td>N/A</td>
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</table>

K. TLCDD Architecture (New Academic Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Programming determination &amp; design software developement</td>
<td>12/31/2010</td>
<td>Short Form Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Add services for continued programming &amp; program validation</td>
<td>9/16/2010</td>
<td>SF Amendment</td>
<td>Completed</td>
</tr>
<tr>
<td>Long Form Contract includes: programming phase, schematic design phase, design development phase, construction document phase, bidding, construction &amp; close out</td>
<td>9/11/2010</td>
<td>Long Form Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Add services for programming phase</td>
<td>9/10/2011</td>
<td>LF Amendment</td>
<td>Completed</td>
</tr>
<tr>
<td>Conceptual design of the New Academic Center</td>
<td>9/16/2011</td>
<td>LF Amendment</td>
<td>In progress</td>
</tr>
</tbody>
</table>

L. VBN Architects (VIC Main Building) & Architects von (Facilities Master Plan)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Operation/Project Close-out Phase</td>
<td>12/1/2010-3/1/2011</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Structural engineering services for DSA Field Change Directive documents #2 and #4, Main-Bld Complex Project 4136</td>
<td>6/30/2011</td>
<td>Amendment 16</td>
<td>In process</td>
</tr>
<tr>
<td>Facilities Master Plan Phase 1 (Project 6035-2011)</td>
<td>N/A</td>
<td>New Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Relaxation, Costs (Funding &amp; Space Planning Study Project)</td>
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<td>New Contract</td>
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### 2.1 Schedule

**Marin Community College District - College of Marin**

Based on expenditures as of May 31, 2012. Includes latest BSP revisions approved on December 13, 2011.

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*Note 1: Design: $4,187,802  Budget: $3,246,478  Current: $424,343,980
Note 2: Design: $1,722,885  Budget: $1,597,033  Current: $17,709,918
Note 3: Design: $1,052,489  Budget: $9,720,532  Current: $10,773,100

NTP Jun 2010; Subst Compl Sep 2012
NTP Aug 2009; Subst Compl Jan 2011
NTP Feb 2011; Subst Compl Sep 2012

Page 1 of 3
### 3088 Diamond PE Center Alterations - see note 4

<table>
<thead>
<tr>
<th>Date</th>
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<th>Construction</th>
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### 402A Transportation Technology Complex - see note 5

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### 417A Main Building Complex - see note 6

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2.1 Schedule

Marin Community College District - College of Marin

Based on expenditures as of May 31, 2012. Includes latest BSP revisions approved on December 13, 2011.

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301B Austin Science Alterations (structural) project - see note 10 |
| Mar 2011 Schedule/Budget | $578,900 | $5,465,861 | $6,145,861 |
| Current Schedule (% of current phase) | 0% | 0% | |
| Current expenditures (% of budget) | 2% | 0% | |
| | $11,685 | 50 | NTP Jan15; SC Nov15 |

Notes:
1) SNCP project (305A) duration evolved; originally based on a 50,000 SF building which was revised to 77,000. Budget then reduced in March 2011 after favorable low bids.
2) FA Project (306C) is substantially complete. Budget increased in June BSP to accommodate additional equipment requests and infrastructure adjustments; Close-out ongoing.
3) PA project (306A) hazardous materials assessment complete; demolition to start August 1; FFE list being prioritized by College.
4) PE project (308B) is complete.
5) TransTech (402A) in field construction issue needing DSA approval, schedule adjusted to current status.
6) Main Bldg (417A) is substantially complete with close-out ongoing.
7) NAC project (303B) is in design with anticipated SKA approval in September 2011. Project delayed for architect selection and program approval.
8) LRC project (302B) funding was reallocated to other projects.
9) FH project (304A) funding was reallocated to other projects.
10) Austin Science Alterations (structural) project (301B) initiated on March 15, 2011. The project is not fully funded at this time; schedule anticipated but should be considered a draft.
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. David Wain Coon. 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. David Wain Coon. 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 3710, 3750, 4101, 4102, 4105, 4228, 4231, 5013, 5610, 7381, 7400, and 7500 are presented herein for information.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

For information only. No action is required.
MARIN COMMUNITY COLLEGE DISTRICT PROCEDURE

AP 3710  SECURING OF COPYRIGHT

References:
- Education Code Sections 72207 and 81459;
- 17 U.S. Code Section 201

❖ From current College of Marin Policy 2.0010 titled Copyright

Material subject to copyright in the form of books, musical or dramatic compositions, architectural designs, paintings, sculptures, or other works of comparable type developed by employees either in conjunction with or aside from their District employment shall be the property of the author unless the material is prepared by means of a District or College Research and Development grant or an externally funded grant or contract to the District. In the case of the former, prior to securing a copyright for the materials, the employee shall reimburse the District for all direct costs. In the case of the latter, provisions of the any external funding agency regarding copyright shall be followed. Materials produced during sabbatical leave do not constitute an exception to this policy and shall be the property of the author unless special funding provisions described above are applicable.

❖ From current College of Marin Policy 2.0020 titled Performance Rights

Performance Rights
The public performance by the College of Marin of a musical, dramatic or dance work that requires a license from a performing rights agency must have the written approval of the Vice President, Academic Affairs, or his/her designee.

By way of explanation, The College of Marin District is required to shall pay a license fee to the appropriate performing rights agency as required, under any of the following circumstances: Public performances that require a license from a performing rights agency will follow the guidelines established by the Performing Arts Department.

- When it makes non-instructional use of a copyrighted musical, dramatic or dance work.
- When payment is made to any performer in the above-work.
- When admission is charged those who attend the above-work.

With written authorization from the performing rights agency, A videotape recording of a copyrighted work performed by at the College of Marin District may be made for classroom
in instructional use. Any public performance of this videotape recording requires written authorization of by the performing rights agency.

- From current College of Marin Procedure 2.0020 DP.1 titled Performance Rights

Procedure for Authorization
In accordance with the Board Policy on performance rights, the following procedures will apply. The Vice President, Academic Affairs, or his/her designee, will be responsible for implementation of the procedures:

To request authorization to schedule the public performances of a musical, dramatic, or dance work requiring a license from a performing rights agency, the chairperson of the appropriate academic department will provide the Vice President, or his/her designee, with the following:

- A copy of the proposed licensing agreement.
- A completed form (Request to Perform a Copyrighted Musical, Dramatic, or Dance Work) which will elicit information on licensing costs, reproduction rights, and re-use fees.

Upon approval of the request, the Vice President, Academic Affairs will execute the agreement on behalf of the District.

The District shall comply with all current federal and state laws and regulations regarding the use of copyrighted material.

See the current UPM Collective Bargaining Agreement for detailed information regarding copyright of materials produced by faculty members.

Office of Primary Responsibility: Office of Student Learning

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 black ink is current College of Marin Policy 2.0010 titled Copyright adopted on 2/24/82 and revised on 2/12/85 and 5/8/90; Policy 2.0020 titled Performance Rights adopted on 6/25/91; and College of Marin Procedure 2.0020 DP.1 titled Performance Rights approved on 4/30/91. The language struck through is recommended for deletion. The language in underlined italics was added on 3-29-11 during the review Susan Andrien as well as during a 9-21-11 review with Kristi, Robin, Joanna, and David Snyder. Approved by the Academic Senate 4/26/12.

Date Approved:
(Replaces current College of Marin Procedure 2.0020 DP.1)
AP 3750   USE OF COPYRIGHTED MATERIAL

References:
Education Code Sections 32360 and 67302;
U. S. Code Title 17, Copyright Act of 1976

Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the “fair use” doctrine.

Fair Use

Reference:
Copyright Act, Section 107

The “fair use” doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright may be required for works that fall within “fair use.”

The following is excerpted from the legislative history of the 1976 Copyright Act, which established congressionally endorsed guidelines related to classroom copying for educational use.

I. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

A. A chapter from a book
B. An article from a periodical or newspaper
C. A short story, short essay or short poem, whether or not from a collective work
D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

II. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

A. The copying meets the tests of brevity and spontaneity as defined below and
B. Meets the cumulative effect test as defined below and
C. Each copy includes a notice of copyright

Definitions:

Brevity:

i. Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

ii. Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)

iii. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.

iv. "Special" works: Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "i" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity:

i. The copying is at the instance and inspiration of the individual teacher; and

ii. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:

i. The copying of the material is for only one course in the school in which the copies are made.

ii. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

iii. There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.)

III. Prohibitions
Notwithstanding any of the above, the following shall be prohibited:
A. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.

B. There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.

C. Copying shall not:
   i. substitute for the purchase of books, publisher's reprints or periodicals
   ii. be directed by higher authority
   iii. be repeated with respect to the same item by the same teacher from term to term.

D. No charge shall be made to the student beyond the actual cost of the photocopying.

Compilations
References:

Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or “coursepacks,” even if the excerpts fall under the definitions in the “fair use” doctrine.

Online Courses
References:
The TEACH (Technology, Education and Copyright Harmonization) Act, U.S. Code 17, Copyright Act, Sections 110(2) and 112

The Teach Act provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

- The online instruction is mediated by an instructor.
- The transmission of the material is limited to receipt by students enrolled in the course.
- Technical safeguards are used to prevent retention of the transmission for longer than the class session.
- The performance is either of a non-dramatic work or a “reasonable and limited portion” of any other work that is comparable to that displayed in a live classroom session.
- The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
- The District does not know, or have reason to know, that the copy of the work was not lawfully made or acquired.
- The District notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.
Obtaining Permission to Use Copyrighted Material

District employees will follow the guidelines provided by the United States Copyright Office in Circular 21, “Reproduction of Copyrighted Works by Educators and Librarians.” A copy of this document is available from the U.S. Copyright Office at http://www.copyright.gov/circs/

Responsibility for obtaining permission to print, duplicate, or display copyrighted works shall rest with the individual using the copyrighted material. This would involve contacting the owner of the copyrighted work and obtaining written permission to use the work.

The following websites will provide additional information regarding use of copyrighted material. The booklets, “Questions and Answers on Copyright for the Campus Community” and “Guidelines for Campus Copying” are available on the first three websites listed below:

3. Copyright Clearance Center, www.copyright.com

Office of Primary Responsibility: Office of Student Learning

NOTE: This procedure is suggested as good practice. The underlined regular text is language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was added during the review with Susan Andrien on March 29, 2012. Approved by Academic Senate 4/26/12.

Date Approved:
(This is a new procedure recommended by the CCLC and the League’s legal counsel)
AP 4101 INDEPENDENT STUDY

References:
Title 5 Sections 55230 et seq.

Independent Study
Independent studies are courses designed for independent motivated students to pursue intellectual inquiry outside of regularly scheduled course offerings. These are to be supervised by instructors, generally involving substantial, student-instructor interaction. Each course shall be initiated on an individual basis via an agreement between the student and an instructor.

These courses are not designed to substitute for other courses offered by the academic departments.

Enrollment shall be through courses numbered 249A (1 semester unit), 249B (2 semester units), and 249C (3 semester units). One unit of credit requires a minimum of 48 hours of lecture, study, or laboratory work.

Academic Standards
Academic standards applicable to courses of independent study shall be the same as those applied to other credit courses as appropriate at the District.

Procedures for Evaluation
Procedures for evaluation of student progress shall be in accordance with regulations established by the District. A grade report by an instructor on appropriate records bearing the student’s name for purposes of state apportionment shall certify the adequate and proper progress toward accomplishment of the course objectives is being maintained by the student.

Availability of Instructor
Independent study students shall have access to the instructor equivalent to access given to students enrolled in courses conducted by other instructional methods, including office hours.

Instructors are responsible for assisting the student in developing the proposal, granting instructor approval of the proposal, assisting the student in the independent study as necessary, evaluating the results of the study, and submitting the final grade to the Office of Admissions and Records.

Independent study courses may be repeated more than once for credit provided the same topic is not repeated. An independent study course cannot be used to satisfy core requirements unless specified by the department to a maximum of three (3) units.
Procedures for Approval of Independent Study

- Students must have completed 12 degree applicable credit units at the College of Marin.
- Students must be in good academic and progress standing and have earned a cumulative GPA of 2.0 at the College of Marin.
- The Independent Study Contract must be completed by the student and approved by the instructor and signed by the department chairperson.
- Independent Study Contracts must be submitted to the Admissions and Records Office by the last day to add a full-term course deadline.

Students are limited to one independent study course per semester, six (6) units of independent study per discipline, to a maximum of twelve units overall unless specified by a department to obtain a local certificate.

Office of Primary Responsibility: Office of Admissions and Records

Date Revised:
Date Approved: March 16, 2010

Replaces portions of College of Marin Procedure 4.0003 DP.10

Note: The language in underlined italics is recommended for inclusion and the language struck through is recommended for deletion by the Academic Standards Committee (ASC). Approved by Academic Senate 4/26/12.
AP 4102 CAREER/TECHNICAL PROGRAMS

References:
Title 5 Sections 55600 et seq.;
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;
34 Code of Federal Regulations Part 600

All career/technical programs have regularly scheduled advisory committee meetings. Advisory committee membership should include working professionals in the appropriate program field whose expertise would benefit the growth and development of the program. Members may be recommended by the faculty in a particular program and reviewed and appointed by the Division Dean.

Advisory committees are used for planning purposes, curriculum development, District relations, and maintaining career/technical programs that are relative to job needs and up-to-date with current field practices.

Functions of the Career/Technical Advisory Committee
• To study the educational needs of a specific career/technical program and to make recommendations to the District program faculty and administration relating to these needs. Such recommendations may be included in the program’s academic program review.
• To interpret the program to the communities served and the communities’ needs to the District.
• To furnish specialized information and advice on technical requirements for the effective operation of the program.
• To provide channels of communication between the District and the various organizations and agencies of the community interested in the program.
• To further a cooperative relationship between the District and the resource agencies of the community in support of the program.

Operations of the Committee
• A faculty member of the particular career/technical program or a member of the advisory committee may serve as chairperson of the committee and shall preside at all meetings.
• Subcommittees may be appointed, if and as desired by the committee.
• Committee responsibilities of individual members may be designated, as required.
• Meetings shall have prepared agendas that are sent to committee members and other appropriate parties in advance of the meeting and kept on file in the Division office.
• Minutes shall be taken at all meetings and shall become a permanent record of the meeting and be kept on file in the Division Office.
• It is recommended that meetings be held at least twice during the academic year.
• Additional meetings may be called by the committee chairperson or by the appropriate administrator, as necessary.

Provisions for Documenting the Competencies of Students Completing Career/Technical Programs

All programs are responsible for monitoring, documenting, and communicating with their advisory committee how students are progressing toward the competencies, objectives, and student learning outcomes identified for the particular program.

Students may demonstrate proficiency in one or more of the following ways:

• Achieving grades on all assignments and examinations in each course within the program that would enable them to receive a certificate of training, certificate of completion, and/or a degree in the particular field.
• Performing all identified skills needed to enter a particular profession at a level that indicates proficiency in the particular skill.
• Completing all required clinical rotations or internships as required by the program.
• Passing all required local, state, and or national certification or licensure tests or examinations.
• Achieving identified course, program, and institutional student learning outcomes.

Consistent with federal regulations pertaining to federal financial aid eligibility, the Chief Instructional Officer will ensure that the District complies with the United States Department of Education’s disclosure requirements for each of the District’s gainful employment programs, by disclosing federally-mandated information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its website.

The Chief Instructional Officer shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

Office of Primary Responsibility: Office of Student Learning

Date Revised:
Date Approved: November 11, 2009

NOTE: The underlined regular text language is from the CCLC per legal Update 19. The added language is legally required in an effort to show good faith compliance with the applicable federal regulations. David Cook reviewed and approved this AP to move forward on 2-8-12. This procedure was revised to comply with recently enacted U.S. Department of Education regulations. Approved by Academic Senate 4/19/12.
AP 4105 DISTANCE EDUCATION

References:
Title 5 Sections 55200 et seq.;
42 U.S. Code Sections 12100 et seq.;
29 U.S. Code Section 794d;
ACCJC Guide to Evaluating Distance Education and Correspondence Education;
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid
Programs under Title IV of the Higher Education Act of 1965, as amended;
34 Code of Federal Regulations Part 600

Per Title 5 Section 55200, distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. A distance education course is a course or course section where 40% or more of the hours of instruction occur at a distance.

In the District, a hybrid course or course section is defined as one in which regularly scheduled face-to-face classroom time is replaced consistently throughout the semester by required online activities; and is one in which the face-to-face component is between 40% and 60% of the total course hours.

In the District, an online or media-based course or course section is defined as one in which 100% of instruction occurs at a distance; while there is no face-to-face instruction, mandatory face-to-face orientations and assessments may be scheduled.

Course Approval
Each proposed or existing course offered by distance education shall be reviewed and approved separately. Separate course outlines are required for each hybrid, online or media-based version of a course. Each course outline must include the Distance Education addendum of the Course Outline of Record template. Separate approval is mandatory if 40% or more of the instruction in a course or a course section is designed to be provided through distance education, whether as a hybrid or online.

The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in AP 4020 titled Program and Curriculum Development. Distance education courses shall be approved under the same conditions and criteria as all other courses.

Certification
When approving distance education courses, the Curriculum Committee will certify the following:

Course Quality Standards: The same standards of course quality are applied to the distance education courses as are applied to traditional classroom courses.

Course Quality Determinations: Determinations and judgments about the quality of the distance education course were made with the full involvement of the Academic Senate and Curriculum Committee approval procedures.
Instructor Contact: Each section of the course that is delivered through distance education will include regular effective contact between instructor and students.

Duration of Approval: All distance education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline.

ADA Compliance
All distance education is subject to the requirements of Title 5 as well as the requirements imposed by the Americans with Disabilities Act (42 U.S. Code Sections 12100 et seq.) and Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S. Code Section 794d). Distance Education courses will be reviewed by Disabled Students Programs and Services (DSPS) to determine ADA compliance.

Instructor Learning Management System (LMS) Training
Instructors interested in teaching hybrid and/or online courses will be provided with training opportunities in the technical and pedagogical aspects of such courses using the approved District LMS before being assigned to teach such a course.

Consistent with federal regulations pertaining to federal financial aid eligibility, the District must authenticate or verify that the student who registers in a distance education or correspondence education course is the same student who participates in and completes the course or program and receives the academic credit. The District will provide to each student at the time of registration, a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any.

The Chief Instructional Officer shall utilize one or more of these methods to authenticate or verify the student’s identity:

The District utilizes a LMS whereby students must authenticate their identity. In order to access the LMS, students must log into the MyCOM Portal with their College of Marin-issued student user name and password.

The District’s Distance Education Support Center (DESC) provides proctored testing services. Students enrolled in the District’s distance education courses can schedule an appointment to take a test in the DESC Office. Appointments are required in advance. To make an appointment, students must follow the guidelines specified by the DESC.

The Chief Instructional Officer shall provide a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any, to each student at the time of registration.

Date Revised:
Date Approved: June 28, 2011

NOTE: The language in underlined regular text is from legal Update 19 disseminated to districts in August 2011 by the CCLC’s Policy and Procedure Service. The language in underlined italics is from the Dean of Enrollment Management of February 13, 2012 and Sara McKinnon on March 29, 2012. Revision approved by Academic Senate 4/19/12.
AP 4228 COURSE REPETITION — SIGNIFICANT LAPSE OF TIME

Reference:
Title 5 Section 55043

Students may be permitted or required to repeat courses in which a “C” or better grade was earned where there was a significant lapse of time since the grade was earned under the following circumstances:

1. Two or more years have elapsed since successfully completing the course.

2. A recency prerequisite for a course or program has been established which the student cannot satisfy without repeating the course.

3. An institution of higher education to which a student seeks to transfer has established a recency requirement that the student cannot satisfy without repeating the course.

When a student needs to repeat an activity course due to a significant lapse of time, each repetition attempt will be counted toward the established repetition limits. However, if a student has already exhausted the number of permitted repetitions, then one additional repetition due to significant lapse of time may be permitted or required by the District.

Under these provisions with an approved petition:

- Students must wait one week after the start of new and returning student registration to register for the course.

- Students petitioning to repeat for number 1 or 2 above, are only allowed one repeat for each course.

- When a course is repeated due to a significant lapse of time, the previous grade and units will be disregarded and the current grade will be used when computing a student’s cumulative grade point average (GPA).

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.
Office of Primary Responsibility: Office of Student Learning

Date Revised:
Date Approved: June 28, 2011
Approved by the Academic Senate 4/19/2012

NOTE: The language in **underlined italics** reflects revisions from the Academic Standards Committee (ASC) on 3/21/2012. Proposed changes were approved by Academic Senate on 4/19/2012 and forwarded to College Council for information on 5/10/2012.
Academic Affairs

AP 4231    GRADE CHANGES

References:
Education Code Section 76224
Title 5 Section 55025

Changing Grades
The instructor of the course shall determine the grade to be awarded to each student. The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetency. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors. "Fraud" may include, but is not limited to, intentional inaccurate recording or the change of a grade by any person who gains access to grade records without authorization.

The removal or change of an incorrect grade from a student's record shall only be done pursuant to this process.

Provisions shall be made to allow another faculty member to substitute for the instructor if the student has filed a discrimination complaint, if the instructor is not available, or where the District determines that it is possible that there may have been gross misconduct by the original instructor.

Grade Changes by Instructors
Instructors may choose to change a student's grade by submitting a Grade Change Form to the Admissions and Records Office stating the reason for the change.

I. Final Grade Disputes
Students may obtain a change to a final course grade without the instructor's agreement only when the student can provide proof that the final course grade reflects mistake, fraud, bad faith, or incompetency.

Without such proof, only the instructor who assigned a final grade can choose to change that final grade. No individual or group, whether acting on a grievance or in some other manner, has the authority to change a grade determined by an instructor unless persuasive evidence is presented by the student in accordance with the provisions as outlined in the law and this procedure. Accordingly, in determining whether to initiate a grievance involving grades, students should consider whether they believe there will be persuasive evidence of mistake, fraud, bad faith, or incompetency. Students may seek resolution of their dispute as outlined below. Students must initiate the dispute within three semesters of the final grade being submitted to the Office of Admissions and Records.

II. Informal Final Grade Dispute Resolution Procedure
Before initiating formal grade dispute procedures, the student shall attempt to resolve the dispute informally by meeting with the instructor who issued the grade or with another faculty member assigned by the department-chairperson only if the instructor is on sabbatical or other leave and the appropriate academic or counseling dean administrator. The intent of
the informal grade dispute procedure is to strongly encourage and support all possible attempts to resolve the dispute with the instructor.

Meeting with the instructor is only excused when the student has filed a discrimination complaint that alleges the grade was affected by improper discrimination (including harassment) or retaliation for filing a discrimination complaint under the District's nondiscrimination process or when the student reports gross misconduct by the instructor and the District determines that it is possible that gross misconduct occurred.

The student must follow the process described below in an attempt to informally resolve his/her dispute. Students can direct additional questions related to this process to the Petitions Committee Dean of Student Development and Special Services.

a. Unless this procedure excuses an initial meeting with the instructor, the student must take any questions regarding the accuracy of a final course grade to the instructor of record for the class in question within three semesters of the final grade being submitted. The instructor has 15 business days to respond to and meet with the student after being contacted by the student. It is the student’s responsibility to obtain the instructor’s signature and date of the meeting on the Request for Grade Reconsideration Form.

b. If the dispute between the student and the instructor has not been resolved, his/her dispute with the instructor, the student may present his/her dispute to the chairperson of the department that offered the class for which the grade in question was given. the instructor may request the consultation of the department chairperson of the department that offered the class for which the grade in question was given and may request that the chair meet with the student. If the chairperson agrees to participate, in this case, then the department chairperson has 15 business days to respond to and meet with the student after being contacted by the student. It is the student’s responsibility to obtain the department chairperson’s signature and date of the meeting on the Request for Grade Reconsideration Form.

c. If the student has not resolved his/her dispute with the instructor and department chairperson, the student may present his/her dispute to the academic or counseling dean of the division. The dean has 15 business days to respond to and meet with the student after being contacted by the student. It is the student’s responsibility to obtain the dean’s signature and date of the meeting on the Request for Grade Reconsideration Form.

d. At level b and c listed above, Deans do the department chairperson or administrator in question does not have the authority to change the grade that was issued by the instructor. Rather, his/her role is to hear the dispute as presented by the student and the instructor. If, after consultation with the instructor and/or department chairperson, the academic or counseling dean involved feels that the final course grade may reflect mistake, fraud, bad faith, or incompetency, the student may pursue the Formal Final Grade Dispute Process outlined in Section III. If the department chairperson finds cause and the instructor chooses not to change the grade, the student can proceed to the formal process.
e. If no evidence of mistake, fraud, bad faith, or incompetency is found by the department chairperson or academic or counseling dean, the instructor’s decision is final and no formal grade dispute will proceed. The academic or counseling dean involved will inform the student, instructor, and department chairperson in writing of the finality of the instructor’s decision and the completion of the grade dispute process within 15 business days of making the decision.

f. In cases where the instructor of record for the class in question is on sabbatical or other leave, every effort shall be made by the academic or counseling dean involved to contact the instructor. If after two attempts within a two-week period, the instructor is still unavailable, the department chairperson another faculty member shall act on the instructor’s behalf. In cases where the instructor is on leave for more than one calendar year, or is unavailable for contact, another instructor shall substitute for the instructor of record, as specified in Title 5 Section 55025. If the instructor is not a current employee at the time of the student challenge, and cannot be contacted, the student shall file the Request for Grade Reconsideration Form with the department chairperson.

g. If the student fails to meet any of the deadlines described above in subdivisions a, b, or c, the student is deemed to have waived any challenge to the grade and the final grade issued by the instructor stands.

III. Formal Final Grade Dispute Resolution Procedure

If the academic or counseling dean finds that there is a potential case that the grade reflects mistake, fraud, bad faith, or incompetency or the student is dissatisfied with the decision of the academic or counseling dean, the student may file a request for a formal hearing with the College Petitions Committee which is comprised of faculty and administrators from Instruction and Student Services. The student must initiate the formal dispute process within 30 calendar days of receiving the Request for Grade Reconsideration decision from the academic or counseling dean involved wherein the department chairperson and/or dean indicate cause exists to suggest that a grade reflects mistake, fraud, bad faith, or incompetency. Grade disputes that allege discrimination (including harassment or retaliation) in violation of the District’s nondiscrimination policies cannot be initiated by the student with the College Petitions Committee. Such allegations must be investigated by the District’s assigned officer for such investigations.

Students must complete the Petition for Final Grade Review Form including the following typed and signed information in their request for a formal hearing:

a. A clear and concise statement of the dispute that must include details of the specific nature of the alleged mistake, fraud, bad faith, or incompetency.

b. The name of the instructor, course title, course record number, and semester of the class for which the grade is being disputed.

c. Identification of the resolution, corrective action, or remedy being sought.

d. A detailed summary of the actions already taken to resolve the issue, including dates and times for meetings that occurred during the Informal Grade Dispute Procedure and recorded on the Request for Grade Reconsideration Form.
e. Copies of all documents, assignments, or related materials indicating evidence of the alleged mistake, fraud, bad faith, or incompetency.

Upon receiving the student’s request for a formal hearing, the Petitions Committee will convene to hear the dispute.

The student has the option to challenge the composition of the Petitions Committee only if it is determined that there is a conflict of interest with any committee member. In such cases, that committee member would be excused from the case and a different member will be assigned.

All documentation from the informal and formal procedures will be maintained in the Office of Admissions and Records to preserve the confidentiality of all records related to the process.

IV. Formal Hearing Procedures
a. Within 15 business days of receiving a submitted request for a formal hearing, the College Petitions Committee will convene to conduct the hearing.

b. The Petitions Committee will:
i. Review the request for a formal hearing submitted by the student. The formal hearing is intended to resolve the dispute based on the merits and facts of the case and is not a legal proceeding.

ii. Request additional information, if necessary, from the instructor who has seven days from receipt of the request to respond.

iii. Receive a signed written statement from the instructor, or department chairperson another faculty member, if the instructor is on sabbatical or other leave, and the academic or counseling dean, specifying all relevant facts as discovered during the Informal Grade Dispute Procedure and the reasoning and evidence related to mistake, fraud, bad faith, or incompetency.

iv. The Petitions Committee shall hear testimony, examine witnesses, and receive evidence pertaining to the case, as determined to be necessary by the committee.

v. Evaluate relevant testimony and evidence.

vi. Provide a comprehensive summary transcript of the proceedings and investigations, which will be to the Superintendent/President, if the College Petitions Committee is recommending a grade change, kept in a confidential file in the Office of Admissions and Records and shall be available at all times to the parties to the dispute to the extent that such material is not otherwise confidential.

c. The formal hearing will be closed to the public

d. Upon conclusion of the formal hearing, the College Petitions Committee shall make a decision to uphold the final grade, or make a recommendation to the Superintendent/President to change the final grade.

e. If the Petitions Committee decides to uphold the final grade, The College Petitions Committee will have 15 business days to inform the student in writing of their decision.
The decision of the College Petitions Committee is final and will represent the final stage of due process.

f. If the College Petitions Committee decision is to recommend a change in the final grade, the College Petitions Committee will submit the recommendation to the Vice President of Student Learning who will review it and forward the recommendation of the College Petitions Committee to the Superintendent/President shall review the recommendation of the Petitions Committee and who will make a the final decision within 15 business days of receipt of the Committee’s recommendation.

i. If the Superintendent/President’s decision is to change the grade, the Superintendent/President will direct the Dean of Enrollment Service Vice President of Student Learning to change the grade. In all such cases, the Superintendent/President will give written notice of the change to the Vice President of Student Learning, the academic or counseling dean involved, the College Petitions Committee, the student and the instructor. Whenever a grade is changed as a result of this process, corrected transcripts will be sent to any known educational institution to which the student has transferred.

ii. If the Superintendent/President’s decision is to retain the original grade, the Superintendent/President will give written notice of that decision to the Vice President of Student Learning, the academic or counseling dean involved, the College Petitions Committee, the student and the instructor.

iii. The decision of the Superintendent/President is final and represents the final stage of due process.

Security of Grade Records

The District shall implement security measures for student records that assure no one without proper authorization may obtain access to student grade records. These measures are installed as part of any computerized grade data storage system.

The measures implemented by the District include, but are not necessarily limited to, password protection for all student grade data bases, locking mechanisms for computer stations from which grade data bases can be viewed, and strict limits on the number of persons who are authorized to change student grades.

Persons authorized to change grades shall be designated by the Dean of Enrollment Service Management. No more than five District employees may be authorized to change student grades. Only full-time employees of the District may be authorized to change grades. Student workers shall not have access to or change grades at any time.

Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the Dean of Enrollment Management immediately. The Dean of Enrollment Service Management shall immediately take steps to lock the grade storage system entirely while an investigation is conducted.

If any student’s grade record is found to have been changed without proper authorization, the District will notify 1) the student; 2) the instructor who originally awarded the grade; 3) any known educational
institution to which the student has transferred; 4) the accreditation agency; and 5) local law enforcement authorities.

Whenever a grade is changed for any reason, corrected transcripts will be sent to any known educational institution to which the student has transferred.

Any student or employee who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with the District’s policies and procedures.

Any person who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency.

The correction of an awarded grade shall only be allowed for a student-initiated request-brought under the provisions of this procedure.

Office of Primary Responsibility: Office of Student Learning

Date Revised:
Date Approved: March 16, 2010
(Replaces portions of former College of Marin Procedure 4.0003 DP.10)

NOTE: The language in regular text is from current Administrative Procedure titled Grade Changes adopted on 3/16/2012. The language struck through is recommended for deletion. The underlined regular text signifies language recommended by School and College Legal Services. The language in underlined italics reflects revisions from the Dean of Enrollment Management, the Dean of Student Development and Special Services, Academic Standards Committee (ASC) and Academic Senate. This administrative procedure was approved by the Academic Senate on 4/26/2012.
AP 5013 STUDENTS IN THE MILITARY

References:
- Education Code Sections 68074, 68075, and 68075.5;
- Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620;
- Military and Veterans Code Section 824

Residence Determinations for Military Personnel and Dependents
A student who is a member of the armed forces of the United States stationed in California on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.

A parent who is a federal civil service employee and his/her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student’s commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here
for the dependent of military personnel shall provide a statement from the military person’s commanding officer or personnel officer that the military person’s duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041; 54042)

Withdrawal Policies for Members of the Military
A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A MW symbol will be assigned to the student’s academic record. Military withdrawal shall not be counted in progress probation, or dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an “FW” grade. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

The student will be eligible to receive a full refund for all fees paid in the term for which the military withdrawal was granted.

A student who has received military orders compelling a withdrawal from all courses must submit their military orders along with a Drop Form and a Request for Refund Form to the Office of Admissions and Records. A student, who has been deployed suddenly, may request to have his/her documents completed and submitted by a specified third party.

Military Credit
Students who have completed at least one year of active military service may submit a copy of their DD214 showing an honorable discharge and receive 5 units of PE.

These units will appear in the memoranda section of the grade record. Students must have successfully completed 12 units at College of Marin to be eligible.

Office of Primary Responsibility: Office of Admissions and Records

Date Revised:
Date Approved: May 18, 2010
(Replaces part of College of Marin Procedure 4.0003 DP.1)

NOTE: The underlined regular text language is from legal Update 19 and 20. The Academic Senate approved the Update 19 revisions to this document on April 19, 2012. Approved by Academic Senate 5/3/12.
AP 5610 VOTER REGISTRATION

References:

20 U.S. Code Section 1094(a)(23)(A);
34 Code of Federal Regulations Section 668.14(d)(1)

A good faith effort shall be made to distribute a mail-in voter registration form to each student enrolled in a degree or certificate program and physically in attendance.

Mail-in voter registration forms shall be made widely available to students.

An active link to the California Secretary of State’s voter registration web page or site shall be provided on the student portal to allow students to receive voter information.

The District designee for the California Secretary of State to contact for purposes of distribution of voter registration cards shall be the Director of Student Affairs.

Office of Primary Responsibility: Student Affairs

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in underlined italics is additional language to consider including in this procedure. The document was reviewed on April 24, 2012 by Rinetta. Also reviewed and approved to go forward by Director of Student Activities Arnulfo Cedillo.

Date Approved:
(This is a new procedure recommended by the CC League and the League’s legal counsel)
Marin Community College District Procedure

AP 7381

Human Resources

AP 7381  HEALTH AND WELFARE BENEFITS

Reference:
Government Code Section 53200

❖ From current College of Marin Policy 5.0019 titled Employee Benefits

It shall be the policy of The District Board to provide an adequate program of employee health and welfare benefits, in order to maintain and improve employee morale and ensure that the District is in a competitive position as an employer. The benefits for those employees who are covered by labor agreements are negotiated as part of those agreements.

The Superintendent/President shall recommend to the Board appropriate benefits for unrepresented employees. The Board reserves the right to waive any requirements set forth in such a recommended program for unrepresented employees. The amount provided for health and welfare benefits is set by the Board for employee groups not represented by a bargaining unit.

NOTE: The underlined regular text signifies language that is suggested as good practice by the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in black ink is current College of Marin Policy 5.0019 titled Employee Benefits adopted on 2/24/82 and revised on 2/12/85 and 3/12/85. The language struck through is recommended for deletion. The language in underlined italics was recommended by Human Resources. This document was reviewed and approved to move forward on April 24, 2012 by the Executive Dean of Human Resources.

Date Approved:
(Replaces current College of Marin Policy 5.0019)
Human Resources

AP 7400 TRAVEL

Reference:
Education Code Section 87032

❖ From current College of Marin Policy 6.0009 titled Expense Reimbursement (EC 87032)

It is the policy of the District may to reimburse, to the extent possible within necessary financial constraints, expenses incurred in travel, conferences, and meetings of governmental agencies, (e.g. professional associations, and educational organizations, and associations). Employees are expected to travel in the most economically prudent manner possible. Prior to travel, employees must obtain written approval for travel to conferences, training, and similar activities by submitting the appropriate travel form(s) to the Superintendent/President or designee(s).

District employees and Board members performing District services related to community colleges, regardless of funding source, shall be reimbursed in accordance with the Education Code provisions:
• Travel by District employees shall be subject to approval by the normal District decision-making procedures. Travel by Trustees shall be in accordance with Board Bylaw 1.2061.
• Moving expenses are not reimbursable.
• Expenses must be individually itemized in order to be eligible for reimbursement.
• International travel shall require prior approval by a majority of the Board.

❖ From current College of Marin Procedure 6.0009 DP.1 titled Expense Reimbursement

District employees and Board members performing District services, regardless of funding sources, will be reimbursed, as provided by Education Code Section 87032 for authorized actual and necessary expenses incurred. Travel allowances will be limited to Education Code requirements, contractual agreements, and necessity of travel, and this administrative procedure.

Interpretations of such travel policies, contractual agreements, and Title 5 regulations are as follows:

1. The Headquarters for claiming travel allowances is the location assigned by the immediate supervisor.
The assigned headquarters is the location to and from which mileage reimbursement is authorized. For employees who spend more than fifty percent or more of their assigned days at one location, that location will be designated the headquarters location. For employees with less than fifty percent of their assigned days in one location, a centralized location in the most predominantly traveled area will be designated the headquarters location.

2. Automobile Travel
In cases where authorized travel is by District-owned automobile, actual and necessary travel expense will not include mileage expense. Travel reimbursement will be made for travel to/from the job location and headquarters when an employee uses his/her own vehicle for official District business in the performance of regularly assigned duties.

If an employee is directed to report directly (begin or end their work day) to or at a work site that is not the headquarters, reimbursement would only be authorized for the additional increment beyond the normal commute to headquarters. Reimbursement rate is approved by the Board, or as stipulated in labor contracts negotiated with employees of the District.

When work requires more than one trip to the work location or headquarters on a normal work day, travel expenses will be paid for all additional travel.

The District’s insurance does not provide primary coverage for the owner of privately owned vehicle for claims or losses while he/she is operating his/her own vehicle on District business. For travel associated with field trips, see BP/AP 4300 titled Field Trips and Excursions.

All operators of vehicles must have a valid California driver's license appropriate for the use of the vehicle used on District business. In order to collect private auto mileage reimbursement, proof of current insurance coverage must be on file with the District.

Ferry, bridge, or toll charges may be claimed in addition to mileage allowances.

*Mileage shall be reimbursed at the established Internal Revenue Service (IRS) standard mileage reimbursement rate.*

3. Automobile Rental
The use of rental vehicles is limited to situations where District vehicles or commercial transportation either are not available, or their use impractical as determined by the Superintendent/President or designee(s). The use of the most economical vehicle, compact cars will be required, if available and otherwise appropriate. Employees are encouraged to carpool in rented vehicles when possible. Rental car expenses must be supported by receipts. The District insurance does not cover physical loss of, or damage to, rental vehicles. Rental agencies normally provide full coverage insurance for a
nominal fee and it should always may be purchased and included in the expense reimbursement.

4. Public Carrier Travel
The expense of traveling by public carrier (rail, bus, airplane, etc.) will be allowed on the basis of actual cost. All travelers will be expected to use the most economical mode of transportation where practical and in the best interest of the District. If the requestor uses a more expensive mode of transportation, the District will only reimburse at the most economical travel rate. Direct expense and the employee’s time will be considered in the choice of method of transportation. If public transportation is required, the following procedure shall be followed:
   a) A Travel Reservation Form obtained from the Buyer of the District Business Office must be completed and signed by the Budget Unit Manager and accompanied with a completed Travel Authorization Form (also available from Business Office). These two forms must be received by the District Buyer before reservations will be made.
   b) Employee travel reservations will normally be made in the District Business Office by the District Buyer with the designated travel agent. Any exception requires advanced written approval of the Vice President of Administrative Services.
   c) All forms must be received by the Business Office at least ten days prior to the departure date.
   d) The individual traveling is responsible for picking up tickets and information. In the event the employee is not able to pick up the tickets, the travel agency will deliver the tickets to the District Business Office.
   e) In the event it is necessary to cancel the reservation, the employee traveling is to contact the District Business Office who will cancel the arrangements.

5. Lodging
Reasonable and necessary lodging will be reimbursed as supported by receipts. All lodging must be in the geographical area of the conference or meeting and must be approved in writing in advance by the Superintendent/President or designee(s). When a traveler shares lodging with a non-District traveler (spouse/partner, members of a family, friends, etc.), a reimbursement to the traveler is limited to the rates for the District traveler only. The traveler must indicate charges for single occupancy when sharing lodging with a non-District person. Except in extenuating circumstances, lodging will not be paid when the conference or meeting is within commuting distance (fifty-mile radius of the District offices). The District traveler should always request the government/conference/most economical commercial rate and request that the Transient Occupancy Tax be waived at the time of the reservation and/or check-in. Overnight lodging for employees living within the geographical area of the conference or meeting, shall be approved on a case-by-case basis. Exceptions may be approved, in writing, by the Superintendent/President or his/her designee.
6. **Conference Fees**
Reasonable and necessary registration fees will be reimbursed for pre-approved attendance and as supported by receipts. Participant must be authorized to represent the District and conference/meeting must be in the best interest of the District.

7. **Meals**
*The actual and necessary cost of meals during the travel event, plus reasonable and customary gratuities, will be paid upon submission of original, itemized receipts. If meals are included in the cost of a conference, workshop, or other travel event, charges for additional meals that substitute for the included meals will not be reimbursed. When meals are charged to an employee’s hotel room, the original itemized receipt for the meal must be provided – a line-item charge on the hotel bill will not be sufficient. Credit card receipts which do not itemize the contents of meals purchased will not be reimbursed.*

*Meals will not be reimbursed for travel that begins and ends on the same day unless travel is greater than 60 miles. Exceptions may be considered on a case-by-case basis by the unit budget manager.*

The maximum allowance for meals allowance for food shall be $10 for breakfast, $15 for lunch, and $25 for dinner OR a maximum of $50 per day for all meals (including reasonable/customary gratuities and applicable local tax) per the State General Services Rates, except for attendance at programmed conference meals exceeding this limit (receipt or official notice required only for such programmed conference meals). Any expenses in excess will not be reimbursed by the District.

8. **Miscellaneous Expenses**
Certain miscellaneous expenses incidental related to official District business will be allowed if identified, such as transportation, parking fees, internet access, taxi service, reasonable/customary gratuities, and telephone calls. taxicabs, limousines, streetcars, busses, and parking fees. Receipts will be obtained when reasonably possible. Expenses must be individually itemized in order to be eligible for reimbursement.

9. **Non-Reimbursable Items**
The District will not provide reimbursement for parking or traffic violations, personal services, valet and laundry services, auto repairs when using personal automobile, entertainment, trip insurance, or any expenses considered to be excessive.

The traveler will not be reimbursed for non-District travelers (spouse/partner, members of a family, friends, other conference participants, etc.). The District will not allow reimbursement for alcoholic beverages (nor taxes and tips related to alcohol purchases), tobacco-related products, movies (at a theater or in room), laundry, non-District travelers’ meals, car washes, fuel for the employee’s personal vehicle, additional hotel rooms or costs of any kind for non-District travelers who accompany employee, or any
other expenses determined by the District to be unreasonable, excessive, non-business related, or a misuse of public funds.

10. Telephone Calls
Only telephone calls and telegrams for business purposes will be allowable. It will be necessary to show dates, names, and organization affiliation of persons called. Whenever possible, travelers calling long distance, on behalf of the District, should reverse the charges.

11. **10. Emergency Address Contact Information While Traveling**
It will be the responsibility of the District traveler to inform his/her immediate supervisor of his/her address contact information while traveling. This is necessary so that the staff member *employee* can be contacted in case of emergency.

12. **11. Approval Authorization - Conference Leaves**

   (a) Certificated United Professors of Marin (UPM) Collective Bargaining Members
   Requests for conference leave shall be made *in accordance with the collective bargaining agreement*, simultaneously to the unit member’s supervisor and the Professional Affairs Committee on the specified forms. The Professional Affairs Committee and the employee’s supervisor will separately recommend approval or disapproval of the conference request to the Vice-President of Academic Affairs. Applicants for conference leave who are denied a leave may appeal via provision in the Grievance Article of the UPM District Contract. *Travel reimbursements shall be in accordance with District procedures.*

   (b) All Other Employees
   Request for conference leave shall be made to *and approved by* the employee’s supervisor/manager on the specified forms. If the supervisor approves the request, the request is forwarded to the appropriate Cabinet member level representative. Once approved by the Cabinet member, the request is forwarded to a committee of three management/support employees appointed by the Superintendent/President. Requests approved by the three-member committee are forwarded to the applicant with a copy to Fiscal Services. Conference leave decision denied by the committee may be appealed by the applicant to the President.

   Prior to the Superintendent/President traveling, the Board President will be notified of the trip and the administrator to be in charge. *Travel reimbursements shall be in accordance with District procedures.*

   (c) *The Superintendent/President has the final authority to approve travel requests.*

Out-of-state travel for all District employees shall be approved in advance by a majority of the Officers of the Board of Trustees the Superintendent/President.

All travel outside the United States must be approved in advance by the Board of Trustees. International travel shall require approval by a majority of the Board of Trustees.

14.13 Procedure for Claiming Expense Reimbursement

Reimbursement of expenses for authorized travel shall be claimed submitted on the Expense Claim for Reimbursement Form as follows:

a) Claims will shall be submitted immediately within 60 calendar days following completion of the travel, trip and no later than one month following completing.
b) The only exception to item (a) above is at fiscal year-end, the claim form must be turned in not later than July 6.
c) Travel expense claims will be signed by the traveler and approved by the appropriate person (see section on Approval Authorization).
d) Each claim will be itemized by date, nature of expense, and the amount for which reimbursement is claimed. Claims will be for "actual and necessary" expenses and supported by receipts when applicable.

The Superintendent/President reserves the right to make exceptions to the above regulations.

13.14 Travel Advance

Travel advances are entirely discretionary and, in most instances, will only be authorized to cover meals and incidental costs for approved travel. All travel advances must be approved in writing by the Superintendent/President or designee(s). Advances will be adjusted upon the filing of a Claim for Reimbursement Form of actual and necessary expenses incurred in accordance with this procedure. Advances will not be paid more than 30 calendar days prior to travel. Employees who receive a cash travel advance, and then are unable to attend the travel event, must reimburse the entire travel advance to the District within ten calendar days of the original dates of travel. Failure to do so may result in a payroll deduction of the entire amount of the advance from the next occurring pay period. Abuse of travel advance privileges may result in denial of future travel advance requests and shall be considered a misappropriation of funds by the employee. No such advance shall be considered for any purpose as a loan to such employee.

Also see BP 2725 titled Board Member Travel

Office of Primary Responsibility: College Operations

NOTE: The underlined regular text reflects language from School and College Legal Services. The underlined italics represents newly recommended language from the Executive Dean of Human Resources, Director of Fiscal
Services and Cabinet. The language in black ink is current College of Marin Policy 6.0009 titled Expense Reimbursement adopted on 7/29/81 and revised on 10/13/82, 3/12/85, 4/8/86, 3/14/89, and 7/10/01, Procedure 6.0009 DP.1 titled Expense Reimbursement approved on 6/11/85 and revised on 11/19/85, 4/8/86, 6/15/86, 6/17/86, 9/29/82, and 7/10/01. The language struck through is recommended for deletion. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources. This document was reviewed by Peggy Isozaki and Linda Beam on 3-28-12. This AP was reviewed and approved by the President’s Cabinet 4/25/12. Linda Beam will alert UPM and gave the go ahead to take it to the TF on 5/2/12.

Date Approved:
(Replaces current College of Marin Procedure 6.0009 DP.1)
AP 7500   VOLUNTEERS

Reference:
Government Code Section 3119.5

Scope
Each volunteer is subject to the screening process set forth in this procedure, with the following exceptions:
- volunteers serving in single day college events

The supervising manager may authorize suspension of the screening process when he/she believes that this process is not necessary for the volunteers serving in the particular event.

General
The District may enter into agreements with outside organizations to provide volunteers to the District to work at college locations. Such agreements will contain appropriate defense and indemnification language to protect the District from liability in connection with the volunteer services.

Volunteers serve the District in an "at will" capacity. The District may terminate a volunteer's services for any reason or no reason at all.

Pursuant to Government Code Section 3119.5, no person aged 60 years or older may be excluded from volunteer service if the person is physically, mentally, and professionally capable of performing the services involved. A person shall be deemed "professionally capable" if he/she can demonstrate reasonable proficiency or relevant certification and performs his/her professional duties in accordance with laws, regulations, or the technical standards that govern his/her area of volunteer responsibility.

Volunteers may not be used in lieu of classified employees. The District may not refuse to employ a person in a vacant classified position and use volunteers instead, nor may it abolish any classified positions and use volunteers instead.

Screening
The District may use a written application form that requires, at a minimum, the volunteer's name, address, phone number, and history of convictions.
A volunteer's service record shall be maintained by the District.

Subject to the limitations of this policy, employees assigned to other positions within the District may serve as volunteers during off-hours.

Fingerprints of each volunteer may be required. Volunteers with on-going assignments and volunteers who interact with minors shall be required to provide a complete set of fingerprints for the purpose of running a criminal background check.

No person may serve as a volunteer in the District if:

- He/she has been convicted of or if he/she has charges pending which pertains to any sex offense (as defined in Education Code Section 87010) or controlled substance offense (as defined in Education Code Section 87011).
- He/she has been convicted of a crime and the Chief Human Resources Officer determines that: the nature of the crime is too serious to serve as a volunteer; the crime was too recent; and/or the crime is inconsistent with obligations in performing assigned duties as a volunteer.
- He/she has a health condition that would preclude him/her from satisfactorily performing essential duties of the position.
- He/she makes a false statement or omits a statement as to any material fact on the application form.

Incidental Expenses
Persons serving without pay as volunteers may receive reimbursement for incidental expenses.

Benefits
Volunteers are employees of the District only for the purpose of worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the District. With the exception of worker's compensation (Education Code Section 72401), volunteers shall serve without any type of compensation or any other benefits granted to District employees. Volunteers shall not be entitled to defense and indemnity from the District.

* From current College of Marin Policy 2.001S titled Student Teachers and Interns

The Board recognizes its responsibility for assisting in the education of future Community College teachers and administrators. Therefore, the Superintendent/President shall be authorized to negotiate agreements with higher educational institutions for the placement of their students as practice teachers and teaching, administrative, and counseling interns. All such agreements shall be approved by the Board.

*NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in black ink is current College of Marin Policy.*
2.0015 titled Student Teachers and interns adopted on 2/24/82 and revised on 2/12/85. The language struck through is recommended for deletion. The language in underlined italics was recommended by Human Resources. This AP was approved to move forward by the Dean of Human Resources 4/13/12.

Date Approved:
(This is a new procedure recommended by the CC League and the League’s legal counsel)