BOARD OF TRUSTEES
REGULAR MEETING AGENDA

July 19, 2011
The Board shall act on posted items and shall not deliberate items that are not on the posted agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Human Resources at 485-9340. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

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

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

Per Board Policy 2365 the Board meetings of the Marin Community College District are audio taped and video broadcasted via the Internet.
A. Closed Session – 5:15 p.m. in AS 101, Indian Valley Campus

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

2. Closed Session: To consider and/or take action upon any of the following items:
   (a) With respect to every item of business to be discussed in closed session pursuant to
       Section 54957.6:
           CONFERENCE WITH LABOR NEGOTIATOR
           Relative to the following organizations representing employees: United Professors of Marin
           (AFT/UPM), California School Employees Association (CSEA), Service Employees International
           Union (SEIU), Unrepresented Employees (Confidential, Supervisors, Managers)
           Agency Negotiators: Larry Frierson
           Bruce Held
   (b) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section
       54956.9:
           CONFERENCE WITH LEGAL COUNSEL-Potential & Existing Litigation
           Three – Mize-Kurzman vs. Marin CCD (California Court of Appeal)
           SEIU vs. MCCD Grievance [Police Officers – Donning & Doffing]
           Campus Bistro
   (c) With respect to every item of business to be discussed in closed session pursuant to Section 54957:
           PUBLIC EMPLOYEE PERFORMANCE EVALUATION
           Title: Superintendent/President
   (d) With respect to every item of business to be discussed in closed session pursuant to Section 54957:
           PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

3. Recess to Open Session

REGULAR MEETING AGENDA
6:30 p.m. – Building 27, Rooms 116 & 118
Indian Valley Campus

B. Reconvene to Regular Meeting
1. Call to Order, Roll Call and Adoption of Agenda


3. Citizens’ Requests to Address the Board on Non-Agenda Items (3 minutes each)

4. Chief Executive Officer’s Report (40 minutes)
   a. Accreditation Update
   b. Strategic Plan Update (Dr. Chialin Hsieh)
   c. IVC Transfer Pathway
   d. Fine Arts Program Review
   e. Unfunded Liability Actuarial Report (Al Harrison)
   f. Other

5. Academic Senate Report (5 minutes)

6. Classified Senate Report (5 minutes)

7. Student Senate and Student Association Report (5 minutes)

8. Board Study Session
   a. Modernization (Leigh Sata and TLCD Architecture/Mark Cavagnero)
      ▪ New Academic Center Design Update

9. Consent Calendar Items (Roll Call Vote)
   A. Calendar of Upcoming Meetings

   B. Approve Classified Personnel Recommendations
      1. Appointment of Classified Personnel

   C. Approve Academic Personnel Recommendations
      1. Appointment and/or Change of Academic Personnel

   D. Approve Short-Term Hourly Positions

   E. Budget Transfers – Month of June – FY 2010/11

   F. Warrant Approval

   G. Approve Revised Board Policies – BP1.4a (Review institutional needs and assess Institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)
      ▪ BP 2720 Communication among Board Members
      ▪ BP 3280 Grants
      ▪ BP 3560 Alcoholic Beverages
      ▪ BP 3570 Smoke-Free Learning and Working Environment
      ▪ BP 3720 Information Technology Use
BP 4040 Library and Other Support Services
BP 7110 Delegation of Authority

H. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
   1. Ratify/Approve Modernization Contracts, Changes and Amendments
      ($482,383.90)
   2. Approve Renewal of Contract for Financial Management Software (Paragon)
      Citadon, Inc. - Amendment 3 ($35,026)
   3. Declaration of Surplus Disposal
      PA & FA Relocation Project (8501)

I. Educational Management Personnel Recommendations
   1. Appointment of Educational Management Personnel

10. Other Action Items (10 minutes)
    A. Approve Revised Associated Students (ASCOM) Constitution
    B. Approve Retainer Agreement with School & College Legal Services 2011-2012
    C. Approve Mileage Reimbursement Rate Increase July – December 2011
    D. Approve Destruction of Records, Fiscal Services & College Operations
    E. Approve HealthStream Agreement
    F. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
       1. Approve Revised Long Form Professional Services Agreement
          Child Study Center Project (303C) ($419,650)
       2. Approve Notice of Completion
          Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A)
       3. Approve Notice of Completion
          Re-Bid Exterior Site Signage Project (812A)

RESOLUTIONS (Roll Call Vote)

G. Approve Resolution to Authorize Application to the Director of Industrial Relations,
   State of California for a Certificate of Consent to Self Insure Workers’ Compensation
   Liabilities

11. Board Policy Review (1st Reading) - BP1.4a (Review institutional needs and assess institutional
    effectiveness, using Program Review, Administrative Planning and Assessment, the
    Strategic Plan and the Educational Master Plan)
    ▪ BP 7236 Substitute and Short-Term Employees
    ▪ BP 7310 Nepotism
    ▪ BP 7330 Communicable Diseases
    ▪ BP 7370 Use of District Resources for Political Activity
    ▪ BP 7510 Domestic Partners

12. Future Agenda Items
    a. Bolinas Property (August/September)
    b. Parcel Tax (August/September)
    c. CCLC Board Policy/Procedures Update (September)
13. Board Reports and/or Requests (15 minutes)
   a. Legislative Report
   b. Committee Chair Reports
   c. Individual Reports and/or Requests

14. Approval of Minutes (2 minutes)
   • Minutes of June 28, 2011 Board Meeting

15. Information Items (see written reports)
   B. Modernization Update – BP3.1 (Keep modernization program on track)
      1. Director’s Report – BP3.1 (Keep modernization program on track)
      2. Contract Milestones Report through June, 2011 – BP3.1 (Keep modernization program on track)
      3. Schedule – BP3.1 (Keep modernization program on track)
   C. Revised Administrative Procedures
      ■ AP 7125 Verification of Eligibility for Employment
      ■ AP 7126 Applicant Background Checks
      ■ AP 7216 Academic Employees – Grievance Procedure for Contract Decisions
      ■ AP 7236 Substitute and Short-Term Employees
      ■ AP 7330 Communicable Diseases
      ■ AP 7337 Fingerprinting
      ■ AP 7344 Notifying District of Illness
      ■ AP 7370 Use of District Resources for Political Activity
      ■ AP 7371 Personal Use of Public Resources
   D. Calendar of Special Events
      Convocation – August 12, 2011 – 10:00 a.m. to 12 noon, Olney Hall

16. Correspondence

17. Board Meeting Evaluation

18. Adjournment
President's Report
Board of Trustees Meeting
July 19, 2011

COM information booth at the Marin County Fair
The COM information booth at the Marin County Fair was a huge draw for fair goers. Hundreds of prospective students stopped by to ask general questions and many shared their wonderful experiences at COM. Thanks to all of the fair volunteers for their time, including Anna Pilloton, AnnaLaura Arredondo, Annie Ricciuti, Arnulfo Cedillo, Becky Reetz, Claudette Muldowney, Deirdre Martinez, Devon Kinka, Francisco Aviles, Gloria Lopez-Gutierrez, Heather Holliday, Jeff Cady, John Petrovsky, Julie Breakstone, Kaitlin Cruz, Kathy Joyner, Krystel Becerra, Leslie Lee, Linda Beam, Linda Koffman, Melinda Molloy, Nicole Cruz, Paul DaSilva, Raul Botello, Rev. Sarah Garner, Sandi Weldon, Sara McKinnon, Sharon Harms, Shook Chung, Shuyu Liu, and Vickie Lamke.

Award for Sustainability Leadership
College of Marin received special recognition for its energy saving practices at the Solar Leaders Circle Awards Dinner held on June 28, 2011, at Paradise Ridge Winery in Santa Rosa, California. The event was co-sponsored by Pacific Gas and Electric Company and Solar Sonoma County. Cathy Summa-Wolfe attended the event and accepted the award on behalf of the college. According to PG&E, in 2010 alone the College reduced its energy use and carbon footprint by over 565,000 kilowatt-hours, for which they received $206,453 in PG&E rebates. In 2011 COM is expecting pending energy saving projects totaling 184,000 kWh and $57,000 in rebates. The energy savings and rebates were achieved by the sustainable design of the refurbished Diamond Physical Education Center located at COM's Kentfield Campus, which also received a LEED Gold designation in April, 2010. The facility is now generating about 50 percent of its own electricity from a photovoltaic array, using solar thermal power to heat water, and includes other energy saving features in its new mechanical systems.

Canal Alliance Outreach Event
Many thanks to all of the faculty and staff who helped with the Canal Alliance event held on June 21 and especially to Outreach Coordinator Anna Pilloton for her role in organizing the event. Approximately 70 community members attended and throughout the evening participants expressed their great appreciation to COM representatives for the special opportunity to learn more about educational programs and pathways.
College of Marin

Strategic Plan 2009-2012 Action Step Update

Dr. David Wain Coon
Superintendent/President

Dr. Chialin Hsieh
Director of Planning, Research & Institutional Effectiveness

July 19, 2011
# Strategic Plan Update

## 2009-2010 Action Step Update

- Updated on July 27, 2010
- Completion:
  1. 11 action steps -- 100%
  2. 3 action steps -- 80%
  3. 4 action steps -- 50%
  4. 4 action steps -- 25%

Total of 22 action steps

## 2010-2011 Action Step Update

- Updated on July 19, 2011
- Completion:
  1. 16 action steps -- 100%
  2. 5 action steps -- 90%
  3. 1 action step -- 60%

Total of 22 action steps

- 7 new action steps since July 27, 2010 related to Technology
  (range from 0-100%)
### 22 Action Steps Progress Summary

**College Priority 1: Improve Student Access**

<table>
<thead>
<tr>
<th>Strategic Objective 1.1: Analyze class scheduling practices and make changes to address identified deficits with special attention to providing access at both campuses and to commuters and working adults.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.1.1</strong> Use fall 2007 and 2008 to prepare a matrix such as seen in SAMPLE MATRIX 1 (attached document) for each course.</td>
</tr>
<tr>
<td><strong>1.1.2.</strong> Analyze the patterns for each discipline to determine if all disciplines provide appropriately equitable student access both at Kentfield and Indian Valley campuses. Use the chart prepared in Action Step 1.1.1 as well as current program review data that includes workload and FTEs data. Establish targets for Spring 2010 and Fall 2010 semester schedules to (a) correct any identified deficits in scheduling patterns and (b) specifically address student access for commuter and working students.</td>
</tr>
<tr>
<td><strong>1.1.3</strong> Repeat Action Step #1 with spring and fall 2010 data to assess changes in class scheduling patterns.</td>
</tr>
<tr>
<td><strong>1.1.4</strong> Analyze the patterns for each discipline to determine if all disciplines provide appropriately equitable student access* at Kentfield and IVC. Establish targets for fall 2011 and spring 2012 semester schedules to (a) correct any identified deficits in scheduling patterns and (b) specifically address student access for commuters and working students.</td>
</tr>
</tbody>
</table>

**Strategic Objective 1.2: Analyze class scheduling practices and make changes to increase the number of credit hours offered through distance education.**

| **1.2.1** Create a structure and protocol for distance education courses that includes an advisory committee to plan and assess instructional technology at COM, a supervisor of the program, a teacher-resource person, technical support for staff and students, and a mid to long-term instructional technology plan. | 100% | 100% |
| **1.2.2** Based on the data generated in Action Step 1.1.1 and the analysis conducted in Action Step 1.1.2, determine specific targets for distance education course offerings by discipline for fall 2010 semesters. These targets are contingent on progress on providing infrastructure to support distance education offerings. | 50% | 90% |
| **1.2.3** Based on the targets set in Action Step 1.2.2 and progress on providing infrastructure support for distance education: (a) Identify specific faculty members to be trained in distance education pedagogy; (b) identify appropriate local training opportunities; and (c) ensure that identified faculty members participate in the training. | 80% | 90% |
| **1.2.4** Based on the data generated in Action Step 1.1.3 and the analysis conducted in Action Step 1.1.4, determine if the specific targets were met: (a) for distance education course offerings for fall 2010 semester; and (b) for faculty access. | 50% | 90% |
## Action Steps Progress Summary

### College Priority 1: Strengthen Career Technical Education

**Strategic Objective 1.3:** Analyze career technical education offerings to verify that business and community needs are being met.

- **1.3.1** Draw from current community advisory groups and other available workforce projections to prepare a report on the status and the future of career technical education courses for the Academic Senate including: (a) changes in the business/community needs for career technical education, and (b) opportunities for new career technical education programs.
  - Action Step Progress As of 7/27/2010: 50%
  - Action Step Progress As of 7/17/2011: 100%

- **1.3.2** Fully implement the transfer pathway at Indian Valley campus as set forth in the San Francisco State University and Conservation Corps partnership agreement. (Refer to equitable access plans to be identified in Action Step 1.1.2)
  - Action Step Progress As of 7/27/2010: 100%
  - Action Step Progress As of 7/17/2011: 100%

### College Priority 2: Improve Student Learning and Success

**Strategic Objective 2.1:** Develop a tool to systematically track student retention and success.

- **2.1.1** Develop and document the College of Marin protocol for: (a) practical and measurable definitions of retention and success at the course, program, and pathway levels and (b) accessible data elements that best reflect those definitions.
  - Action Step Progress As of 7/27/2010: 80%
  - Action Step Progress As of 7/17/2011: 100%

- **2.1.2** Validate the courses to be included in each pathway.
  - Action Step Progress As of 7/27/2010: 25%
  - Action Step Progress As of 7/17/2011: 90%

- **2.1.3** Use the decisions regarding data elements reached in Action Step 2.1.1 to develop an IT-based tracking system that evaluates retention and success by section, course, program, pathway, and student demographics.
  - Action Step Progress As of 7/27/2010: 25%
  - Action Step Progress As of 7/17/2011: 100%

**Strategic Objective 2.2:** Implement and evaluate the tool for tracking student retention and success.

- **2.2.1** Revise the program review reporting requirements to include responses to: (a) the discipline’s strengths and weaknesses as identified in the Student Success and Retention Report (product of Action Step 2.1.3); and (b) at least one specific strategy that will be used in the coming academic year to address identified weaknesses in student success.
  - Action Step Progress As of 7/27/2010: 25%
  - Action Step Progress As of 7/17/2011: 100%

- **2.2.2** At the conclusion of the program review cycle, survey Deans and Dept. Chairs regarding the data elements included in and the ease of use of the Student Success and Retention Report.
  - Action Step Progress As of 7/27/2010: 25%
  - Action Step Progress As of 7/17/2011: 100%

**Strategic Objective 2.3:** Establish a college-wide plan to improve student retention and success by annually documenting the results of the discipline-specific strategies to improve student retention and success.

- **2.3.1** Prepare a report on both instructional and student services discipline-specific strategies to improve student retention and success for inclusion in the College of Marin Institutional Effectiveness 2009-2010.
  - Action Step Progress As of 7/27/2010: 80%
  - Action Step Progress As of 7/17/2011: 90%

- **2.3.2** Identify specific strategies to promote student retention in student services program reviews.
  - Action Step Progress As of 7/27/2010: 50%
  - Action Step Progress As of 7/17/2011: 60%

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7/19/2011
Planning, Research, and Institutional Effectiveness
## Action Steps Progress Summary (3 of 3)

### College Priority 3: Improve Instructional Technology

**Strategic Objective 3.1:** Prepare a College of Marin Technology Plan 2010-2016 that identifies the current needed improvements in policies, hardware, software, and training.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>3.1.1</td>
<td>Analyze the status of the 2004-2007 College of Marin Technology Plan and other relevant data to identify the remaining unmet needs related to technology policies, hardware, software, and training.</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>3.1.2</td>
<td>Compile the technology requests from all prior year Program Reviews.</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>3.1.3</td>
<td>Collaborate with on-campus IT staff to develop a list of needed improvements to hardware and software.</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>3.1.4</td>
<td>Integrate the lists prepared in Action Steps 3.1.1, 3.1.2, and 3.1.3 and prioritize the needs identified by these two college resources, with special attention to the hardware and software needed to meet the College of Marin Educational Master Plan 2009-2019 recommendation related to distance education.</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>3.1.5</td>
<td>Prepare a College of Marin Technology Plan 2010-2016 that identifies the current needed improvements in policies, hardware, software, and training.</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

### New Action Steps

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</thead>
<tbody>
<tr>
<td>3.1.6</td>
<td>Accessibility. VP for Student Learning. Section 508. 5%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>3.1.7</td>
<td>Online/distance education. VP for Student Learning. Moodle migration: product is installed, initial training was funded, 3-course summer pilot is on, anticipate all necessary integration tools will be available and course shells for all courses for fall : 70%</td>
<td>70%</td>
<td>70%</td>
</tr>
<tr>
<td>3.1.8</td>
<td>Lab computer replacement. VP for Student Learning. Two labs fully replaced : 100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>3.1.9</td>
<td>Enterprise software--Offer Resource25 and DegreeWorks. VP for Student Learning. Resource25 is installed and integrated with Banner, training was funded and OIM and others are using it, some transition and offerings (e.g. web site for faculty/staff inquiries) are outstanding : 90%</td>
<td>90%</td>
<td>90%</td>
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<tr>
<td>DegreeWorks has been tabbed per the VP : 0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
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<tr>
<td>3.1.10</td>
<td>E-911 (Enhanced 911). VP for College Operations. (Public Safety Act of 2007) : no significant progress due to competing projects, currently identifying costs to expand the E-911 offering into lecture and lab spaces : 5%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>3.1.11</td>
<td>Wireless network. VP for College Operations. Currently evaluating two competing technologies with a proposal and spending plan to be completed May 2011 : 10%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>3.1.12</td>
<td>Student ‘computer’ domain--Expand services to labs and other Instructional spaces. VP for College Operations. Evaluating two competing approaches to offering this service summer 2011 : 10%</td>
<td>10%</td>
<td>10%</td>
</tr>
</tbody>
</table>

7/19/2011

Planning, Research, and Institutional Effectiveness
### Strategic Plan 2009-2012

#### Strategic Plan 2010–2011 Tracking

<table>
<thead>
<tr>
<th>Priority</th>
<th>STRATEGIC OBJECTIVE</th>
<th>STRATEGIC PLAN ACTION STEPS</th>
<th>Progress as of July 2010</th>
<th>Updates/New Action Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Improve Student Access</td>
<td>1.1 Analyze class scheduling practices and make changes to address identified deficits with special attention to providing access at both campuses and to commuters and working adults. (Champion: VP of Student Learning)</td>
<td>100%</td>
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<td>- specifically address student access for commuters and working adults</td>
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</tbody>
</table>

Click on the "percentage" in the column of "Progress as of July 2010" to view the evidence.

Click on the "Update" to view evidence.
Significant Accomplishments

- IVC general education
- Distance education infrastructure
- Dashboard for tracking student success
- Student learning outcomes
- Enhanced focus on program success as well as resource allocations for various processes
- Moodle course management system
- Resource 25 (Room management system)
- Update of student labs with new computers
Marin Community College District
Actuarial Study of
Retiree Health Liabilities
As of September 1, 2010

Prepared by:
Total Compensation Systems, Inc.

Date: November 1, 2010
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Marin Community College District
Actuarial Study of Retiree Health Liabilities

PART I: EXECUTIVE SUMMARY

A. Introduction

Marin Community College District engaged Total Compensation Systems, Inc. (TCS) to analyze liabilities associated with its current retiree health program as of September 1, 2010 (the valuation date). The numbers in this report are based on the assumption that they will first be used to determine accounting entries for the fiscal year ending June 30, 2010. If the report will first be used for a different fiscal year, the numbers will need to be adjusted accordingly.

This report does not reflect any cash benefits paid unless the retiree is required to provide proof that the cash benefits are used to reimburse the retiree’s cost of health benefits. Costs and liabilities attributable to cash benefits paid to retirees are reportable under Governmental Accounting Standards Board (GASB) Standards 25 and 27.

This actuarial study is intended to serve the following purposes:

» To provide information to enable Marin CCD to manage the costs and liabilities associated with its retiree health benefits.

» To provide information to enable Marin CCD to communicate the financial implications of retiree health benefits to internal financial staff, the Board, employee groups and other affected parties.

» To provide information needed to comply with Governmental Accounting Standards Board Accounting Standards 43 and 45 related to "other postemployment benefits" (OPEB’s).

Because this report was prepared in compliance with GASB 43 and 45, as appropriate, Marin CCD should not use this report for any other purpose without discussion with TCS. This means that any discussions with employee groups, governing Boards, etc. should be restricted to the implications of GASB 43 and 45 compliance.

This actuarial report includes several estimates for Marin CCD’s retiree health program. In addition to the tables included in this report, we also performed cash flow adequacy tests as required under Actuarial Standard of Practice 6 (ASOP 6). Our cash flow adequacy testing covers a twenty-year period. We would be happy to make this cash flow adequacy test available to Marin CCD in spreadsheet format upon request.

We calculated the following estimates separately for active employees and retirees. As requested, we also separated results by the following employee classifications: Faculty, CSEA, Management and SEIU. We estimated the following:

➢ the total liability created. (The actuarial present value of total projected benefits or APVTPB)

➢ the ten year "pay-as-you-go" cost to provide these benefits.

➢ the "actuarial accrued liability (AAL)." (The AAL is the portion of the APVTPB
Total Compensation Systems, Inc.

- attributable to employees’ service prior to the valuation date.)
- the amount necessary to amortize the UAAL over a period of 14 years.
- the annual contribution required to fund retiree benefits over the working lifetime of eligible employees (the "normal cost").
- The Annual Required Contribution (ARC) which is the basis of calculating the annual OPEB cost and net OPEB obligation under GASB 43 and 45.

We summarized the data used to perform this study in Appendix A. No effort was made to verify this information beyond brief tests for reasonableness and consistency.

All cost and liability figures contained in this study are estimates of future results. Future results can vary dramatically and the accuracy of estimates contained in this report depends on the actuarial assumptions used. Normal costs and liabilities could easily vary by 10 - 20% or more from estimates contained in this report.

B. General Findings

We estimate the "pay-as-you-go" cost of providing retiree health benefits in the year beginning September 1, 2010 to be $827,003 (see Section IV.A.). The “pay-as-you-go” cost is the cost of benefits for current retirees.

For current employees, the value of benefits "accrued" in the year beginning September 1, 2010 (the normal cost) is $149,809. This normal cost would increase each year based on covered payroll. Had Marin CCD begun accruing retiree health benefits when each current employee and retiree was hired, a substantial liability would have accumulated. We estimate the amount that would have accumulated to be $6,604,857. This amount is called the "actuarial accrued liability" (AAL). The remaining unamortized initial unfunded AAL is $6,939,046. This leaves a "residual" AAL of negative $334,189.

We calculated the annual cost to amortize the unfunded residual actuarial accrued liability using a 5% discount rate. We used an open 30 year amortization period. The current year cost to amortize the unfunded residual actuarial accrued liability is negative $21,739

Combining the normal cost and UAAL amortization costs in the first year produces a total first year annual required contribution (ARC) of $866,772. The ARC is used as the basis for determining expenses and liabilities under GASB 43/45. The ARC is used in lieu of (rather than in addition to) the “pay-as-you-go” cost.

We based all of the above estimates on employees as of August, 2010. Over time, liabilities and cash flow will vary based on the number and demographic characteristics of employees and retirees.

C. Description of Retiree Benefits

Following is a description of the current retiree benefit plan: These benefits apply only to employees hired before a date that varies by employee classification.
**Total Compensation Systems, Inc.**

<table>
<thead>
<tr>
<th>Benefit types provided</th>
<th>Faculty</th>
<th>Classified</th>
<th>Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration of Benefits</td>
<td>To age 70</td>
<td>To age 70</td>
<td>To age 70</td>
</tr>
<tr>
<td>Required Service</td>
<td>15 years</td>
<td>10 years</td>
<td>10 years</td>
</tr>
<tr>
<td>Minimum Age</td>
<td>55</td>
<td>50</td>
<td>50/55*</td>
</tr>
<tr>
<td>Dependent Coverage</td>
<td>Yes</td>
<td>Yes**</td>
<td>Yes</td>
</tr>
<tr>
<td>College Contribution %</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>College Cap</td>
<td>Kaiser Rates</td>
<td>None***</td>
<td>None</td>
</tr>
</tbody>
</table>

*Depending on retirement system
**SEIU employees are not eligible for District-paid dependent benefits
***SEIU benefits capped at Kaiser or Health Net rates

**D. Recommendations**

It is outside the scope of this report to make specific recommendations of actions Marin CCD should take to manage the substantial liability created by the current retiree health program. Total Compensation Systems, Inc. can assist in identifying and evaluating options once this report has been studied. The following recommendations are intended only to allow the College to get more information from this and future studies. Because we have not conducted a comprehensive administrative audit of Marin CCD's practices, it is possible that Marin CCD is already complying with some or all of our recommendations.

- We recommend that Marin CCD inventory all benefits and services provided to retirees – whether contractually or not and whether retiree-paid or not. For each, Marin CCD should determine whether the benefit is material and subject to GASB 43 and/or 45.

- We recommend that Marin CCD conduct a study whenever events or contemplated actions significantly affect present or future liabilities, but no less frequently than every two or three years, as required under GASB 43/45.

- We recommend that the College communicate the magnitude of these costs to employees and include employees in discussions of options to control the costs.

- Under GASB 45, it is important to isolate the cost of retiree health benefits. Marin CCD should have all premiums, claims and expenses for retirees separated from active employee premiums, claims, expenses, etc. To the extent any retiree benefits are made available to retirees over the age of 65 – even on a retiree-pay-all basis – all premiums, claims and expenses for post-65 retiree coverage should be segregated from those for pre-65 coverage. Furthermore, Marin CCD should arrange for the rates or prices of all retiree benefits to be set on what is expected to be a self-sustaining basis.

- Marin CCD should establish a way of designating employees as eligible or ineligible for future OPEB benefits. Ineligible employees can include those in ineligible job classes; those hired after a designated date restricting eligibility; those who, due to their age at hire cannot qualify for College-paid OPEB benefits; and employees who exceed the termination age for OPEB benefits, etc.

- Several assumptions were made in estimating costs and liabilities under Marin CCD's retiree health program. Further studies may be desired to validate any assumptions where
there is any doubt that the assumption is appropriate. (See Appendices B and C for a list of assumptions and concerns.) For example, Marin CCD should maintain a retiree database that includes – in addition to date of birth, gender and employee classification – retirement date and (if applicable) dependent date of birth, relationship and gender. It will also be helpful for Marin CCD to maintain employment termination information – namely, the number of OPEB-eligible employees in each employee class that terminate employment each year for reasons other than death, disability or retirement.

Respectfully submitted,

Geoffrey E. Kishuk, FSA, MAAA, FCA
Consultant
Total Compensation Systems, Inc.
(805) 496-1700
PART II: BACKGROUND

A. Summary

Accounting principles provide that the cost of retiree benefits should be "accrued" over employees' working lifetime. For this reason, the Governmental Accounting Standards Board (GASB) issued in 2004 Accounting Standards 43 and 45 for retiree health benefits. These standards apply to all public employers that pay any part of the cost of retiree health benefits for current or future retirees (including early retirees).

B. Actuarial Accrual

To actuarially accrue retiree health benefits requires determining the amount to expense each year so that the liability accumulated at retirement is, on average, sufficient (with interest) to cover all retiree health expenditures without the need for additional expenses. There are many different ways to determine the annual accrual amount. The calculation method used is called an "actuarial cost method."

Under most actuarial cost methods, there are two components of actuarial cost - a "normal cost" and amortization of something called the "unfunded actuarial accrued liability." Both accounting standards and actuarial standards usually address these two components separately (though alternative terminology is sometimes used).

The normal cost can be thought of as the value of the benefit earned each year if benefits are accrued during the working lifetime of employees. This report will not discuss differences between actuarial cost methods or their application. Instead, following is a description of a commonly used, generally accepted actuarial cost method that will be permitted under GASB 43 and 45. This actuarial cost method is called the "entry age normal" method.

Under the entry age normal cost method, the actuary determines the annual amount needing to be expensed from hire until retirement to fully accrue the cost of retiree health benefits. This amount is the normal cost. Under GASB 43 and 45, normal cost can be expressed either as a level dollar amount or a level percentage of payroll.

The normal cost is determined using several key assumptions:

➢ The current cost of retiree health benefits (often varying by age, Medicare status and/or dependent coverage). The higher the current cost of retiree benefits, the higher the normal cost.

➢ The "trend" rate at which retiree health benefits are expected to increase over time. A higher trend rate increases the normal cost. A "cap" on College contributions can reduce trend to zero once the cap is reached thereby dramatically reducing normal costs.

➢ Mortality rates varying by age and sex. (Unisex mortality rates are not often used as individual OPEB benefits do not depend on the mortality table used.) If employees die prior to retirement, past contributions are available to fund benefits for employees who live to retirement. After retirement, death results in benefit termination or reduction. Although higher mortality rates reduce normal costs, the mortality assumption is not likely to vary from employer to employer.

➢ Employment termination rates have the same effect as mortality inasmuch as higher termination rates reduce normal costs. Employment termination can vary considerably between public agencies.

➢ The service requirement reflects years of service required to earn full or partial retiree benefits.
While a longer service requirement reduces costs, cost reductions are not usually substantial unless the service period exceeds 20 years of service.

- **Retirement rates** determine what proportion of employees retire at each age (assuming employees reach the requisite length of service). Retirement rates often vary by employee classification and implicitly reflect the minimum retirement age required for eligibility. Retirement rates also depend on the amount of pension benefits available. Higher retirement rates increase normal costs but, except for differences in minimum retirement age, retirement rates tend to be consistent between public agencies for each employee type.

- **Participation rates** indicate what proportion of retirees are expected to elect retiree health benefits if a significant retiree contribution is required. Higher participation rates increase costs.

- The **discount rate** estimates investment earnings for assets earmarked to cover retiree health benefit liabilities. The discount rate depends on the nature of underlying assets. For example, employer funds earning money market rates in the county treasury are likely to earn far less than an irrevocable trust containing a diversified asset portfolio including stocks, bonds, etc. A higher discount rate can dramatically lower normal costs. GASB 43 and 45 require the interest assumption to reflect likely long term investment return.

The assumptions listed above are not exhaustive, but are the most common assumptions used in actuarial cost calculations. The actuary selects the assumptions which - taken together - will yield reasonable results. It's not necessary (or even possible) to predict individual assumptions with complete accuracy.

If all actuarial assumptions are exactly met and an employer expensed the normal cost every year for all past and current employees and retirees, a sizeable liability would have accumulated (after adding interest and subtracting retiree benefit costs). The liability that would have accumulated is called the actuarial accrued liability or AAL. The excess of AAL over the **actuarial value of plan assets** is called the **unfunded** actuarial accrued liability (or UAAL). Under GASB 43 and 45, in order for assets to count toward offsetting the AAL, the assets have to be held in an irrevocable trust that is safe from creditors and can only be used to provide OPEB benefits to eligible participants.

The actuarial accrued liability (AAL) can arise in several ways. At inception of GASB 43 and 45, there is usually a substantial UAAL. Some portion of this amount can be established as the "transition obligation" subject to certain constraints. UAAL can also increase as the result of operation of a retiree health plan - e.g., as a result of plan changes or changes in actuarial assumptions. Finally, AAL can arise from actuarial gains and losses. Actuarial gains and losses result from differences between actuarial assumptions and actual plan experience.

Under GASB 43 and 45, employers have several options on how the UAAL can be amortized as follows:

- The employer can select an amortization period of 1 to 30 years. (For certain situations that result in a reduction of the AAL, the amortization period must be at least 10 years.)

- The employer may apply the same amortization period to the total combined UAAL or can apply different periods to different components of the UAAL.

- The employer may elect a "closed" or "open" amortization period.

- The employer may choose to amortize on a level dollar or level percentage of payroll method.
PART III: LIABILITIES AND COSTS FOR RETIREE BENEFITS

A. Introduction.

We calculated the actuarial present value of projected benefits (APVPB) separately for each employee. We determined eligibility for retiree benefits based on information supplied by Marin CCD. We then selected assumptions for the factors discussed in the above Section that, based on plan experience and our training and experience, represent our best prediction of future plan experience. For each employee, we applied the appropriate factors based on the employee’s age, sex and length of service.

We summarized actuarial assumptions used for this study in Appendix C.

B. Medicare

The extent of Medicare coverage can affect projections of retiree health costs. The method of coordinating Medicare benefits with the retiree health plan’s benefits can have a substantial impact on retiree health costs. We will be happy to provide more information about Medicare integration methods if requested.

C. Liability for Retiree Benefits.

For each employee, we projected future premium costs using an assumed trend rate (see Appendix C).

We multiplied each year’s projected cost by the probability that premium will be paid; i.e. based on the probability that the employee is living, has not terminated employment and has retired. The probability that premium will be paid is zero if the employee is not eligible. The employee is not eligible if s/he has not met minimum service, minimum age or, if applicable, maximum age requirements.

The product of each year’s premium cost and the probability that premium will be paid equals the expected cost for that year. We discounted the expected cost for each year to the valuation date September 1, 2010 at 5% interest.

Finally, we multiplied the above discounted expected cost figures by the probability that the retiree would elect coverage. A retiree may not elect to be covered if retiree health coverage is available less expensively from another source (e.g. Medicare risk contract) or the retiree is covered under a spouse’s plan.

For any current retirees, the approach used was similar. The major difference is that the probability of payment for current retirees depends only on mortality and age restrictions (i.e. for retired employees the probability of being retired and of not being terminated are always both 1.0000).

We added the APVPB for all employees to get the actuarial present value of total projected benefits (APVTPB). The APVTPB is the estimated present value of all future retiree health benefits for all current employees and retirees. The APVTPB is the amount on September 1, 2010 that, if all actuarial assumptions are exactly right, would be sufficient to expense all promised benefits until the last current employee or retiree dies or reaches the maximum eligibility age.
### Actuarial Present Value of Total Projected Benefits

<table>
<thead>
<tr>
<th>September 1, 2010</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active: Pre-65</td>
<td>$1,650,942</td>
<td>$359,672</td>
<td>$888,867</td>
<td>$233,136</td>
<td>$149,267</td>
</tr>
<tr>
<td>Post-65</td>
<td>$1,921,478</td>
<td>$905,581</td>
<td>$625,218</td>
<td>$253,763</td>
<td>$136,916</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$3,572,420</td>
<td>$1,265,253</td>
<td>$1,514,085</td>
<td>$506,899</td>
<td>$286,183</td>
</tr>
<tr>
<td>Retiree: Pre-65</td>
<td>$907,318</td>
<td>$202,919</td>
<td>$192,449</td>
<td>$227,506</td>
<td>$284,044</td>
</tr>
<tr>
<td>Post-65</td>
<td>$2,422,369</td>
<td>$1,130,620</td>
<td>$657,438</td>
<td>$225,763</td>
<td>$408,548</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$3,329,687</td>
<td>$1,333,539</td>
<td>$849,887</td>
<td>$453,669</td>
<td>$692,592</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>$6,902,109</td>
<td>$2,598,793</td>
<td>$2,363,973</td>
<td>$960,568</td>
<td>$978,775</td>
</tr>
<tr>
<td>Subtotal Pre-65</td>
<td>$2,558,260</td>
<td>$562,591</td>
<td>$1,081,316</td>
<td>$481,042</td>
<td>$433,311</td>
</tr>
<tr>
<td>Subtotal Post-65</td>
<td>$4,343,848</td>
<td>$2,036,201</td>
<td>$1,282,657</td>
<td>$479,526</td>
<td>$545,464</td>
</tr>
</tbody>
</table>

The APVTPB should be accrued over the working lifetime of employees. At any time much of it has not been “earned” by employees. The APVTPB is used to develop expense and liability figures. To do so, the APVTFB is divided into two parts: the portions attributable to service rendered prior to the valuation date (the past service liability or actuarial accrued liability under GASB 43 and 45) and to service after the valuation date but prior to retirement (the future service liability).

The past service and future service liabilities are each funded in a different way. We will start with the future service liability which is funded by the normal cost.

### D. Cost to Prefund Retiree Benefits

#### 1. Normal Cost

The average hire age for eligible employees is 29. To accrue the liability by retirement, the College would accrue the retiree liability over a period of about 60 years (assuming an average retirement age of 60). We applied an "entry age normal" actuarial cost method to determine funding rates for active employees. The table below summarizes the calculated normal cost.

<table>
<thead>
<tr>
<th>Normal Cost Year Beginning</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 1, 2010</td>
<td>58</td>
<td>26</td>
<td>21</td>
<td>7</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th># of Employees</th>
<th>Pre-65 Benefit</th>
<th>Post-65 Benefit</th>
<th>Pre-65 Benefit</th>
<th>Post-65 Benefit</th>
<th>Pre-65 Benefit</th>
<th>Post-65 Benefit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>$1,472</td>
<td>$1,378</td>
<td>$38,272</td>
<td>$35,828</td>
<td>$89,158</td>
<td>$60,651</td>
<td>$149,809</td>
</tr>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td>$1,605</td>
<td>$743</td>
<td>$33,705</td>
<td>$15,603</td>
<td>$49,308</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$1,751</td>
<td>$972</td>
<td>$12,245</td>
<td>$6,804</td>
<td>$19,061</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$7,340</td>
</tr>
</tbody>
</table>
Total Compensation Systems, Inc.

Accruing retiree health benefit costs using normal costs levels out the cost of retiree health benefits over time and more fairly reflects the value of benefits "earned" each year by employees. This normal cost would increase each year based on covered payroll.

2. Amortization of Unfunded Actuarial Accrued Liability (UAAL)

If actuarial assumptions are borne out by experience, the College will fully accrue retiree benefits by expensing an amount each year that equals the normal cost. If no accruals had taken place in the past, there would be a shortfall of many years' accruals, accumulated interest and forfeitures for terminated or deceased employees. This shortfall is called the actuarial accrued liability (AAL). We calculated the AAL as the APVTPB minus the present value of future normal costs.

The initial UAAL was amortized using a closed amortization period of 14 years. The College can amortize the remaining or residual UAAL over many years. The table below shows the annual amount necessary to amortize the UAAL over a period of 30 years at 5% interest. (Thirty years is the longest amortization period allowable under GASB 43 and 45.) GASB 43 and 45 will allow amortizing the UAAL using either payments that stay the same as a dollar amount, or payments that are a flat percentage of covered payroll over time. The figures below reflect the flat dollar amount method.

<table>
<thead>
<tr>
<th>Actuarial Accrued Liability as of September 1, 2010</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active: Pre-65</td>
<td>$1,453,537</td>
<td>$347,989</td>
<td>$747,084</td>
<td>$226,559</td>
<td>$131,905</td>
</tr>
<tr>
<td>Post-65</td>
<td>$1,821,634</td>
<td>$894,644</td>
<td>$559,583</td>
<td>$239,010</td>
<td>$128,397</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$3,275,171</td>
<td>$1,242,633</td>
<td>$1,306,667</td>
<td>$465,569</td>
<td>$260,302</td>
</tr>
<tr>
<td>Retiree: Pre-65</td>
<td>$907,318</td>
<td>$202,919</td>
<td>$192,449</td>
<td>$227,906</td>
<td>$284,044</td>
</tr>
<tr>
<td>Post-65</td>
<td>$2,422,369</td>
<td>$1,130,620</td>
<td>$657,438</td>
<td>$225,763</td>
<td>$408,548</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$3,329,687</td>
<td>$1,333,539</td>
<td>$849,887</td>
<td>$453,669</td>
<td>$692,592</td>
</tr>
<tr>
<td>Subtot Pre-65</td>
<td>$2,360,855</td>
<td>$550,908</td>
<td>$939,533</td>
<td>$454,465</td>
<td>$415,949</td>
</tr>
<tr>
<td>Subtot Post-65</td>
<td>$4,244,004</td>
<td>$2,025,264</td>
<td>$1,217,021</td>
<td>$464,773</td>
<td>$536,946</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$6,604,857</td>
<td>$2,576,172</td>
<td>$2,156,554</td>
<td>$919,237</td>
<td>$952,894</td>
</tr>
<tr>
<td>Unamortized Initial UAAL</td>
<td>$6,939,046</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residual AAL</td>
<td>$(334,189)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residual UAAL</td>
<td>$(21,739)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amortization at 5.0% over 30 Years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Annual Required Contributions (ARC)

If the College determines retiree health plan expenses in accordance with GASB 43 and 45, costs will include both normal cost and one or more components of UAAL amortization costs. The sum of normal cost and UAAL amortization costs is called the Annual Required Contribution (ARC) and is shown below.
Annual Required Contribution (ARC) Year Beginning

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal Cost</td>
<td>$149,809</td>
</tr>
<tr>
<td>Initial UAAL Amortization</td>
<td>$738,702</td>
</tr>
<tr>
<td>Residual UAAL Amortization</td>
<td>$(21,739)</td>
</tr>
<tr>
<td><strong>ARC</strong></td>
<td><strong>$866,772</strong></td>
</tr>
</tbody>
</table>

The normal cost remains as long as there are active employees who may some day qualify for College-paid retiree health benefits. This normal cost would increase each year based on covered payroll.

4. Other Components of Annual OPEB Cost (AOC)

Expense and liability amounts may include more components of cost than the normal cost plus amortization of the UAAL. This will apply to employers that don’t fully fund the Annual Required Cost (ARC) through an irrevocable trust.

- The annual OPEB cost (AOC) will include assumed interest on the net OPEB obligation (NOO). The annual OPEB cost will also include an amortization adjustment for the net OPEB obligation. (It should be noted that there is no NOO if the ARC is fully funded through a qualifying “plan”.)

- The net OPEB obligation will equal the accumulated differences between the (AOC) and qualifying “plan” contributions.
PART IV: "PAY AS YOU GO" FUNDING OF RETIREE BENEFITS

We used the actuarial assumptions shown in Appendix C to project ten year cash flow under the retiree health program. Because these cash flow estimates reflect average assumptions applied to a relatively small number of employees, estimates for individual years are certain to be inaccurate. However, these estimates show the size of cash outflow.

The following table shows a projection of annual amounts needed to pay the College share of retiree health premiums.

<table>
<thead>
<tr>
<th>Year Beginning September 1</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>$827,003</td>
<td>$409,945</td>
<td>$228,158</td>
<td>$83,217</td>
<td>$105,683</td>
</tr>
<tr>
<td>2011</td>
<td>$835,610</td>
<td>$415,381</td>
<td>$219,635</td>
<td>$88,277</td>
<td>$112,317</td>
</tr>
<tr>
<td>2012</td>
<td>$837,033</td>
<td>$393,604</td>
<td>$225,364</td>
<td>$108,760</td>
<td>$109,305</td>
</tr>
<tr>
<td>2013</td>
<td>$765,985</td>
<td>$337,031</td>
<td>$227,933</td>
<td>$95,560</td>
<td>$105,461</td>
</tr>
<tr>
<td>2014</td>
<td>$702,049</td>
<td>$299,085</td>
<td>$193,374</td>
<td>$95,407</td>
<td>$114,183</td>
</tr>
<tr>
<td>2015</td>
<td>$715,930</td>
<td>$302,167</td>
<td>$185,811</td>
<td>$105,425</td>
<td>$122,527</td>
</tr>
<tr>
<td>2016</td>
<td>$638,488</td>
<td>$278,224</td>
<td>$170,826</td>
<td>$99,069</td>
<td>$90,369</td>
</tr>
<tr>
<td>2017</td>
<td>$590,438</td>
<td>$211,243</td>
<td>$182,227</td>
<td>$102,349</td>
<td>$94,619</td>
</tr>
<tr>
<td>2018</td>
<td>$564,664</td>
<td>$180,931</td>
<td>$184,080</td>
<td>$109,861</td>
<td>$89,792</td>
</tr>
<tr>
<td>2019</td>
<td>$509,719</td>
<td>$144,443</td>
<td>$182,957</td>
<td>$88,318</td>
<td>$94,001</td>
</tr>
</tbody>
</table>
PART V: RECOMMENDATIONS FOR FUTURE VALUATIONS

To effectively manage benefit costs, an employer must periodically examine the existing liability for retiree benefits as well as future annual expected premium costs. GASB 43/45 require biennial or triennial valuations. In addition, a valuation should be conducted whenever plan changes, changes in actuarial assumptions or other employer actions are likely to cause a material change in accrual costs and/or liabilities.

Following are examples of actions that could trigger a new valuation.

➢ An employer should perform a valuation whenever the employer considers or puts in place an early retirement incentive program.

➢ An employer should perform a valuation whenever the employer adopts a retiree benefit plan for some or all employees.

➢ An employer should perform a valuation whenever the employer considers or implements changes to retiree benefit provisions or eligibility requirements.

➢ An employer should perform a valuation whenever the employer introduces or changes retiree contributions.

We recommend Marin CCD take the following actions to ease future valuations.

➢ We have used our training, experience and information available to us to establish the actuarial assumptions used in this valuation. We have no information to indicate that any of the assumptions do not reasonably reflect future plan experience. However, the College should review the actuarial assumptions in Appendix C carefully. If the College has any reason to believe that any of these assumptions do not reasonably represent the expected future experience of the retiree health plan, the College should engage in discussions or perform analyses to determine the best estimate of the assumption in question.
PART VI: APPENDICES

APPENDIX A: MATERIALS USED FOR THIS STUDY

We relied on the following materials to complete this study.

➢ We used paper reports and digital files containing employee demographic data from the College personnel records.

➢ We used relevant sections of collective bargaining agreements provided by the College.
APPENDIX B: EFFECT OF ASSUMPTIONS USED IN CALCULATIONS

While we believe the estimates in this study are reasonable overall, it was necessary for us to use assumptions which inevitably introduce errors. We believe that the errors caused by our assumptions will not materially affect study results. If the College wants more refined estimates for decision-making, we recommend additional investigation. Following is a brief summary of the impact of some of the more critical assumptions.

1. Where actuarial assumptions differ from expected experience, our estimates could be overstated or understated. One of the most critical assumptions is the medical trend rate. The College may want to commission further study to assess the sensitivity of liability estimates to our medical trend assumptions. For example, it may be helpful to know how liabilities would be affected by using a trend factor 1% higher than what was used in this study. There is an additional fee required to calculate the impact of alternative trend assumptions.

2. We used an "entry age normal" actuarial cost method to estimate the actuarial accrued liability and normal cost. GASB will allow this as one of several permissible methods under its upcoming accounting standard. Using a different cost method could result in a somewhat different recognition pattern of costs and liabilities.
APPENDIX C: ACTUARIAL ASSUMPTIONS AND METHODS

Following is a summary of actuarial assumptions and methods used in this study. The College should carefully review these assumptions and methods to make sure they reflect the College's assessment of its underlying experience. It is important for Marin CCD to understand that the appropriateness of all selected actuarial assumptions and methods are Marin CCD's responsibility. Unless otherwise disclosed in this report, TCS believes that all methods and assumptions are within a reasonable range based on the provisions of GASB 43 and 45, applicable actuarial standards of practice, Marin CCD's actual historical experience, and TCS's judgement based on experience and training.

ACTUARIAL METHODS AND ASSUMPTIONS:

ACTUARIAL COST METHOD: Entry age normal. The allocation of OPEB cost is based on years of service. We used the level percentage of payroll method to allocate OPEB cost over years of service.

Entry age is based on the age at hire for eligible employees. The attribution period is determined as the difference between the expected retirement age and the age at hire. The present value of future benefits and present value of future normal costs are determined on an employee by employee basis and then aggregated.

To the extent that different benefit formulas apply to different employees of the same class, the normal cost is based on the benefit plan applicable to the most recently hired employees (including future hires if a new benefit formula has been agreed to and communicated to employees).

AMORTIZATION METHODS: We used the flat dollar amount method to allocate amortization cost by year. We used a closed 14 year amortization period for the initial UAAL. We used an open 30 year amortization period for any residual UAAL.

SUBSTANTIVE PLAN: As required under GASB 43 and 45, we based the valuation on the substantive plan. The formulation of the substantive plan was based on a review of written plan documents as well as historical information provided by Marin CCD regarding practices with respect to employer and employee contributions and other relevant factors.
ECONOMIC ASSUMPTIONS:

Economic assumptions are set under the guidance of Actuarial Standard of Practice 27 (ASOP 27). Among other things, ASOP 27 provides that economic assumptions should reflect a consistent underlying rate of general inflation. For that reason, we show our assumed long-term inflation rate below.

INFLATION: We assumed 3% per year.

INVESTMENT RETURN / DISCOUNT RATE: We assumed 5% per year. This is based on assumed long-term return on employer assets. We used the “Building Block Method” as described in ASOP 27 Paragraph 3.6.2. Our assessment of long-term returns for employer assets is based on long-term historical returns for surplus funds invested pursuant to California Government Code Sections 53601 et seq.

TREND: We assumed 4% per year. Our long-term trend assumption is based on the conclusion that, while medical trend will continue to be cyclical, the average increase over time cannot continue to outstrip general inflation by a wide margin. Trend increases in excess of general inflation result in dramatic increases in unemployment, the number of uninsured and the number of underinsured. These effects are nearing a tipping point which will inevitably result in fundamental changes in health care finance and/or delivery which will bring increases in health care costs more closely in line with general inflation. We do not believe it is reasonable to project historical trend vs. inflation differences several decades into the future.

PAYROLL INCREASE: We assumed 3% per year. This assumption applies only to the extent that either or both of the normal cost and/or UAAL amortization use the level percentage of payroll method. For purposes of applying the level percentage of payroll method, payroll increase must not assume any increases in staff or merit increases.

ACTUARIAL ASSET VALUATION: There were no plan assets on the valuation date.
Total Compensation Systems, Inc.

NON-ECONOMIC ASSUMPTIONS:

Economic assumptions are set under the guidance of Actuarial Standard of Practice 35 (ASOP 35).

MORTALITY:  CalSTRS mortality for faculty employees.  
CalPERS mortality for Miscellaneous employees for other employees.

RETIREMENT RATES:  CalSTRS retirement rates for faculty employees.  
CalPERS retirement rates for the 2 %@ 55 pension formula for other employees.

VESTING RATES:

<table>
<thead>
<tr>
<th></th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vesting Percentage</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Vesting Period</td>
<td>15 years</td>
<td>10 years</td>
<td>10 years</td>
<td>10 years</td>
</tr>
</tbody>
</table>

COSTS FOR RETIREE COVERAGE:

There was not sufficient information available to determine whether there is an implicit subsidy for retiree health costs. Based on ASOP 6, there can be justification for using "community-rated" premiums as the basis for the valuation where the insurer is committed to continuing rating practices. This is especially true where sufficient information is not available to determine the magnitude of the subsidy. However, Marin CCD should recognize that costs and liabilities in this report could change significantly if either the current insurer changes rating practices or if Marin CCD changes insurers.

First Year costs are as shown below. Subsequent years’ costs are based on first year costs adjusted for trend and limited by any College contribution caps.

Current Retirees: based on actual costs

<table>
<thead>
<tr>
<th></th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Plan:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Future Retirees Pre-65</td>
<td>$15,918</td>
<td>$13,132</td>
<td>$15,918</td>
<td>$11,336</td>
</tr>
<tr>
<td>Future Retirees Post-65</td>
<td>$13,583</td>
<td>$8,847</td>
<td>$13,583</td>
<td>$8,847</td>
</tr>
</tbody>
</table>

PARTICIPATION RATES:  100%

TURNOVER:  CalSTRS turnover for faculty employees.  
CalPERS turnover for Miscellaneous employees for other employees.

SPOUSE PREVALENCE:  To the extent not provided and when needed to calculate benefit liabilities, 80% of retirees assumed to be married at retirement. After retirement, the percentage married is adjusted to reflect mortality.

SPOUSE AGES:  To the extent spouse dates of birth are not provided and when needed to calculate benefit liabilities, female spouse assumed to be three years younger than male.
**AGING FACTORS:**

<table>
<thead>
<tr>
<th>Attained Age</th>
<th>Medical Annual Increases</th>
</tr>
</thead>
<tbody>
<tr>
<td>50-64</td>
<td>3.5%</td>
</tr>
<tr>
<td>65-69</td>
<td>3.0</td>
</tr>
<tr>
<td>70-74</td>
<td>2.5</td>
</tr>
<tr>
<td>75-79</td>
<td>1.5</td>
</tr>
<tr>
<td>80-84</td>
<td>0.5</td>
</tr>
<tr>
<td>85+</td>
<td>0.0</td>
</tr>
</tbody>
</table>
**APPENDIX D: DISTRIBUTION OF ELIGIBLE PARTICIPANTS BY AGE**

**ELIGIBLE ACTIVE EMPLOYEES:**

<table>
<thead>
<tr>
<th>Age</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 25</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>25-29</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>30-34</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>35-39</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>40-44</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>45-49</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>50-54</td>
<td>10</td>
<td>0</td>
<td>7</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>55-59</td>
<td>13</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>60-64</td>
<td>21</td>
<td>11</td>
<td>7</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>65 and older</td>
<td>10</td>
<td>7</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>58</td>
<td>26</td>
<td>21</td>
<td>7</td>
<td>4</td>
</tr>
</tbody>
</table>

**ELIGIBLE RETIREES:**

<table>
<thead>
<tr>
<th>Age</th>
<th>Total</th>
<th>Faculty</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 50</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>50-54</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>55-59</td>
<td>7</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>60-64</td>
<td>16</td>
<td>7</td>
<td>5</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>65-69</td>
<td>46</td>
<td>25</td>
<td>15</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>70-74</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>75-79</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>80-84</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>85-89</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>90 and older</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>71</td>
<td>34</td>
<td>21</td>
<td>7</td>
<td>9</td>
</tr>
</tbody>
</table>
APPENDIX E: CALCULATION OF GASB 43/45 ACCOUNTING ENTRIES

This report is to be used to calculate accounting entries rather than to provide the dollar amount of accounting entries. How the report is to be used to calculate accounting entries depends on several factors. Among them are:

1) The amount of prior accounting entries;

2) Whether individual components of the ARC are calculated as a level dollar amount or as a level percentage of payroll;

3) Whether the employer using a level percentage of payroll method elects to use for this purpose projected payroll, budgeted payroll or actual payroll;

4) Whether the employer chooses to adjust the numbers in the report to reflect the difference between the valuation date and the first fiscal year for which the numbers will be used.

To the extent the level percentage of payroll method is used, the employer should adjust the numbers in this report as appropriate to reflect the change in OPEB covered payroll. It should be noted that OPEB covered payroll should only reflect types of pay generating pension credits for plan participants. Please note that plan participants do not necessarily include all active employees eligible for health benefits for several reasons. Following are examples.

1) The number of hours worked or other eligibility criteria may differ for OPEB compared to active health benefits;

2) There may be active employees over the maximum age OPEB are paid through. For example, if an OPEB plan pays benefits only to Medicare age, any active employees currently over Medicare age are not plan participants;

3) Employees hired at an age where they will exceed the maximum age for benefits when the service requirement is met are also not plan participants.

Finally, GASB 43 and 45 require reporting covered payroll in RSI schedules regardless of whether any ARC component is based on the level percentage of payroll method. This report does not provide, nor should the actuary be relied on to report covered payroll.

GASB 45 Paragraph 26 specifies that the items presented as RSI "should be calculated in accordance with the parameters." The RSI items refer to Paragraph 25.c which includes annual covered payroll. Footnote 3 provides that when the ARC is based on covered payroll, the payroll measure may be the projected payroll, budgeted payroll or actual payroll. Footnote 3 further provides that comparisons between the ARC and contributions should be based on the same measure of covered payroll.

At the time the valuation is being done, the actuary may not know which payroll method will be used for reporting purposes. The actuary may not even know for which period the valuation will be used to determine the ARC. Furthermore, the actuary doesn’t know if the client will make adjustments to the ARC in order to use it for the first year of the biennial or triennial period. (GASB 45 is silent on this.) Even if the actuary were to know all of these things, it would be a rare situation that would result in me knowing the appropriate covered payroll.
number to report. For example, if the employer uses actual payroll, that number would not be known at the time the valuation is done.

As a result, we believe the proper approach is to report the ARC components as a dollar amount. It is the client's responsibility to turn this number into a percentage of payroll factor by using the dollar amount of the ARC (adjusted, if desired) as a numerator and then calculating the appropriate amount of the denominator based on the payroll determination method elected by the client for the appropriate fiscal year.

If we have been provided with payroll information, we are happy to use that information to help the employer develop an estimate of covered payroll for reporting purposes. However, the validity of the covered payroll remains the employer's responsibility even if TCS assists the employer in calculating it.
APPENDIX F: GLOSSARY OF RETIREE HEALTH VALUATION TERMS

Note: The following definitions are intended to help a non-actuary understand concepts related to retiree health valuations. Therefore, the definitions may not be actuarially accurate.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actuarial Accrued Liability</td>
<td>The amount of the actuarial present value of total projected benefits attributable to employees' past service based on the actuarial cost method used.</td>
</tr>
<tr>
<td>Actuarial Cost Method</td>
<td>A mathematical model for allocating OPEB costs by year of service.</td>
</tr>
<tr>
<td>Actuarial Present Value of Total Projected Benefits</td>
<td>The projected amount of all OPEB benefits to be paid to current and future retirees discounted back to the valuation date.</td>
</tr>
<tr>
<td>Actuarial Value of Assets</td>
<td>Market-related value of assets which may include an unbiased formula for smoothing cyclical fluctuations in asset values.</td>
</tr>
<tr>
<td>Annual OPEB Cost</td>
<td>This is the amount employers must recognize as an expense each year. The annual OPEB expense is equal to the Annual Required Contribution plus interest on the Net OPEB obligation minus an adjustment to reflect the amortization of the net OPEB obligation.</td>
</tr>
<tr>
<td>Annual Required Contribution</td>
<td>The sum of the normal cost and an amount to amortize the unfunded actuarial accrued liability. This is the basis of the annual OPEB cost and net OPEB obligation.</td>
</tr>
<tr>
<td>Closed Amortization Period</td>
<td>An amortization approach where the original ending date for the amortization period remains the same. This would be similar to a conventional, 30-year mortgage, for example.</td>
</tr>
<tr>
<td>Discount Rate</td>
<td>Assumed investment return net of all investment expenses. Generally, a higher assumed interest rate leads to lower normal costs and actuarial accrued liability.</td>
</tr>
<tr>
<td>Implicit Rate Subsidy</td>
<td>The estimated amount by which retiree rates are understated in situations where, for rating purposes, retirees are combined with active employees.</td>
</tr>
<tr>
<td>Mortality Rate</td>
<td>Assumed proportion of people who die each year. Mortality rates always vary by age and often by sex. A mortality table should always be selected that is based on a similar “population” to the one being studied.</td>
</tr>
<tr>
<td>Net OPEB Obligation</td>
<td>The accumulated difference between the annual OPEB cost and amounts contributed to an irrevocable trust exclusively providing retiree OPEB benefits and protected from creditors.</td>
</tr>
<tr>
<td>Normal Cost</td>
<td>The dollar value of the “earned” portion of retiree health benefits if retiree health benefits are to be fully accrued at retirement.</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>OPEB Benefits</td>
<td>Other Post Employment Benefits. Generally medical, dental, prescription drug, life, long-term care or other postemployment benefits that are not pension benefits.</td>
</tr>
<tr>
<td>Open Amortization Period:</td>
<td>Under an open amortization period, the remaining unamortized balance is subject to a new amortization schedule each valuation. This would be similar, for example, to a homeowner refinancing a mortgage with a new 30-year conventional mortgage every two or three years.</td>
</tr>
<tr>
<td>Participation Rate:</td>
<td>The proportion of retirees who elect to receive retiree benefits. A lower participation rate results in lower normal cost and actuarial accrued liability. The participation rate often is related to retiree contributions.</td>
</tr>
<tr>
<td>Retirement Rate:</td>
<td>The proportion of active employees who retire each year. Retirement rates are usually based on age and/or length of service. (Retirement rates can be used in conjunction with vesting rates to reflect both age and length of service). The more likely employees are to retire early, the higher normal costs and actuarial accrued liability will be.</td>
</tr>
<tr>
<td>Transition Obligation:</td>
<td>The amount of the unfunded actuarial accrued liability at the time actuarial accrual begins in accordance with an applicable accounting standard.</td>
</tr>
<tr>
<td>Trend Rate:</td>
<td>The rate at which the cost of retiree benefits is expected to increase over time. The trend rate usually varies by type of benefit (e.g., medical, dental, vision, etc.) and may vary over time. A higher trend rate results in higher normal costs and actuarial accrued liability.</td>
</tr>
<tr>
<td>Turnover Rate:</td>
<td>The rate at which employees cease employment due to reasons other than death, disability or retirement. Turnover rates usually vary based on length of service and may vary by other factors. Higher turnover rates reduce normal costs and actuarial accrued liability.</td>
</tr>
<tr>
<td>Unfunded Actuarial Accrued Liability:</td>
<td>This is the excess of the actuarial accrued liability over assets irrevocably committed to provide retiree health benefits.</td>
</tr>
<tr>
<td>Valuation Date:</td>
<td>The date as of which the OPEB obligation is determined. Under GASB 43 and 45, the valuation date does not have to coincide with the statement date.</td>
</tr>
<tr>
<td>Vesting Rate:</td>
<td>The proportion of retiree benefits earned, based on length of service and, sometimes, age. (Vesting rates are often set in conjunction with retirement rates.) More rapid vesting increases normal costs and actuarial accrued liability.</td>
</tr>
</tbody>
</table>

25
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: July 19, 2011

Subject: Classified Personnel Recommendations

Reason for Board Consideration:

CONSENT APPROVAL

Enclosure(s):

Recommendations

BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

A. Appointment of Classified Personnel

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

L. Cooper is on the instructional side of the 50% law.

RECOMMENDATION:

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

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

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Cooper, Laura</td>
<td>Lab Technician – Chemistry</td>
<td>1.0</td>
<td>12</td>
<td>07/05/2011</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION**

1. Ms. Cooper has accepted the full time position of Laboratory Technician in the Chemistry Department effective July 1, 2011.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Academic Personnel Recommendations
Date: July 19, 2011
Item & File No. B.9.C

Reason for Board Consideration:
CONSENT APPROVAL

Enclosure(s):
Recommendations

BACKGROUND:

The following actions are included in the Academic Personnel Recommendations:

A. Appointment and /or change of Academic Personnel
B. Part-Time Temporary Credit Instructors Appointments Summer 2011

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

RECOMMENDATION:

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

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources and Labor Relations
A. APPOINTMENT AND/OR CHANGE OF ACADEMIC PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Morales, Helen</td>
<td>Children’s Center, Teacher, KTD</td>
<td>From: .80 To: 1.0</td>
<td>Permanent Temporary</td>
<td>Fall 2011/Summer 2012</td>
</tr>
<tr>
<td>2.</td>
<td>TBA</td>
<td>Children’s Center, Teacher, KTD</td>
<td>1.0</td>
<td>1st Year Probationary</td>
<td>Fall 2011</td>
</tr>
<tr>
<td>3.</td>
<td>TBA</td>
<td>Children’s Center, Site Supervisor, KTD</td>
<td>1.0</td>
<td>1st Year Probationary</td>
<td>Fall 2011</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Temporary increase in assignment for Fall 2011 and Spring 2012.

2. Appointment of Children’s Center Teacher, name to be announced.

3. Appointment of Children’s Center Site Supervisor, name to be announced.
<table>
<thead>
<tr>
<th>LAST</th>
<th>FIRST</th>
<th>FTE</th>
<th>STATUS</th>
<th>JOB TITLE</th>
<th>TERM DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acredolo</td>
<td>Kristin</td>
<td>0.141</td>
<td>ACTIVE</td>
<td>Temporary Faculty Instrl</td>
<td>7/31/2011</td>
</tr>
<tr>
<td>Adams</td>
<td>George</td>
<td>0.089</td>
<td>ACTIVE</td>
<td>Temporary Faculty Instrl</td>
<td>7/31/2011</td>
</tr>
<tr>
<td>Agudelo-Silva</td>
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**BACKGROUND**

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

Short-Term Hourly Positions

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

On the instructional side of the 50% law:

- Child Development Program – Teacher’s Aide (2)
- Health Sciences – Dental Tutor (2)
- Health Sciences – EMT Lab Assistant (7)

On the non-instructional side of the 50% law:

- Fine Arts Department – Lab Assistant III
- Health Sciences/Medical Assisting – Department Aide IV (2)
- Human Resources – Office Assistant
- Life and Earth Sciences – Lab Assistant (3)
- Theatre Arts – Set Designer
- Theatre Arts – Costume Designer
- Theatre Arts – Costume Cutter/Stitcher (2)
- Theatre Arts – Lighting Designer
- Theatre Arts – Movement Consultant
- Theatre Arts – Properties Designer
- Theatre Arts – Sound Designer
- Theatre Arts – Multi-Media Designer
- Theatre Arts – Stage Manager
- Theatre Arts – Assistant Stage Manager (2)
- Theatre Arts – Scenic Painter
- Theatre Arts – Master Electrician
- Theatre Arts – Stage Carpenter
- Theatre Arts – Wardrobe Mistress or Master
- Theatre Arts – Stage Crew (4)
- Theatre Arts – Sound Technician (2)
- Theater Arts – Light Board Operator
- Theatre Arts – House Manager
- Tutoring – Tutoring Center Assistant

**RECOMMENDATION:**

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

**Administrator Initiating Item:** Linda Beam, Executive Dean of Human Resources & Labor Relations
<table>
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<tr>
<th>DEPT.</th>
<th>JOB TITLE</th>
<th>NUMBER OF POSITIONS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>HOURLY RATE</th>
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<td>Child Development Program</td>
<td>Teacher’s Aide - Assist classroom teachers with implementing child centered curriculum and maintaining an optimal physical learning environment. (IVC &amp; KTD)</td>
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<td>8/8/11</td>
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<td>Fine Arts Department</td>
<td>Lab Assistant III - Supports laboratory technician in the Art Department with equipment upkeep and preparation of material and classrooms.</td>
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<td>Health Sciences</td>
<td>Dental Tutor - Helping other dental students studying for classes.</td>
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<td>Health Sciences</td>
<td>EMT Lab Assistant - Assist instructor with lab practice classes. EMT regulations state that lab classes must have a ration of 10:1.</td>
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<td>Health Sciences/Medical Assisting</td>
<td>Department Aide IV - Working in collaboration with instructor to set-up skills lab; 2. To assist with skills demonstration; 3. Address student questions as appropriate; 4. Order lab supplies, stock supplies, keep inventory, clean and maintain lab equipment.</td>
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<td>Human Resources</td>
<td>Office Assistant - Assist Classified Staff with data entry of the Summer 2011 NC Contracts, Fall 2011 Credit Contracts, Hourly PAF's and filing/organization of FALL &amp; WINTER Credit and NC contracts, PAF's, etc.</td>
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<td>Life and Earth Sciences</td>
<td>Lab Assistant - Assist with the set-up of the labs and their various functions including inventory.</td>
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<td>Set Designer</td>
<td>Design and assist with building of the set for ARABIAN NIGHTS. Participate in strike when show ends. Attend production meetings. Interface with Director to determine design concept. Assist Classified staff.</td>
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<td>Costume Designer</td>
<td>Design costumes for ARABIAN NIGHTS. Includes designing, building, altering, procuring costumes, storing them properly and returning them to owner or renter at the end of the show. Participate in strike when show ends. Attend production meetings if necessary. Must be able to fit costumes properly to specific actors. Interface with Director to be sure design concept is being honored. Assist Classified Staff.</td>
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<td>Lighting Designer</td>
<td>Design lighting effect for ARABIAN NIGHTS. Set-up lighting plot and help hanging lighting instruments. Participate in strike when show ends. Attend production meetings. Interface with Director to determine design concept. Assist Classified staff.</td>
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<td>Properties Designer</td>
<td>Design, build, procure all props for ARABIAN NIGHTS. If necessary, manage distribution of props during performance. Participate in strike when show ends and store props properly. Attend production meetings. Interface with Director to determine design concept. Assist Classified staff.</td>
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<td>Theatre Arts</td>
<td><strong>Sound Designer</strong> - Design sound effects for ARABIAN NIGHTS. Participate in strike when show ends. Attend production meetings. Interface with Director to determine design concept. Assist Classified Staff.</td>
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<td>10/16/11</td>
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<td><strong>Stage Manager</strong> - For ARABIAN NIGHTS, manage prompt book, call all tech. cues during rehearsal &amp; performances; be familiar with all stage blocking, be sure everyone is in place and on-time; coordinate with House Mgr. as to when lights/curtain go for beginning, intermission and end of show. Manage cast/crew during rehearsals and performances. Interface with Director to troubleshoot problems. Participate in strike when show ends. Attend production meetings &amp; keep notes. Deliver production notes after each rehearsal/performance. Assist Classified staff.</td>
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<td>$10.75-$11.75</td>
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<td><strong>Assistant Stage Manager</strong> - For ARABIAN NIGHTS, assist with managing prompt book, tech. cues during rehearsal &amp; performances; be familiar with all stage blocking, be sure everyone is in place and on-time; under direction of the Stage Manager coordinate with House Mgr. as to when lights/curtain go for beginning, intermission and end of show. Under direction of Stage Manager, manage cast/crew during rehearsals and performances. Interface with Director to troubleshoot problems. Participate in strike when show ends. Attend production meetings &amp; keep notes if necessary. Deliver production notes after each rehearsal/performance if necessary. Assist Classified Staff.</td>
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<td><strong>Multi-Media Designer</strong> - Design multi-media effects for ARABIAN NIGHTS. Set-up projection and lighting equipment to accomplish desired effects. Participate in strike when show ends. Attend production meetings. Interface with Director and Scenic Designer to determine design concept. Assist Classified Staff.</td>
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<td><strong>Costume Cutter/Stitcher</strong> - Cut/Sew/Alter costumes for ARABIAN NIGHTS. Assist with strike and proper storage of costumes when show ends. Assist with return of any borrowed/rented costumes. Assist Classified staff.</td>
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<td><strong>Master Electrician</strong> - Rig all lighting equipment for <em>ARABIAN NIGHTS</em>. Assist with strike when show closes. Assist classified staff.</td>
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<td>Theatre Arts</td>
<td><strong>Stage Carpenter</strong> - Help build set for <em>ARABIAN NIGHTS</em>. Assist with strike when show closes. Assist Classified staff.</td>
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<td>Theatre Arts</td>
<td><strong>Movement Consultant</strong> - Consult with Director concerning movement for the production of <em>ARABIAN NIGHTS</em> to assure that the artistic vision of the production is being satisfied. Assist Classified staff.</td>
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<td>10/16/11</td>
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<td>Theatre Arts</td>
<td><strong>Wardrobe Mistress or Master</strong> - Maintain costumes during run of <em>ARABIAN NIGHTS</em>. Launder, mend as needed, iron, assist with costume changes. Be sure all costumes are accounted for after each performance. Assist with make-up and wigs as needed. Assist with strike and proper storage of costumes when show ends. Assist Classified Staff.</td>
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<td>10/16/11</td>
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<tr>
<td>Theatre Arts</td>
<td><strong>Stage Crew</strong> - Help set-up and move scenery during technical rehearsals and performances of <em>ARABIAN NIGHTS</em>. Be sure scenery is properly set for next performance. Assist with strike and proper storage of scenic pieces when show ends. Assist Classified Staff.</td>
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<td>Theatre Arts</td>
<td><strong>Sound Technician</strong> - Operate sound effects and audio system during technical rehearsals and performances of <em>ARABIAN NIGHTS</em>. Assist with strike when show ends. Assist Classified Staff.</td>
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<td><strong>Light Board Operator</strong> - Operate light board during technical rehearsals and performances of ARABIAN NIGHTS. Assist with strike when show closes. Assist Classified Staff.</td>
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<td>Theatre Arts</td>
<td><strong>House Manager</strong> - Buy and set-up concessions for ARABIAN NIGHTS. Trouble shoot seating problems, direct ushers, coordinate with Stage Mgr. to turn house lights on and off at start of performance, intermission and end of show; be sure doors are properly secured. May be required to purchase concessions cookies and supplies. Responsible for proper handling of concessions monies. Assist Classified Staff.</td>
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<td>Tutoring</td>
<td><strong>Tutoring Center Assistant</strong> - Provide support to the Tutoring Program Coordinator. Support the day-to-day operations in the Tutoring Learning Center. Provide over and above support to basic skills students. Develop and maintain professional relationships with staff, faculty and students. Assist Classified Staff only.</td>
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**BACKGROUND:**
Pursuant to A.B. 500 a short-term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The above job descriptions are submitted for approval.

* Human Resources did not receive the necessary paperwork from the department until after these individuals began work. These hourly employees need to be paid for work they have already completed.
BOARD AGENDA ITEM

To: Board of Trustees        Date: July 19, 2011
From: Superintendent/President Item & File No. B.9.E
Subject: Budget Transfers for Month of June 2011
Reason for Board Consideration: CONSENT APPROVAL
Enclosure(s):

BACKGROUND:

The accompanying information includes thirty-nine budget transfers in June 2011 totaling $32,548 in the Unrestricted Fund.

There were thirty budget transfers in June 2011 in the Restricted Fund for $43,274 that included one transfer to Restricted Reserve Contingency Fund for $2,019 to adjust the Matriculation allocation.

There were two budget transfers in the Child Development Fund in June 2011 for $2,225 for supplies.

There was one budget transfer in June 2011 from the Measure C Reserve Funds for $1,400 for the conversion to Moodle.

Net effect of transfers for the Month.

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

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the June 2011 Budget Transfers.

Administrator Initiating Item

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

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<td>(620)</td>
<td>599</td>
<td>137</td>
<td>(117)</td>
<td>0.00</td>
<td>736</td>
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<tr>
<td>27</td>
<td>9165</td>
<td>197</td>
<td>(197)</td>
<td>0.00</td>
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<td>0.00</td>
<td>197</td>
<td>0.00</td>
</tr>
<tr>
<td>28</td>
<td>9166</td>
<td>118</td>
<td>(118)</td>
<td>0.00</td>
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<tr>
<td>29</td>
<td>9167</td>
<td>(78)</td>
<td>78</td>
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<tr>
<td>30</td>
<td>9168</td>
<td>(1,529)</td>
<td>1,929</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>1,929</td>
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<td>31</td>
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<td>0.00</td>
<td>0.00</td>
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</tr>
</tbody>
</table>

TOTAL GENERAL FUND

(14,585.57) (11,442.54) 521.35 17,404.32 324.53 6,108.91 2,019.00 75,822.31 32,547.86

Child Care Fund

|   | 9011 | (2,100.00) | 2,100.00 | 0.00 | 2,100 |
| 2 | 9034 | (125.00)  | 125.00   | 0.00 | 125   |
|   |     | (2,225.00) | 2,225.00 | -    | -     |

Measure C

|   | 9068 | 1,400.00 | (1,400.00) | 0.00 | 1,400 |
|   | 2    | 0.00     | 0.00       | 0.00 | 0.00  |
|   | 3    | 0.00     | 0.00       | 0.00 | 0.00  |
| 4  |      |          | 1,400.00   | (1,400.00) | -   | 1,400.00 |

TOTAL ALL FUN (14,935.57) (15,892.54) 521.35 21,854.32 1,724.53 4,708.91 2,019.00 30,828.11

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

Object Code

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<th>5000</th>
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<td></td>
<td></td>
<td></td>
<td>(75,000)</td>
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<tr>
<td>5013</td>
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<td>(130,000)</td>
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<td>9014</td>
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<td>(8,736)</td>
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<td>9102</td>
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<td>(4,457)</td>
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<td>(242,542.50)</td>
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Total Measure C Building transfers were funds remained within same account code
BACKGROUND:

Attached are the numbers and amount of warrants prepared for purchase orders already issued, purchase orders previously approved for purchases over $15,000 for labor or $50,000 for materials and supplies and direct charges. Warrant registers are available in Fiscal Services for review. For the period 06/01/2011 through 06/30/2011, warrants 99019-99697 were issued in the total amount of $3,505,925.

Payroll warrants 10009306-10009828 and payroll automated clearing house warrants 5001163-50011537 totaled $1,639,356 for the month of June.

Total amount of warrants for the month of June were $5,145,281.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the payments for goods and services.
DATE: July 19, 2011

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services ratified

Per Board Bylaw 1.5310, Section i-7, it is recommended that warrants 99019-99697 in the amount of $3,505,925 for the period 06/01/2011 through 06/30/2011 be approved for payment. For the period 06/01/2011 through 06/30/2011, payroll warrants 10009306-10009828 were issued and payroll clearing house warrants 50011163-50011537 for combined payroll total of $1,639,356. Copies of invoices and individual warrants are available for review in the Fiscal Services Office. I certify that the warrants listed are proper payments of invoices for previously approved purchase orders, agreements, contracts, utilities, materials, services, claims and payroll.

---

President or Designee

Payment for Goods and Services Summary
General Fund – All Programs
June 2011

Warrant totals distributed by fund and expense category as follows:

**General Fund Breakdown:**

<table>
<thead>
<tr>
<th>Unrestricted Fund</th>
<th>Amounts</th>
<th>Restricted Fund</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies</td>
<td>92,661</td>
<td>Supplies</td>
<td>33,258</td>
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<tr>
<td>Operating Expenses</td>
<td>237,701</td>
<td>Operating Expenses</td>
<td>33,914</td>
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<tr>
<td>Capital Expenditures</td>
<td>12,893</td>
<td>Capital Expenditures</td>
<td>11,406</td>
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<tr>
<td>Student Refunds</td>
<td>8,470</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>$351,725</strong></td>
<td></td>
<td><strong>$78,578</strong></td>
</tr>
</tbody>
</table>

**Totals of all Funds:**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted Fund</td>
<td>$351,725</td>
</tr>
<tr>
<td>Restricted Fund</td>
<td>$78,578</td>
</tr>
<tr>
<td>Total General Fund</td>
<td>430,303</td>
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<tr>
<td>Child Development Fund</td>
<td>$8,454</td>
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<tr>
<td>Self Insurance Fund</td>
<td>51,613</td>
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<tr>
<td>Measure C Bond Fund</td>
<td>2,248,152</td>
</tr>
<tr>
<td>Payroll and Benefits</td>
<td>2,406,759</td>
</tr>
<tr>
<td><strong>Total Payments for April</strong></td>
<td><strong>$5,145,281</strong></td>
</tr>
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</table>
BACKGROUND:

At the June 28, 2011 Board of Trustees meeting, sets of recommended proposals to revise Board Policy in Chapter 2 Board of Trustees, Chapter 3 General Institution, Chapter 4 Academic Affairs, and Chapter 7 Human Resources were included in the agenda for a first reading.

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

- BP 2720 Communication among Board Members
- BP 3280 Grants
- BP 3560 Alcoholic Beverages
- BP 3570 Smoke-Free Learning and Working Environment
- BP 3720 Information Technology Use
- BP 4040 Library and Other Support Services
- BP 7110 Delegation of Authority

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policies 2720, 3280, 3560, 3570, 3720, 4040, and 7110.
BP 2720 COMMUNICATIONS AMONG BOARD MEMBERS

Reference:
Government Code Section 54952.2

A majority of the members of the Board of Trustees shall not, outside a meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board. This policy shall not be construed as preventing an employee or official of the District from engaging in separate conversations or communications with members of the Board outside of a meeting in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of Board, if that person does not communicate to members of the Board the comments or position of any other member or members of the Board.

NOTE: This policy is legally required. The language in underlined regular text is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was recommended by a member of the Board Subcommittee in February 2010 and verified with District legal counsel.

Date Adopted:
(This is a new policy recommended by the League and the League’s legal counsel)
BP 3280

GRANTS

Reference:
Title 5 Section 55450

The Board of Trustees will be informed about all grant applications made and grants received by the District.

The Superintendent/President shall establish procedures to assure timely application and processing of grant applications and funds, and that the grants that are applied for directly support the purposes of the District.

- From current College of Marin Policy 7.0031 titled Proposals for External Funds

It is recognized that it is in the best interest of the District to participate selectively in externally funded programs; but it is also recognized that many such programs require matching funds from the District, impose continuing obligations upon the District, and many have certain features or requirements which must be carefully studied and investigated before the Board makes its determination to apply or not to apply for participation. Therefore, the following shall apply:

1. The Superintendent/President shall be empowered to solicit funds on behalf of the District whenever such funds are in keeping with the general purposes of the District and in no way impose special conditions or obligations upon the District not generally or specifically provided for in the budget.

2. In all instances, however, where applications or proposals impose upon the District obligations not generally or specifically provided for in the budget, or involve long-term commitments on the part of the District, or constitute contracts that are binding upon the District, such applications or proposals shall not be submitted to the funding agency without the prior approval of the Board.

3. The final acceptance of all funds shall be by the Board.

All applications and proposals shall be submitted in the name of the District, although in any program which primarily affects a District campus, the proposal may also reflect the name of the campus; and all proposals shall be signed on behalf of the District by the Superintendent/
President or his/her designee.

Also see BP/AP 3820 titled Gifts

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 from current College of Marin Policy 7.0031 titled Proposals for External Funds adopted on 5/12/81 and revised on 4/9/85. The language struck through is recommended for deletion. President Coon reviewed this policy on 3-29-11.

Date Adopted:
(Replaces current College of Marin Policy 7.0031)
BP 3560   ALCOHOLIC BEVERAGES

Reference:
Business and Professions Code Section 25608

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

Also see BP/AP 3550 titled Drug and Alcohol Free Environment and Drug Prevention Program

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 underlined italics reflects revisions from the District Police Department. Interim Vice President Duarte reviewed this policy on 1-26-11. President Coon reviewed this policy on 3-29-11.

Date Adopted:
(This is a new policy recommended by the League and the League’s legal counsel)
BP 3570  **SMOKE-FREE LEARNING AND WORKING ENVIRONMENT**

References:
- Government Code Sections 7596, 7597, and 7598;
- Labor Code Section 6404.5;
- Education Code Sections 70902 and 76033(e);
- Penal Code Sections 602 and 853.6;
- Vehicle Code Section 4000.1;
- Marin County Ordinance 3464

The Board recognizes the relationship between smoking and various health risks, including lung disease, cancer and heart disease. Furthermore, a strong link between environmental tobacco smoke or “secondhand smoke” and health risks has also been demonstrated.

Therefore, the Board, under the authority of California State law, prohibits smoking by all faculty, staff, employees, students, and visitors at all times: **on any District property EXCEPT in Designated Smoking Areas. District property refers to any and all buildings, parking lots, District vehicles, as well as property on the Kentfield Campus, the Indian Valley Campus, and the Bolinas Marine Lab property.**

- In any District building and within ten (10) feet outside any District building, and within twenty-five (25) feet of entries, outdoor air intakes, and operable windows of any District building.

- In covered areas and courtyards adjoining buildings including but not limited to the covered areas in the Physical Education complexes, pool areas and decks, covered areas and courtyard of the Austin Science Center at Kentfield, and in all deck areas of building clusters on the Indian Valley Campus.

- In District vehicles.

*The term smoking in this policy refers to cigarette, cigar, pipe, or other means of smoking.*

*Also see AP 3570 titled Smoke-Free Learning and Working Environment*

*Office of Primary Responsibility: College Operations*

**NOTE:** This policy is *suggested as good practice.* The language in **regular text** is current College of Marin Policy 3570 titled Environmental Tobacco Smoke Control adopted on January 20, 2009. The language in **underlined italics** is recommended by the College of Marin Health and Safety Committee and the BP Task Force. The highlighted underlined text is recommended by College Council based on constituent feedback. This policy was reviewed by the Task Force at its 1-29-09 Meeting and is recommended to go
to College Council for broader constituent review. This BP was initially reviewed by College Council 2/12/09 who discussed going totally smoke free or including designated smoking areas. As a result surveys were conducted of students and employees in March 2009. College Council reviewed survey results in April 2009 that indicated a preference to include designated smoking areas. May 2009 College Council recommended this version of BP 3570 that includes designated smoking areas (highlighted language). It was noted BP 3570 must be sent to Human Resources (Linda Beam) to negotiate new language with UPM since it is in direct conflict with current contract language. Once resolved, BP 3570 can go to Board.

Date Adopted:
(Replaces current College of Marin Policy BP 3570)
BP 3720  INFORMATION TECHNOLOGY USE

References:
   Education Code Sections 72400 and 82542

The District’s information technology resources, including computers and networks, and learning management systems, are intended for academic and administrative use. Anyone who uses District information technology resources and the information they contain, and related resources has a responsibility to use those resources in an acceptable manner and to respect the rights of others. The Superintendent/President shall establish procedures that provide guidelines to users for the appropriate use of the District’s information technologies. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of information technology-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other users of information technology.

NOTE: The language in black ink is from current College of Marin Policy 3720 titled Information Technology Use adopted on 3.17.2009. The language struck through is recommended for deletion. The language in underlined italics reflects revisions from the Director of Learning Resources and the Chair of the ASDE Committee on April 27, 2011 and approved by the Director of Information Technology. Sent to Academic Senate for approval 4/29/11.

Date Revised:

Date Adopted: March 17, 2009
(Replaces current College of Marin Policies 7.0020, 7.0030, and 7.0032)
BP 4040 LIBRARY AND OTHER INSTRUCTIONAL SUPPORT SERVICES

References:
- Education Code Section 78100;
- Accreditation Standard II.C;
- Title 5 Sections 51970 and 58168

The District shall have library services that are an integral part of the educational program.

- From current College of Marin Policy 2.0003 titled College Library Service (5-CCR 51970)

Recognizing the broad educational value of a college library, the Board directs the establishment of a library which will serve the needs of students, staff, and community residents. To enhance its utilization, The Board shall, subject to the availability of funds, provide necessary staff and resources to maximize the time which the library is available support library services to meet student needs regardless of location or means of delivery of instruction, and broaden the collection to include a variety of media.

The Board directs the Superintendent/President to shall establish a process at both campuses that provides:

1. Provide For acquisition, maintenance, and renewal continuous—evaluation, procurement, and replacement of the collection—including books, periodicals, databases and computers.

2. The necessary funding to promote optimum Allow maximum library utilization, including evenings and weekends.

3. Provide For cooperative library functions and services between the two campuses as well as cooperative arrangements with other academic institutions and public libraries.

- From current College of Marin Policy 2.0009 titled College Library Collection Development
Library collections shall be developed and maintained which support course offerings. They shall also include works of high-caliber which, though not directly related to the curriculum, shall arouse and satisfy intellectual curiosity and help develop critical thinking. The collections shall and reflect cultural diversity, also make available to students the heritage of civilizations as recorded in the world's literature, and may include materials in any form in which knowledge is recorded.

Gifts to the library materials shall be accepted integrated into the regular holdings, only if they enhance the strength of library collections.

The Board recognizes that libraries have library an obligation to provide materials that presenting all sides of controversial issues. A publication otherwise deemed appropriate shall not be excluded from the collections in order to keep ideas from students or because it presents ideas considered distasteful or harmful controversial. The District adheres to the American Library Association's standards on the subject of censorship, as stated in the "Library Bill of Rights" and "The Freedom to Read" documents (copies of which are available in the College libraries), shall be adhered to by the College.

❖ From current College of Marin Policy 4.0011 titled Learning Assistance (S-CGR-58168)

The District shall Board recognizes its responsibility to provide learning assistance for students who may require special help beyond the regular classroom program. Individualized instruction, including Peer tutoring, shall be provided free of charge to, and in currently enrolled College of Marin students to support of, regular classroom instruction, regardless of campus and modality. Wherever possible, each instructor shall assist students during posted office hours in the remediation of individual learning difficulties.

❖ From current College of Marin Procedure 2.0003 DP.1 titled Learning Resources Committee

The Learning Resources Committee is a standing committee of the Academic Senate. The Committee advises the Dean of Learning Resources and the library faculty on the development of print and non-print library resources, and the means of integrating the library and other learning resources programs with the other academic activities of the College.

1. Membership:

   Membership on the Learning Resources Committee shall consist of the following:

   A. Voting Members
1) Five faculty members of differing departments appointed by the Academic Senate
2) Two classified members appointed by the Classified Senate
3) Two student members appointed by the Student Senate

B. Non-voting Member: Dean of Learning Resources

2. Operating Guidelines

Faculty and classified members shall normally serve two-year staggered terms. The chair shall be elected from among the voting members.

The Dean of Learning Resources shall be secretary of the Committee and shall be responsible for the minutes of the meetings. All meeting minutes shall be distributed to the three senates.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in black ink is from current College of Marin Policies 2.0003 titled College Library Service adopted on 2/24/82 and revised on 2/12/85 and 4.0011 titled Learning Assistance adopted on 2/24/82 and revised on 2/12/85 as well as Policy 2.0009 titled College Library Collection Development adopted on 5/8/90 and Procedure 2.0003 DP.1 titled Learning Resources Committee approved on 10/4/90. The language struck through is recommended for deletion. The language in underlined italics was recommended by the Librarians and the Director of Learning Resources on 3/29/11. Approved by the Academic Senate on April 21, 2011 and reviewed changes with the Director of Learning Resources on April 27, 2011.

Date Adopted:
(Replaces College of Marin Policies 2.0003, 4.0011, 2.0009 and Procedure 2.0003 DP.1)
BP 7110  DELEGATION OF AUTHORITY

References:
Education Code Sections 70902(d) and 72400

The Board of Trustees delegates authority to the Superintendent/President to authorize employment, fix job responsibilities, and perform other personnel actions provided that all state and federal laws and regulations, Board Policies, and Administrative Procedures have been followed.

*The Board also delegates authority to the Superintendent/President to establish non-administrative academic and classified positions as appropriate to meet the needs of the District.*

*The Board will consider the elimination or creation of educational administrator or classified administrator positions upon the recommendation of the Superintendent/President.*

- From current College of Marin Policy 5.0002 titled Creating and Abolishing Positions (EC 72400, 87801, 87815 - 87822, GC 3540 et seq.)

It shall be the policy of the Board, in accordance with statute, to create or abolish management and certificated positions in whole or in part and to increase or reduce the number of permanent employees based upon an increase or decrease in the number of students enrolled and/or the establishment, reduction, or discontinuance of a particular service of the District. Classified positions shall be increased or decreased based on availability of work and funds. The Board delegates authority to the Superintendent/President to develop job descriptions for all approved positions and ensure that appropriate recruiting and screening practices are followed. Job descriptions subject to negotiation with employee bargaining units shall be subject to the contract in force with the relevant bargaining unit. The Board delegates authority to the President to approve new or revised negotiated job descriptions. Any increase or decrease in the full-time proportion related to a specific job description (for instance, changing a .50 FTE position to a .80 position) shall be approved by the Board prior to implementation.
Creation of, or conversion of existing positions to supervisory or confidential positions shall be accomplished upon recommendation by the Superintendent/President in accordance with the provisions of statute and existing labor agreements. The Board shall set the initial salary, hours, terms, and conditions of work and may also delete the supervisory or confidential designation for a position if circumstances warrant.

Abolishment of positions and resulting layoffs shall be reviewed and approved by the Board and be based upon recommendation by the Superintendent/President. The Board shall be guided by the goals of the District in relation to the District’s financial situation. In making determinations, the counsel of District organizations and employee groups shall be respected, and employee rights shall be observed. Employees affected by a layoff shall be assisted in exploring reassignment possibilities and in outplacement. Creation or abolishment of positions and resulting layoffs or other effects will be negotiated with employee representatives as mandated by law, and collective bargaining agreements.

**NOTE:** The language in black ink is from current College of Marin Policy 7110 titled Delegation of Authority adopted on 3/17/2009. The language struck through is recommended for deletion on the advice of Virginia Riegel because this information is addressed in other policies and procedures. The language in underlined italics reflects recommendations from Virginia Riegel, District Legal Counsel. Reviewed with HR Dean 4/26/11.

**Date Adopted:** March 17, 2009

**Date Revised:**

(Replaces College of Marin Policy 5.0002)
**BACKGROUND:**

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

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<tr>
<th>Firm Name</th>
<th>Project Description</th>
<th>Original $</th>
<th>No. Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
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<tbody>
<tr>
<td><strong>Construction Contracts - Ratification</strong></td>
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<td></td>
<td></td>
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<tr>
<td>Ashbury General Contracting &amp; Engineering</td>
<td>New Fine Arts Building Project (306C)</td>
<td>$14,950.00</td>
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<tr>
<td>Custom Plumbing</td>
<td>New Fine Arts Building Project (306C)</td>
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<tr>
<td>B. Cantarutti Electric, Inc.</td>
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<tr>
<td>Air Systems, Inc.</td>
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<td><strong>New Professional Services Agreements - Ratification</strong></td>
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<tr>
<td>Davis Langdon</td>
<td>LEED Registration Fees (815A) for New Academic Center Project</td>
<td>$69,300.00</td>
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<td>Dannis Woliver Kelley</td>
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<td><strong>Construction Change Orders – Approval</strong></td>
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<td>Jeff Luchetti Construction, Inc.</td>
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<td>Midstate Construction Corporation</td>
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<td>$32,381.00</td>
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### Professional Services Amendments – Ratification

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<th>Description</th>
<th>Hours</th>
<th>Amount</th>
<th>Labor</th>
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<td>$5,000.00</td>
<td>$134,048.00</td>
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<td>Consolidated Engineering Laboratories</td>
<td>SMCP Increment 2 &amp; 3 (Demo &amp; Bldg) Project (305A)</td>
<td>2</td>
<td>$146,667.90</td>
<td>$148,107.90</td>
<td>$498,107.90</td>
</tr>
<tr>
<td>Citadon, Inc.</td>
<td>Computer Software (222A)</td>
<td>3</td>
<td>$35,026.00</td>
<td>$102,386.00</td>
<td>$152,386.00</td>
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<tr>
<td>Crown Worldwide Moving &amp; Storage, Inc.</td>
<td>Main Building Relocation (850K)</td>
<td>1</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
<td>$26,397.00</td>
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**Lease Agreements – Ratification**

<table>
<thead>
<tr>
<th>Company</th>
<th>Description</th>
<th>Hours</th>
<th>Amount</th>
<th>Labor</th>
<th>Subtotal</th>
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<tbody>
<tr>
<td>Mobile Modular Management Corp.</td>
<td>Performing Arts Building Modernization Project (306A)</td>
<td></td>
<td>$23,130.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**FISCAL IMPACT:**
These contract changes will be paid from Measure C bond funds.

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

---

**Administrator Initiating Item**
Laura McCarty
Director of Modernization

**Administrator Approving Item**
David Wain Coon, Ed. D.
Superintendent/President
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Approve Renewal of Contract for Financial Management Software (Paragon) Citadon, Inc. – Amendment 3
Reason for Board Consideration: None

Date: July 19, 2011
Item & File No. B.9.H.2

CONSENT APPROVAL

BACKGROUND:

The Measure C Bond program has been supported by the Paragon financial management software system since the bond program began in 2005. Citadon Inc., owner of Paragon, provides support, consulting, and online hosting services as needed. An annual renewal of this contract is necessary to maintain the financial management system for the Measure C Bond Program.

The District further requests that the Board approve the annual renewal (Sept. 1, 2011 through Aug. 31, 2012) for Paragon software (financial services module) in the amount of $35,026.

FISCAL IMPACT:

These services will be paid from Measure C Bond funds.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve Amendment 3 for Citadon Inc. in the amount of $35,026 for financial management services software.
BACKGROUND:

Swing space planning and execution continues for the Performing Arts departments with several departments moving into temporary space on the Kentfield Campus. As spaces are re-purposed, some have furniture, fixtures and equipment that are no longer needed and can be “surplus.” The attached list consists of items found in the Learning Resource Center that can be disposed of.

In accordance with Board Policy and Education Code Section 81452(a), the Board is asked to declare the attached list of equipment for surplus. The items are determined to have no further value to the District – they are no longer used and were replaced or are beyond cost effective repair. Items with no value will be disposed of appropriately. No individual item or “item lot” is valued at more than $5,000. In addition, a unanimous vote is required to dispose of the surplus items.

FISCAL IMPACT:

None

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees declare the items as surplus (as described on the attached list); declare that no single item or item lot is valued at $5,000 or more; and authorize the District to dispose of the equipment, pursuant to Education Code Section 81452(s), as the District feels is appropriate.
<table>
<thead>
<tr>
<th>QTY</th>
<th>Inventory No.</th>
<th>Room</th>
<th>Description</th>
<th>Detail</th>
<th>Condition (Poor, Fair, Good)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>Work Table</td>
<td>Brown Lam.</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>Film Sound Head Motor</td>
<td>Green</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>2 - hi back chairs upoh.</td>
<td>4 star base black</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>hi chair</td>
<td>4 star base brown</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>desk podium</td>
<td>Black wood</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>Work Table</td>
<td>green w/shelves</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>14 film reels</td>
<td>brown metal</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>moviscop</td>
<td>green</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>film editing machine</td>
<td>grey metal - table model</td>
<td>Poor</td>
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<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>Film Board</td>
<td>wood</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>2 cans film</td>
<td></td>
<td>Poor</td>
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<tr>
<td>1</td>
<td>LRC 56</td>
<td></td>
<td>film light</td>
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<td>film dryer</td>
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<tr>
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<td>Poor</td>
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<tr>
<td>1</td>
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<td>film editing machine</td>
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<tr>
<td>1</td>
<td>LRC 56</td>
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<td>1 Bag of 6 exposed film cans</td>
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<tr>
<td>1</td>
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<td></td>
<td>manity radius</td>
<td></td>
<td>Poor</td>
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<tr>
<td>1</td>
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<td>Monitor</td>
<td>HP MX70</td>
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<tr>
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<td>Hard Drive</td>
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<td>1</td>
<td>LRC 72</td>
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<td>Tuner</td>
<td>SyMetrix - Dual Sign</td>
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<tr>
<td>1</td>
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<td></td>
<td>Printer</td>
<td>Epson color 860</td>
<td>Poor</td>
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<tr>
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<td></td>
<td>Hard Drive</td>
<td>HP</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 72</td>
<td></td>
<td>4 - shelves</td>
<td>metal</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>LRC 72</td>
<td></td>
<td>Hard Drive</td>
<td>HP</td>
<td>Poor</td>
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<tr>
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<td>Hard Drive</td>
<td>HP</td>
<td>Poor</td>
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<td>LRC 72</td>
<td></td>
<td>Hard Drive</td>
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<td>Poor</td>
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<td>QTY</td>
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<td>Room</td>
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<td>Detail</td>
<td>Condition (Poor, Fair, Good)</td>
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<tr>
<td>1</td>
<td></td>
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<td>Monitor</td>
<td>Packard Bell</td>
<td>poor</td>
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<tr>
<td>1</td>
<td></td>
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<td>Keyboard</td>
<td>Dell</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>Keyboard</td>
<td>Gateway</td>
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</tr>
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<td></td>
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<td>Laser Printer</td>
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<td>Mouse</td>
<td>Tronic</td>
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<td>Modem</td>
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<td></td>
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<td></td>
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<td>5-pieces of wood</td>
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<td>1</td>
<td></td>
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<td>Editing Machine</td>
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<td>1</td>
<td></td>
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<td>Tripod</td>
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<td>1</td>
<td></td>
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<td>Case</td>
<td>Colortran</td>
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<tr>
<td>1</td>
<td></td>
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<td>5-chairs</td>
<td>4-star base</td>
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<td>1</td>
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<td>4-wood chairs</td>
<td>4-leg uphol. Seats</td>
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<td>4795</td>
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<td>Carry Case</td>
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<td>LRC 72</td>
<td>Carry case</td>
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<tr>
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<td></td>
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<td>Carry Case</td>
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<tr>
<td>1</td>
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<td>film marker</td>
<td>Vernon 808 dual 8</td>
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<td></td>
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<td>Box old cords</td>
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<td></td>
<td>LRC 72</td>
<td>stool</td>
<td>w/foot rest - 4 star base</td>
<td>poor</td>
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<td></td>
<td>LRC 72</td>
<td>stool</td>
<td>metal - 4 star base</td>
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<tr>
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<td></td>
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<td>metal</td>
<td>poor</td>
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<tr>
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<td>4733</td>
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<td>power strip</td>
<td>with handle - black</td>
<td>poor</td>
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<td>Carry Case</td>
<td>black Smith Victor</td>
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<td>Description</td>
<td>Detail</td>
<td>Condition (Poor, Fair, Good)</td>
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<tr>
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<td>---------------</td>
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<td>--------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>4 tri pods</td>
<td>black</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>cloth cover</td>
<td>green</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>6 boxes</td>
<td>binders and papers</td>
<td>poor</td>
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<tr>
<td>1</td>
<td></td>
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<td>Box</td>
<td>grey Bentley BX-11</td>
<td>poor</td>
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<tr>
<td>1</td>
<td>5069</td>
<td>LRC 72</td>
<td>AV Cart</td>
<td>Black</td>
<td>poor</td>
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<tr>
<td>1</td>
<td>15</td>
<td>LRC 72</td>
<td>AV Cart</td>
<td>Black</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>AV Cart</td>
<td>Green metal</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>4 Av Carts</td>
<td>Black</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td>13014</td>
<td>LRC 72</td>
<td>rolling table</td>
<td>Black</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td>12337</td>
<td>LRC 72</td>
<td>AV Cart</td>
<td>Wood Lam. &amp; metal</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>TV Monitor</td>
<td></td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>Flat Bed</td>
<td>w/wheels - wood</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td>3594</td>
<td>LRC 72</td>
<td>VCR</td>
<td>black metal</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>Mic Stand</td>
<td>metal</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>11 Boxes</td>
<td>Film inside</td>
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<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>1 Box</td>
<td>33 1/3 records/vinyl</td>
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</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>AV Cart</td>
<td>Black</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 72</td>
<td>3 pieces wood</td>
<td>triangle shape</td>
<td>poor</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>LRC 73</td>
<td>TV/Vido Switcher</td>
<td>Mfg. Grass Valley / black</td>
<td>poor</td>
</tr>
</tbody>
</table>
The Appointment of Educational Management Personnel Recommendations are attached.

A. Appointment of Educational Management Personnel

**FISCAL IMPLICATIONS:** All recommendations are within budgeted FTE.

**RECOMMENDATION:**

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

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources and Labor Relations
A. APPOINTMENT OF EDUCATIONAL MANAGEMENT PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
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<td>1</td>
<td>TBA</td>
<td>Director of Community Services, Lifelong Learning and International Education</td>
<td>1.0</td>
<td>Permanent</td>
<td>August 1, 2011</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Appointment of Director of Community Services, Lifelong Learning and International Education, name to be announced.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 19, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.10.A</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Associated Students (ASCOM) Constitution (Revised)</td>
<td></td>
<td></td>
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<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Endorsement(s):</td>
<td>Revised ASCOM Constitution</td>
</tr>
</tbody>
</table>

BACKGROUND:

Last year the Associated Students, College of Marin (ASCOM) Constitution was revised by utilizing clearer language. There is now a need to revise the constitution to reflect the merging of the Student Senate and ASCOM, and the consolidation of ASIVC and ASCOM to one governing body representing both campuses, as approved by the students in the Spring election of 2011. The revised constitution includes the role of the Student Trustee, policies regarding shared governance responsibilities, and use of the student activities fee and the representation fee. The new ASCOM leadership has approved the proposed revised constitution. The revised constitution better reflects how business is conducted by ASCOM as a result of the merger and consolidation.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the revised Associated Students (ASCOM) Constitution.

Administrator Initiating Item: Angelina Duarte, Interim Vice President of Student Learning
Preamble:

We, the students of College of Marin, do hereby assume the powers of self-governance delegated to us by the District Governing Board and do ordain and establish this Constitution. The objective is to unite, in one local organization, representatives of students who are registered and attend College of Marin, in order to coordinate the varying interests and concerns of the student body. The purpose of this body shall be to provide a forum for addressing issues of common concern to the students of the College of Marin and to act within the guidelines of the college governance system.

These representatives shall represent the students in shared governance on campus. This body shall consist of active members representing the different student constituencies within the district whose functions and duties shall be defined this constitution.

Article I: Name and Organization

Section 1: Name

The name of this organization shall be the Associated Students College of Marin, hereafter referred to as ASCOM.

Section 2: Organization

The student organization of ASCOM shall be a legislative assembly of College of Marin students hereinafter referred to as the ASCOM Board. This body shall consist of 14 active members with titles, functions, and duties to be defined in the Bylaws.

Article II: Purpose and Scope of Responsibility

Section 1: Purpose

The purpose of ASCOM shall be to coordinate the varying interests and concerns of the student body in representing the students in shared governance issues on campus. As a participant in the governance processes of the College of Marin, ASCOM shall:
1. Provide a College-wide body that represents the needs, concerns and viewpoints of all students;
2. Provide a central communication link between students and the rest of the college community;
3. Select student representatives, upon recommendation of the Student Trustee, from the student body to serve on governance and college committees;
4. Provide an opportunity for students to enhance the process of governance at COM;
5. Provide an opportunity for students to enhance their leadership skills;
6. Increase student participation in student governance.

Section 2: Scope of Responsibility

ASCOM may make recommendation and take actions on behalf of all students.

ASCOM shall request and obtain information to make informed recommendations about policies and procedures being discussed through the campus governance system. All such recommendations shall be made in a timely manner so as not to preclude student input on issues proceeding through the governance system.

ASCOM shall consider and may take official positions on pertinent issues and policy matters as they pertain to students of College of Marin. These positions will be communicated to the appropriate governance committee, task force, or senate. In the event of an anticipated absence of the Student Trustee from the regular meetings of the District’s Board of Trustees, ASCOM may select a designee to appear before the Board to express the views of the associated students.

Article III: Membership

Section 1: Access and Membership

Access and membership will, upon establishment of student status, be granted to all students of College of Marin, in accordance with this Constitution and its Bylaws.

Section 2: Auxiliary Membership

Auxiliary membership may be granted to individuals upon action of the ASCOM Board, in accordance with the Bylaws.

Section 3: Fees
The ASCOM Board reserves the right to propose a membership fee or student activities fee through the initiative process in accordance with all district and college policies, and in accordance with this Constitution and its Bylaws.

Article IV: Privileges of Membership

Section 1: Privileges

A member shall have the power of holding office, voting and other powers and privileges as outlined in the Constitution, Bylaws or otherwise specified by the ASCOM Board.

Article V: Meetings

Meetings, necessary to conduct the business of the students, shall be held weekly. The ASCOM Board may call additional meetings in accordance to provisions set forth in the Bylaws.

Article VI: Amendments

Amendments to this Constitution must be approved in a student election by a simple majority of the voting students.

Article VII: Board Members

Section 1: Board Membership requirements.

1. Board members must be currently enrolled in a minimum of 6 academic units at College of Marin and must maintain enrollment in said minimum number of academic units for the duration of his/her term, or be subject to dismissal from ASCOM.

2. Board members or petitioners must have a minimum GPA of 2.0 or better (per semester and cumulative). Board members on academic or progress probation, either in the previous semester or during their term, are ineligible to serve.

3. Failure to comply with the above mentioned requirements will result in the Board member or senator being removed from office. Board members and senators must be notified privately and will be given one week before automatic removal. Appeals must be discussed with the Advisor by the end of the one week grace period. At any time during the semester, if a student drops below the 6 unit requirement, they may appeal their eligibility with the Advisor.
Section 2: Board Members shall:

1. Be a voting member and attend all meetings, mandatory retreats and workshops of the ASCOM Board. (Failure to attend a mandatory retreat or workshop shall be the equivalent of two (2) unexcused absences for that semester.

2. Hold three (3) office hours per week with the exception of Finals Week, Spring Break, and Summer Session. If a holiday falls on one of the regularly scheduled office days, these hours should be made up during that same week. Participation on committees or at committee meetings do not count towards office hours. Participation in ASCOM sponsored activities can be counted towards a maximum of two (2) weekly office hours at the discretion of the ASCOM President and Advisor.

3. Submit office hours to the Vice President and Advisor to be posted on ASCOM office door and bulletin boards no later than the second week of the semester.

4. Become familiar and comply with parliamentary procedure.

5. Become familiar with Associated Students fiscal matters and provide input on requests, proposals, and petitions presented to the ASCOM Board.

6. Provide oral and/or written reports to the ASCOM Board and constituency regarding committee activities, college wide committee activities, Board members' current activities, and varying interests and concerns of the student body.

7. Participate in special projects or perform duties as outlined in the ASCOM Constitution, ASCOM Bylaws, ASCOM Election Code or as specified by the ASCOM President or Vice-President.

8. Board members will not make contractual agreements on behalf of the ASCOM Board, without prior consent of the board and ASCOM Advisor.

9. Participate in a self-evaluation at the end of each semester in office by completing a self-evaluation form; meeting with Advisor and ASCOM President to go over the evaluation; determine appropriate plan of action for future goals.

10. Maintain all requirements of an ASCOM Board Member, unless overridden by the ASCOM Constitution or ASCOM By Laws.

11. Not concurrently hold more than one ASCOM officer position.

12. Hold their elected office for one year.

13. Maintain all requirements of an ASCOM officer as outlined in the ASCOM Constitution.

14. Upon completion, the Board member will turn over any fiscal records or other materials pertaining to the office, to the successor and the Advisor.

15. Sign purchase requests as necessary.

16. Submit an oral and/or written officer report to the Secretary at all regular ASCOM meetings.
Section 3: The Board shall:

1. Appoint representatives and alternates to internal/external committees as needed.

Section 4: Board Officers

1. The ASCOM Board of Directors is comprised of the following:
   - President
   - Vice President
   - Student Trustee
   - Treasurer
   - Secretary
   - Director Student Activities
   - Director of Public Relations
   - Director Student Services
   - Director of Technology
   - State Student Senate Representative
   - ASIVC Senator at Large (3)
   - ESCOM Representative

Section 5: ASCOM President shall:

1. Enforces and upholds the ASCOM Constitution.
2. Serve as the official representative, along with the Student Trustee of the student body of College of Marin.
3. Presides over all ASCOM meetings as President, and is a voting member in case of a tie on all matters.
4. Prepares the ASCOM agenda with ASCOM Advisor.
5. Works with the Vice President and Advisor in preparation of ASCOM agenda.
6. Responsible for the ASCOM agenda and runs the ASCOM meeting.
7. Approves ASCOM meeting minutes along with the advisor.
8. Organizes an ASCOM board Retreat in the summer prior to the beginning of the fall semester, with the advisor.
9. Calls special meetings with the approval of advisor.
10. Serves as ex officio member of ASCOM committees.
11. Attends student ASCOM functions.
12. Keeps accurate records.
13. Provides direction to President/Student Trustee-Elect and all members-elect of the ASCOM.
14. Appoints and makes recommendations for committee chair positions.
15. Represents ASCOM for internal affairs.
16. Recommends persons to College of Marin Standing Committees via the Student Trustee.
17. Serves as a member of the College Council and should plan school schedule accordingly.
18. Meets with the ASCOM Advisor and the Vice President and Student Trustee on a regular basis.
19. Meets on a regular basis either individually or in a group with ASCOM board members.
20. Must attend ASCOM Retreats, and any other mandatory training sessions, at the expense of the ASCOM Budget.
21. Attends all Board of Trustees meetings of the Marin Community College District and provides for student ASCOM attendance at these meetings when necessary.
22. Shall have veto and appointment powers.
23. Is a non-voting member of ASCOM. When acting as ASCOM President, the President may have a vote only in the event of a tie, by ballot, or to change the outcome of the vote.
24. Has demonstrated knowledge of leadership principles and meeting management techniques.
25. Must maintain College of Marin’s standards for holding office.

Section 6: ASCOM Vice President shall:

1. Assures the duties of the President during absences of the President.
2. Services as the initial chair of the Inter-Club Council and works with the ICC to develop its officers and the implementation of its bylaws.
3. Serves as a direct liaison to the ASCOM Board regarding the activities of the ICC.
4. Attends all ICC meetings.
5. Works with the Student Affairs Office to provide Club Membership forms for all clubs and reports to the ASCOM Board on all currently active clubs and their activities.
6. Makes a Club Brochure describing all of the currently active clubs on campus.
7. Works with ICC executive officers to assign club meeting space.
8. Reviews ICC Budget and informs the ICC about the distribution of ICC Funds. The Vice-President needs to sign all ICC Purchase Requisitions and reports these to the ASCOM Board.
9. In conjunction with the Student Affairs Office, reports all Student Activity Requests to the ASCOM Board for approval and reports the decisions of the Board to the appropriate club.
10. Maintains a file on all Club purchase requisitions, activity forms, and club membership rosters.
11. Assists with the constitutions of new and reactivated clubs.
12. Must attend ASCOM Retreats, and any other mandatory training sessions, at the expense of the ASCOM Budget.
13. Reports to the ASCOM President.
14. Oversees operations of student government as they pertain to ASCOM, i.e., finance, activities, clubs, and publicity.
15. Must maintain College of Marin's standards for holding office.
16. Attends Student ASCOM functions.
17. Undertakes other duties as requested by the ASCOM President and/or ASCOM Advisor.
18. Collects three office hours for all board members by the second week of the semester and posts them publicly the following Monday.
19. Monitors and keeps a record of the use of SS 124.
20. Welcomes and orients all new auxiliary members.

Section 7: Student Trustee Shall:

1. Represent the associated students on the District’s governing Board of Trustees.
2. Recommend appointments to shared governance committees to the ASCOM board for consideration.
3. Recommend legitimate expenditures with regards to the Representation Fee Budget.
4. Serves as a member of the College Council and should plan school schedule accordingly.
5. Enforces and upholds the ASCOM Constitution.
6. Serve as the official representative, along with the ASCOM President of the student body of College of Marin.
7. Is a voting member on all ASCOM matters.
8. Represents ASCOM to external constituencies.
9. Attends all Board of Trustees meetings of the Marin Community College District and provides and represents the students’ interest, along with the ASCOM President at these meetings.
10. Has demonstrated knowledge of leadership principles and meeting management techniques.
11. Must maintain College of Marin’s standards for holding office.

Section 8: Secretary shall:

1. Records and publishes all official minutes of the ASCOM Board and posts one copy on the ASCOM bulletin board.
2. Maintains a file of all minutes and important correspondence.
3. Checks the mailroom for mail and ensures proper delivery of all correspondence.
4. Maintains all forms necessary for the business of the ASCOM Board.
5. Prepares drafts of letters of memoranda for the ASCOM Board and distributes them upon approval.
6. Monitors and replenishes all supplies for the ASCOM Board.
7. Oversees, monitors, and keeps records of all the activities of the auxiliary members and reports to the ASCOM Board when necessary.
8. Receives and archives auxiliary member activity reports.
9. Must maintain College of Marin’s standards for holding office.
10. Undertakes other duties as requested by the ASCOM President and/or ASCOM advisor(s).
11. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
12. Reports directly to the ASCOM President.
13. Notifies the ASCOM board in the event that a board member accrues more than three (3) unexcused absences in any given semester.

Section 9: The Treasurer shall:

1. Is the Chief Financial Officer of the Associated Students of the College of Marin.
2. Prepares and reviews all purchase requisitions for the ASCOM board.
3. Ensures that all purchase orders have proper documentation before submission to the fiscal services department.
4. Works with the fiscal services office to verify purchase requisitions and deposits of income.
5. Distributes all checks to the appropriate persons for payment of services or completion of contracts.
6. Monitors, in conjunction with the appropriate other Board member, the operation and funding of vending contracts and ID card sales income.
7. Reviews budget and monitors expenses according to budget guidelines and reports budgets analyses at board meetings.
8. Recommends to the ASCOM board any revision that is necessary regarding the current budget.
9. Fills out all cash receipts and forwards the money to the fiscal services department.
10. Notifies all the clubs, organizations, and support services of the amount of money in their budget each fall and January.
11. Contacts clubs, organizations, and support services asking for their proposals for the new budget.
12. Keeps records of all issues relating to ASCOM grants to other on campus organizations.
13. Makes recommendations to the ASCOM Board regarding continued support by ASCOM to the other on-campus organizations.
14. Prepares the next fiscal year’s budget and presents to the ASCOM Board for approval.
15. Works with the fiscal services department regarding projected income for the following fiscal year.
16. Must maintain College of Marin’s standards for holding office.
17. Undertakes other duties as requested by the ASCOM President and/or ASCOM advisor(s).
18. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
19. Reports directly to the ASCOM President.

Section 10: Director of Activities shall:
1. Establishes a calendar for the year of all planned activities including concerts, picnics, dances, film series, and special activities and brings the calendar to the ASCOM Board for input and approval.
2. Is responsible for sending and verifying all contracts regarding performers and/or speakers and films.
3. Works with clubs to help plan events to ensure overall calendar coordination and guidelines for activities on campus.
4. Is responsible for evaluating events and reporting the evaluation to the ASCOM board.
5. Works with the Treasurer to review the activities budget and makes allocations within the budget guidelines.
6. Is responsible for upkeep of activities equipment.
7. Presents a list of all scheduled concerts to the Director of Student Affairs and provides a notice to the faculty and administration.
8. Chairs the coordinating committees of all ASCOM events and activities.
9. Presents oral and/or written reports of all planned activities to the ASCOM board to ensure time for publicity and scheduling adequate to support these events.
10. Must maintain College of Marin's standards for holding office.
11. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
12. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
13. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
14. Reports directly to the ASCOM President.

Section 11: Director of Technology shall:

1. Is responsible for advocating for the development and proper implementation of technology for students at College of Marin.
2. Monitors the operations of the ASCOM office computers, equipment, and technological supplies.
3. Serves on College Technology Committee.
4. Establishes and oversees ASCOM e-mail addresses, computer files, and the student government website.
5. Establishes and updates a policy for administering ASCOM scholarships and grants with the Treasurer.
6. Must maintain College of Marin's standards for holding office.
7. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
8. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
9. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
10. Reports directly to the ASCOM President.

Section 12: Director of Student Services shall:

1. Responsible for establishing and chairing a food service committee between the various student organizations, the food service vendor, and the Vice President of College Operations.
2. Is responsible for establishing and chairing a bookstore committee between the various student organizations, the bookstore, and the Vice President of College Operations.
3. Works with the vending machine vendor and the Vice President of College Operations to address student concerns regarding vendor contracts.
4. Reports all findings regarding food service, the bookstore, and vending machines to the ASCOM board
5. Works with the Director of Students Affairs and Health Center, the Health Center Coordinator, and the other Board members regarding AIDS Awareness Week, Drug and Alcohol Awareness Week, and other special issues.
6. Is responsible for addressing special concerns raised by students regarding parking, safety and the student services.
7. Works with the ASCOM Directors of Student Activities and Public Relations ID sale procedures.
8. Works with the ASCOM Director of Public Relations to prepare and update a benefits booklet listing available discounts to be distributed to students purchasing ID cards.
10. Acts as liaison between the ASCOM Board and the various student services.
11. Establishes and updates a policy for administering ASCOM scholarships and grants with the Treasurer.
12. Must maintain College of Marin's standards for holding office.
13. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
14. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
15. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
16. Reports directly to the ASCOM President.

Section 13: Director of Public Relations shall:
1. Serves as the Public Information Officer of the Associated Students of the College of Marin.
2. Is responsible for the promotional materials for all ASCOM functions.
3. Presents posters, flyers, and other informational pieces to the ASCOM Board for approval.
4. Works with the campus Office of Community Relations/Marketing to issue press releases.
5. Is responsible for scheduling and updating ASCOM display cases and bulletin boards.
6. Submits a written report on the activities of the ASCOM Board to the Echo Times.
7. Maintains a binder detailing all ASCOM activities and events with copies of flyers, invitations, posters, pictures and other information.
8. Organizes tours at the request of the Director of Student Affairs and Health Center.
9. Must maintain College of Marin’s standards for holding office.
10. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
11. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
12. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
13. Reports directly to the ASCOM President.

Section 14: State Student Senate Representative shall:

1. Attend all State Student Senate Region 3 meetings, and submit reports to ASCOM.
2. Be responsible for the representation of the College of Marin at the annual Student Senate Lobby Day.
3. Will serve as one of College of Marin’s voting delegates at the Student General Assembly regional and state meetings.
4. Must maintain College of Marin’s standards for holding office.
5. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
6. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
7. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
8. Reports directly to the ASCOM President.
Section 15: Auxiliary Members shall:

1. Auxiliary members are non-voting ASCOM members who may participate in discussion at regular ASCOM meetings and fulfill the stated obligations.
2. Be approved by application to the ASCOM Board by a majority vote.
3. Attend all regularly scheduled ASCOM meetings per month, but no less than (2) per month.
4. Be appointed to represent the ASCOM on campus committees where no board member is able to attend.
5. Shall provide the agenda, notes, and minutes of each committee he/she attends to the ASCOM Board.
6. Represent ASCOM at various events and functions
7. Provide campus tours at the request of the Advisor or a board member.
8. Support ASCOM officers, committees and events through active participation.
9. Can be recalled by a majority vote of the ASCOM Board for missing three (3) meetings or violating any of the above stated requirements.
10. Provide campus tours at the request of the Advisor, or the ASCOM board.
11. Must maintain College of Marin’s standards for holding office.
12. Must attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget.
13. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
14. Meets regularly with the ASCOM President to discuss issues as they pertain to ASCOM and ASCOM members.
15. Reports directly to the ASCOM President.

Section 16: Senators at large shall:

1. Be elected every year in the ASCOM elections
2. Attend all regularly scheduled meetings of ASCOM.
3. Act as a liaison, reporting to ASCOM on campus activities.
4. Can be removed from office by a two thirds (2/3) majority vote of the ASCOM Board for not fulfilling duties as outlined in the ASCOM Constitutions and Bylaws duties with the understanding that ASCOM shall appoint someone to fill the position.
5. Represent ASCOM at various events and functions.

Section 17: ESCOM Representative shall:
1. Represent the interests of the ESCOM (Emeritus students, College of Marin) as it pertains to students at the college.
2. Report on any activities of ESCOM to ASCOM.
3. Must maintain College of Marin’s standards for holding office.
4. Attend ASCOM fall and spring retreats, and any other mandatory training sessions, at the expense of the ASCOM budget, as time permits.
5. Undertakes other responsibilities as requested by the ASCOM President and/or ASCOM Advisor.
6. Meets regularly with the ASCOM President to discuss issues as they pertain to ESCOM and ESCOM members.

Article VIII: Meetings

All meetings of the ASCOM Board shall be conducted in accordance with the California Open Meeting Laws (Ralph Brown Act).

Section 1: Regular Meetings

1. Agendas for ASCOM board meetings shall be posted 72 hours prior to the scheduled meeting.
2. All items to be put on the agenda must be submitted to the ASCOM President by a time designated by the President.
3. All minutes should be typed and distributed to the Board members before the meet for which they will be approved.
4. All minutes and accompanying purchase orders and requisitions must be sent to Fiscal Services.
5. No ASCOM Board members shall miss more than three (3) regularly scheduled Board meetings in a given semester. Absences exceeding three (3) can result in Board disciplinary action and/or removal of that Board member. It is the responsibility of the Secretary to notify the Board in the event this occurs.
6. In case of absence, a board member may submit a written proxy vote via a Board Officer.
7. No more than three Board members may vote by proxy at any given meeting

Section 2: Special Meetings

1. The ASCOM Board shall conduct a Special Meeting in accordance with the Brown Act.
Section 3: Emergency Meetings

1. The ASCOM Board shall conduct an emergency meeting in accordance with the Brown Act.

Section 4: Right to Meet

1. The President, or a majority of the Board if deemed necessary in accordance with the Brown Act, may call ASCOM Board meetings at any time.

Section 5: Quorum

1. Quorum for all ASCOM Board and committee meetings shall be established when a simple majority of the respective active voting members are present. Quorum must be in effect before any action can be voted upon. The following business may take place without quorum:
   - Call to order
   - Roll Call
   - Open Forum
   - Officer Reports
   - Committee Reports
   - Discussion of New and Old Business
   - Announcements
   - Adjournment

Article IX: Committees

Section 1: Committee Membership

1. Membership on ASCOM committees may include auxiliary members, who assume full voting rights within the committee. The members of a committee must meet directly after adjournment of the meeting at which the committee is formed to set a regular committee meeting schedule.

Section 2: Ad Hoc Committees

1. The ASCOM Board shall form ad hoc committees to fulfill a specific need and
2. Shall be dissolved upon completion.
3. A Board Member shall chair these committees, consisting of no less than three (3) members, including the chair.
4. They shall include but not be limited to:
5. ASCOM Election Committee.
6. ASCOM Budget Committee.

Section 3: External Committees

1. Membership
   • Each Board member shall choose at least one external or campus wide committee on which to serve.

Article X: Terms of Office

ASCOM Board members elected at the general election shall take office at the mandatory orientation with the Director of Student Affairs, which shall be conducted after the general election and before the beginning of the fall semester.

Section 1: ASCOM Board Candidates

1. All prospective candidates for Board positions must go through the application and election process as stated in the Bylaws and the ASCOM Election Code.
2. All applicants must maintain ASCOM Board eligibility requirements at the time of filing and throughout the term of office.

Section 2: ASCOM Board term of office

1. All ASCOM Board members shall serve a one (1) year term, from May 30th to June 1st.

Article XI: ASCOM Election Code

The ASCOM Elections shall be conducted in accordance with the ASCOM Election Code.

Section 1: General Election
1. All ASCOM Board members, Student Trustee, and Senator(s)-At-Large are elected at the general election to be held annually in accordance with the approved ASCOM Election Code.

2. All ASCOM board members shall be eligible to vote in each election.

3. The qualifications for running for office shall be to have completed 15 units at College of Marin, with a minimum GPA of 2.0, and to be currently enrolled in 6 units for the Fall and Spring of the term of office.

4. The ASCOM Board of Directors shall arrange to have all candidates certified as meeting these qualifications.
   - Candidates wishing to have their names appear on the ballot must turn in a declaration of candidacy form by the deadline set by the ASCOM Elections Committee.
   - The ASCOM Board of Directors shall have the power to determine election regulations beyond this Article.

Section 2: Elected Positions

1. Any student at large or ASCOM Board member who meets all the current ASCOM Board qualifications may run for election for the following positions at the general election:

   **ASCOM Board of Directors:**
   - President
   - Vice President
   - Secretary
   - Treasurer
   - Director of Activities
   - Director of Student Services
   - Director of Public Relations
   - Director of Technology
   - IVC Senator at Large
   - State Student Senate Representative
   - Student Trustee

2. If no candidate is elected for any of these positions, the ASCOM Board may appoint eligible students to these positions, approved by a majority vote of the ASCOM Board.

Section 3: Vacancy of Board Members
1. In the event the position of ASCOM President becomes vacant, the ASCOM Vice President shall succeed to the position of the ASCOM President for the remainder of the term.

2. In the event that the position of ASCOM Vice President becomes vacant, the ASCOM Board shall appoint any one of the other Board Members by majority vote.

3. In the event that any of the other positions on the ASCOM Board becomes vacant, the ASCOM Board may appoint auxiliary members to these positions, approved by a majority vote of the ASCOM Board.

   1. Before appointing someone to a position, the board will accept nominations.

Article XII: Resignations and Absences

Section 1: Resignations and Leave of Absences

1. Resignations
   - Any ASCOM Board member may resign at any time.
   - It is requested that resignations be tendered in writing and submitted to the ASCOM president, vice president and Advisor.
   - Verbal resignations made in public ASCOM Board meetings shall be valid and noted in the minutes. The Board Member in question reserves the right to retract the resignation at the next regularly scheduled ASCOM Board meeting.

2. Leaves of Absence
   - The ASCOM Board must authorize any leave of absence before a Board Member may take a leave of absence.
   - Any Board Member may request a leave of absence for up to thirty (30) days but no less than six (6) consecutive calendar days.
   - Any request for a leave of absence must be submitted in writing prior to the leave’s commencement. The submittal must include the start, reason for leave, and the intended date of return. Exceptions to this provision, due to extreme circumstances, must be approved by the ASCOM president and vice president.
   - An ASCOM Board member shall resume duties and responsibilities immediately upon return from a leave of absence provided eligibility is maintained.
   - Individuals on leave of absence must maintain eligibility for ASCOM Board status, and must return their key and any other equipment during their leave.
   - It is the responsibility of the Board member taking a leave of absence to arrange for another ASCOM member to fulfill their duties during the period of leave.
Section 2: Excused Absences

1. For ASCOM Board meetings and external committee meetings, the President, Secretary and Advisor must receive requests for excused absences in writing, explaining the purpose and reason for the absence.
2. In cases of emergency absences, a phone call or email may be accepted until which time the ASCOM Board Member can complete the written request. If the request is approved all noted unexcused absences related to the request shall be excused.

Article XIII: Discipline and Expulsion of Members

Section 1: Removal by the Board

1. Absences for ASCOM Board Members:
   - Third (3rd) unexcused absence from ASCOM Board meetings within one semester.
   - Removal procedure
     a. The ASCOM president shall present the case of removal to the ASCOM Board of ASCOM Board Members. If minutes confirm the absences, in conjunction with Board approval of the minutes, then the Board Member shall be removed automatically.
     b. The ASCOM president and Advisor shall inform the Board Member of their removal.
2. Vote of No Confidence
   - Any three (3) ASCOM Board members, acting together, may call for a Vote of No Confidence at any time for the removal of an ASCOM Board Member.
   - Any ASCOM Board Member shall serve until a two-thirds (2/3) majority of the ASCOM Board delivers a Vote of No Confidence, at which time said ASCOM Board Member shall step down from office and assume the position of ASCOM auxiliary board member.
3. Impeachment
   - Any simple majority of the sitting ASCOM Board members, acting together, may invoke impeachment proceedings for any ASCOM Board Member by submitting a Bill of Particulars to the ASCOM Board calling for the ASCOM Board member’s removal from the ASCOM Board.
4. Violation of Constitutional guidelines
   - Any board member can be removed from office for violation of Constitutional guidelines, duties of office, or actions unbecoming a Board member.
5. **Removal procedure for Vote of No-Confidence, Impeachment and Constitutional Violation**
   - Case for removal will be presented to ASCOM President and Advisor.
   - A hearing committee of the ASCOM President, Vice President, one other Board Member and Advisor will meet with the Board Member in question for discussion.
   - The hearing committee recommends to the ASCOM Board if the Board Member should be dismissed or further action should be taken. This should happen after the case is presented to the ASCOM Board.
   - The ASCOM Board can accept the recommendation with a 2/3 vote.
   - If the Board member to be removed is the President or Vice President, the hearing committee will consist of the Advisor and four (4) to six (6) Board members depending on the number of ASCOM Board members.

6. **Appeal**
   - An ASCOM Board member removed from office shall be allowed one (1) oral and written appeal at the next regularly scheduled ASCOM Board meeting after their removal.

**Section 2: Removal by the Student Body**

1. If the student body feels that an ASCOM Board member, the Student Trustee, or Student Senator at Large is negligent in the duties of their office, the student body may seek to remove said individual from office in the following manner:
   - A representative of the students must appear before the ASCOM Board with a petition, clearly articulating the alleged offenses committed by the elected official in question, signed by at least two hundred (200) members of the student body, stating their belief that the elected official in question is negligent in their duties and should be removed from office. The petition must include full printed name and signature of each signer.
   - A special election will be called within twelve (12) days after the filing of the petition to the ASCOM Board. A majority of voting students is required to recall the Board Member or elected official.

2. Any elected official removed from office by a recall vote is not entitled to an appeal or reinstatement.

**Article XIV: Parliamentary Procedure**

All meetings of the ASCOM Board and Internal Committees shall be conducted in accordance with Roberts Rules of Order.
Article XV: Policies

Section 1: Policies

1. All members of the ASCOM Board are subject to the following, but not limited to:
   - ASCOM Constitution
   - ASCOM Bylaws
   - All approved ASCOM Codes

Article XV: Amendments

Section 1: Process of Amending Bylaw or Codes

1. All proposed amendments to the ASCOM Bylaws or Codes shall be in accordance with the following procedures:
   - Proposed amendments shall be submitted to the Constitution Committee for review.
   - The committee shall review all proposed amendments and present their recommendation to the ASCOM Board. This recommendation shall first appear as a discussion item on the ASCOM Board meeting agenda, in accordance with the California Open Meeting Laws (Brown Act). No adoption action may take place during this introduction of proposed amendments to the ASCOM Board.
   - The ASCOM Board shall discuss and review the recommendation of the Constitution Committee.
   - Proposed adoption of amendments to the ASCOM Bylaws and ASCOM Codes shall be publicly posted for no less than 5 days prior to the approval process. A statement of the proposed adoption of amendments must be included in the notice of the meeting.

Section 2: Approval of Amending Bylaws or Codes

1. The ASCOM Board Bylaws and ASCOM Codes may be adopted by:
   - Two-thirds (2/3) vote of the ASCOM Board, with a time period no less than seven (7), but not greater than thirty (30) calendar days between the first and second votes.

Article XVII: Right To Act
Any ASCOM member does not have the right to incur any debt, get involved in any business, or speak to any issues under the title or implying the title of ASCOM in any way unless given the full authority to do so by the ASCOM.

Article XVIII: Non-discrimination Policy

ASCOM will not discriminate based on gender, race, class, economic status, ethnic background, sexual orientation, age, physical ability, and/or cultural and religious background.

Article XIX: Term Limits

No student shall serve more than three (3) one-year terms on the ASCOM Board of Directors. However, no student shall serve more than two (2) one year terms in any one position. A student appointed in January or after in the academic year, shall not count against their term limits. This section does not apply to auxiliary members.

Amended: March 2004
Ratified: April 30, 2004
Amended: July, 2010
Ratified: August, 2010
Amended: July, 2011
Ratified: August, 2011
BACKGROUND:

The College has contracted for legal services with School & College Legal Services since 1991. School & College Legal Services has invited the College to continue retainer services for the upcoming 2011/12 Fiscal year. The rates for 2011/12 remain unchanged from fiscal year 2007/08.

Retainer hours purchased and hours used over the past five years are as follows:

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<th>Year</th>
<th>Retainer Hours Purchased</th>
<th>Hours Used Over Retainer</th>
<th>Total Hours Used</th>
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</thead>
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<td>159.20</td>
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<td>385</td>
<td>123.25</td>
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<td>160.00</td>
<td>505.00</td>
</tr>
<tr>
<td>2009/10</td>
<td>200</td>
<td>199.85</td>
<td>399.85</td>
</tr>
<tr>
<td>2010/11</td>
<td>200</td>
<td>24.50*</td>
<td>224.50 *</td>
</tr>
</tbody>
</table>

* As of May 31, 2011

Mandated costs and litigation services are charged at $185 and $195 per hour respectively. These services are billed separately and not against the retainer. Hours above the retainer amount purchased will be charged at $195 per hour.

Staff anticipates the purchase of 200 retainer hours will be appropriate for 2011/12.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to purchase 200 retainer hours at $185 per hour ($37,000) from School and College Legal Services for 2011/12 legal services.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
To: Al Harrison, Vice President, College Operations  
Marin Community College District  
835 College Avenue  
Kentfield, CA 94904

From: Margaret M. Merchat, General Counsel

Subject: RETAINER AGREEMENT FOR LEGAL SERVICES

June 9, 2011

This memo invites the MARIN COMMUNITY COLLEGE DISTRICT to continue its Retainer Agreement with SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA effective July 1, 2011. As an indication of our continued efforts to contain costs for our clients, I am pleased to inform you that our rates for 2011-12 will NOT be increased.

As you consider your legal service needs for the coming year, I want to be clear about our commitment to provide you with excellent services. I welcome your input on how we can best meet your needs, so please don’t hesitate to call me.

For the 2011-12 school year we will be offering a variety of workshops and our schedule for the first half of the year will be available soon. We certainly recognize that all school agencies are being hit hard by the State economy, and we recognize that our effort to maintain lower fees is very important. To that end we want to confirm that we do not charge for a variety of “incidental costs” that private firms typically charge for, including on-line research costs, copying, faxes, mileage and related travel costs such as hotels and meals. If you have any questions regarding our services or fees, please do not hesitate to call me.

Please select and note your retainer amount on the Selection of Retainer Amount form. The form should be signed and returned to us along with a purchase order after the governing board has acted on it. Your district will be invoiced for the full retainer amount. In the event that your agency does not use all hours originally retained, the unused portion will be carried over to the next school term.

We very much look forward to working with you. If you have any questions, please do not hesitate to call me.

Enc.
SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA
CONTRACT FEE SCHEDULE

Effective July 1, 2011

<table>
<thead>
<tr>
<th>Attorney Retainer Hours of Attorney Service</th>
<th>Retainer *</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>$5,550.00</td>
</tr>
<tr>
<td>60</td>
<td>11,100.00</td>
</tr>
<tr>
<td>120</td>
<td>22,200.00</td>
</tr>
<tr>
<td>180</td>
<td>33,300.00</td>
</tr>
<tr>
<td>200</td>
<td>37,000.00</td>
</tr>
<tr>
<td>300</td>
<td>55,500.00</td>
</tr>
</tbody>
</table>

Districts that wish to contract for a lesser or greater number of hours than that set forth above may do so by calculating a retainer based on the $185.00 per hour rate and making that change in the fee schedule. Minimum level is 20 hours.

Included within the retainer fee are all of the workshops, newsletters, legislative reports, and all other work we do for all clients. We do, however, charge a fee not to exceed the actual costs for facilities, meals and copy fees for materials provided at workshops.

The retainer amounts set forth above are based on a rate of $185.00 per hour for all attorney time.

No additional fee is charged for meals or lodging while traveling to or from your district. No additional fee is charged for secretarial time, or for the cost of photocopies, telephone calls, or “facsimile” transmissions to or from your district. There are no postage charges for regular mail, no “administrative fees,” and no on-line research costs. Set fees may be charged for formed contracts and bid documents.

Mandated costs services are based on a rate of $185.00 per hour and do not count against the retainer, unless you specifically indicate that it be included.

Litigation services are based on a rate of $195.00 per hour and also do not count against the retainer.

* Please designate on next page.
RETAINER CONTINUATION AGREEMENT

SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA

FEE SCHEDULE

Effective July 1, 2011

Retainer Contract Clients

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Attorneys/Bargaining Specialist</td>
<td>$185.00 per hour</td>
</tr>
<tr>
<td>Excess Hours over Retainer *</td>
<td>$195.00 per hour</td>
</tr>
<tr>
<td>Litigation</td>
<td>$195.00 per hour</td>
</tr>
<tr>
<td>Mandated Services</td>
<td>$185.00 per hour</td>
</tr>
<tr>
<td>Paralegal/Paraprofessional</td>
<td>$100.00 per hour</td>
</tr>
<tr>
<td>Law Clerk</td>
<td>$80.00 per hour</td>
</tr>
</tbody>
</table>

Billable Contract Clients

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Attorneys/Bargaining Specialist</td>
<td>$205.00 per hour</td>
</tr>
<tr>
<td>Litigation</td>
<td>$205.00 per hour</td>
</tr>
<tr>
<td>Paralegal/Paraprofessional</td>
<td>$100.00 per hour</td>
</tr>
<tr>
<td>Law Clerk</td>
<td>$80.00 per hour</td>
</tr>
</tbody>
</table>

* Not applicable to clients retaining 500 or more hours.

______________________________

SELECTION OF RETAINER AMOUNT

Effective July 1, 2011

The MARIN COMMUNITY COLLEGE DISTRICT hereby selects the following annual retainer amount effective July 1, 2011: $__________ for _________ hours of service.

☐ I want mandated services charged against this amount.

☐ I do not want mandated services charged against this amount and instead want to be separately billed for such services.

The Retainer Contract is a commitment to use specified hours at the reduced hourly rate. Should MARIN COMMUNITY COLLEGE DISTRICT decide to terminate the Contract during the course of the year and seek a refund of unexpended hours/dollars, it is mutually agreed that the hours used to date of termination will be re-billed at the full Billable hourly rate ($205.00) and any remaining dollars will be refunded to MARIN COMMUNITY COLLEGE DISTRICT.

A purchase order, check or warrant for this amount is enclosed or will be delivered to SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA within 30 days of the date this agreement is signed by the District representative.

By: ____________________________

Superintendent or Designee

Date: ____________________________
# Board Agenda Item

**To:** Board of Trustees  
**Date:** July 19, 2011  
**From:** Superintendent/President  
**Item & File No.:** B.10.C  
**Subject:** Mileage Rate Reimbursement  
**Effective:** July 1, 2011 through December 31, 2011  
**Reason for Board Consideration:** APPROVAL  
**Enclosure(s):**

## BACKGROUND:

The District reimburses its employees for mileage as required by Board Policy and bargaining agreements. This rate has been established at the federally approved standard mileage reimbursement rate.

The Internal Revenue Service has announced an increase to 55.5 cents a mile for all business miles driven from July 1, 2011 through December 31, 2011. This is an increase of 4.5 cents from the rate of 51 cents in effect for the first six months of 2011.

## RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the mileage reimbursement rate at 55.5 cents per mile as allowed by the Internal Revenue Service for employees and Board members effective July 1, 2011 through December 31, 2011.

---

**Administrator Initiating Item**  
Albert J. Harrison II, Vice President, College Operations
BACKGROUND:
Staff are developing internal records retention procedures to classify Fiscal Services and College Operations records as Class 1 - Permanent, Class 2 - Optional or Class 3 – Disposable. These departments have stored paper records that date back twenty years or more and take up an enormous amount of space. In September 2010, the Board authorized the destruction of a variety of Class 3, Disposable Fiscal Services Records. Staff have identified additional Class 3 Disposable records as well as Class 2, Optional Records that can now be classified as Class 3 Disposable records in accordance with Board Policy and Administrative Procedure 3310 and applicable codes and regulations.

The records have been retained for the legally required period and there is no further need to maintain them. It is recommended that the Class 2 Records listed below be classified as Class 3 Disposable and disposed of by shredding. Class 3 records listed below will also be disposed of by shredding. Any record for which there is continued activity for whatever reason will not be disposed of until the period of retention without activity has lapsed.

<table>
<thead>
<tr>
<th>Class 2 Optional Records</th>
<th>Responsible Dept.</th>
<th>Retention Period</th>
<th>Records to Dispose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bids for required Educational &amp; Data/IT. Purchases, Insurance, Large Dollar Equipment Purchases, Portable Buildings *</td>
<td>Fiscal Services and College Operations</td>
<td>5 years</td>
<td>2005/06 and prior years</td>
</tr>
<tr>
<td>Contracts (All) *</td>
<td>Fiscal Services and College Operations</td>
<td>5 years</td>
<td>2005/06 and prior years</td>
</tr>
<tr>
<td>Vendor Files *</td>
<td>Fiscal Services</td>
<td>5 years</td>
<td>2005/06 and prior years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class 3 Disposal Records</th>
<th>Responsible Dept.</th>
<th>Retention Period</th>
<th>Records to Dispose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance Policies and endorsements (closed or terminated)*</td>
<td>Fiscal Services &amp; College Operations</td>
<td>4 years</td>
<td>2006/07 and prior years</td>
</tr>
</tbody>
</table>

*Excluding, Construction, Bond & Categorical

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees authorize reclassification of Class 2 records listed above to Class 3 Disposable and authorization to dispose of all records identified above by shredding.

Administrator Initiating Item

Albert J. Harrison II, Vice President of College Operations
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
Date: July 19, 2011
From: Superintendent/President
Item & File No. B.10.E
Subject: Agreement with HealthStream Inc.

Reason for Board Consideration: APPROVAL

Enclosure(s): Participation Agreement

BACKGROUND:

Our nursing students are required to complete specific orientation courses prior to participating in clinical rotations at outside facilities. The College wishes to enter into the attached agreement with HealthStream Inc. to allow students to complete the orientation requirement on-line. The students complete the standardized modules on-line and then complete a test, which they must pass. The advantage to our students is that they are able to fulfill the orientation requirement once, as opposed to multiple times for multiple facilities. This training has been provided by the individual hospitals and takes up a significant amount of time that would otherwise be devoted to the clinical rotation, and the students must repeat the same courses at different facilities. The courses comply with hospital regulations and the hospitals accept the HealthStream modules and related tests for the required orientation.

The students pay HealthStream directly and the cost is $10.50 per year. There is no cost to the College. New and returning students have been informed about the HealthStream process and will be contacted by the nursing department at the beginning of the semester with additional information about the program.

This agreement has been reviewed by School & College Legal Services.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to enter into the attached agreement with Health Stream Inc. for on-line hospital orientation courses.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
Participation Agreement

This PARTICIPATION AGREEMENT (the "Agreement") is made on this ___ day of ________, 2011, ("Effective Date"), between HEALTHSTREAM, INC., a Tennessee corporation having its principal offices at 209 10th Ave. South, Suite 450, Nashville, TN 37203 ("HealthStream") and Marin Community College District, having its principal offices at 835 College Ave, Kentfield, CA 94904 ("Participant").

WHEREAS, Participant's nursing students are assigned to various clinical facilities for experience in the practical application of their nursing theory classes;

WHEREAS, clinical facilities require nursing students to participate in orientation sessions as a condition to commencing activities at the clinical facility;

WHEREAS, HealthStream produces standardized courses that meet the orientation requirements of clinical facilities and offers those courses to students at a reasonable cost to students;

WHEREAS, a number of clinical facilities who accept Participant's students accept HealthStream courses in satisfaction of all or part of their orientation requirements; and

WHEREAS, Participant wishes to make HealthStream courses available to its students by establishing a pathway through HealthStream's Express Platform for Participant students who wish to enroll in HealthStream courses;

NOW THEREFORE, the parties agree as follows:

"Participant:" shall mean authorized users of the Services that may require user registration and authentication in compliance with terms of the Services from multiple California Nursing Schools.

HealthStream, by its acceptance agrees to offer to Participant's health professions/occupations students ("Students"), the courses ("Selected Courseware") listed in Exhibit A, through the HealthStream Express™ platform, based on the following Terms and Conditions.

Participant, by its acceptance, agrees to provide to the designated HealthStream Account Manager, by no later than July 31 of each year, via email only, its projected number of Students who have elected to enroll in the Selected Courseware for the ensuing school year. Participant agrees to acknowledge and communicate to its Students that if they choose to enroll in Selected Courseware they are required to self-register on the HealthStream Express platform initially, and that they are required to enroll in all of the Selected Courseware annually, before March 1 of each year.

School Year: August 1 2011 – July 31 2012

Course Enrollment: a Student enrolling in a course listed in Exhibit A

Projected Minimum Course Enrollments, 2011 – 2012 school year: 3,600 Course Enrollments, those Projected Minimum Course Enrollments corresponding to three (3) Course Enrollments per Student by 1,200 Students

Course Fees, 2011 – 2012 school year: $3.50 per Course Enrollment through July 31, 2012

Fulfilled Course Enrollments: the total number of Course Enrollments by Participant's Students, recorded by HealthStream, no earlier than at midnight on March 1, and reported by HealthStream via email to Participant no later than five (5) business days thereafter

Course Fees, subsequent school years:

<table>
<thead>
<tr>
<th>Annual Minimum Number of Students from multiple CA Nursing schools</th>
<th>Projected Minimum Course Enrollments from multiple CA Nursing schools</th>
<th>Course Fees per Course Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000</td>
<td>3,000</td>
<td>$3.50</td>
</tr>
<tr>
<td>3,000</td>
<td>9,000</td>
<td>$3.25</td>
</tr>
<tr>
<td>4,000</td>
<td>12,000</td>
<td>$3.00</td>
</tr>
</tbody>
</table>
A. If the total number of Students projected by Participant for the ensuing school year reaches or surpasses one of the established Annual Minimum Number of Students (see chart above); and if the most recent Fulfilled Course Enrollments equals or surpasses that school year's Projected Minimum Course Enrollments, the Course Fees for the ensuing school year shall be reduced to the corresponding rate in the chart above, effective August 15.

B. If the Fulfilled Course Enrollments for any school year does not equal or surpass that school year's Projected Minimum Course Enrollments: (A) the Course Fees for the ensuing school year shall either remain at its current rate or be raised, effective August 15, to the rate corresponding to the projected Annual Minimum Number of Students for the ensuing school year, whichever rate is higher; and, (B) HealthStream may, at its discretion, divulge to any and all Participants which of the Participant(s) did not at least meet its/their projected Course Enrollments.

C. If the Fulfilled Course Enrollments for any school year does not equal at least 3,000, HealthStream reserves the sole right to terminate the Agreement no earlier than 30 days after HealthStream provides notice to the Participant. For at least one year after the date of termination, enrolled Students would continue to have access to courses not yet completed and to their transcript records of completed courses.

D. If Participant does not provide to the designated HealthStream Account Manager, by no later than July 31 of each year, via email only, its projected number of Students for the ensuing school year, HealthStream will subtract Participant's most recent projected or fulfilled enrollments, whichever is higher, from the ensuing school year's number of Projected Minimum Course Enrollments for all Participants.

Term of Agreement: Five (5) years from the Effective Date.

Payment Terms: Course Fees shall be paid by Students to HealthStream via accepted credit cards over secure connection in HealthStream Express, in order for the Students to access the Selected Courseware.

Termination: A party may terminate this Agreement for cause: (i) upon thirty (30) days written notice of a material breach to the other party if the breach remains uncured at the expiration of the cure period; or (ii) if the other party becomes the subject of a petition in bankruptcy or any other proceeding relating to insolvency, receivership, liquidation or assignment for the benefit of creditors.

Indemnification: Each of the parties hereto shall be solely liable for negligent or wrongful acts or omissions of its representatives and employees occurring in the performance of this Agreement, and if either party becomes liable for damages caused by its representatives and employees, it shall pay such damages without contribution by the other party. Each party hereto agrees to indemnify, defend, and save harmless the other party, its officers, agents, and employees from any and all claims and losses proximately caused by the party's negligent or wrongful acts or omissions. Notwithstanding any provision of this Agreement, HealthStream agrees that it is solely responsible for the content of its courseware and for the assessment of Student completion of its courseware. HealthStream agrees that Participant has no responsibility under any circumstance for fees related to Student enrollment or use of HealthStream courseware. HealthStream agrees to maintain the confidentiality of any Student education records obtained from Participant's Students according to the terms of this Agreement.

Participant shall supply information for one (1) of up to two (2) HealthStream Express System Administrators:

Administrator Name: ________________________________

Administrator Email: ________________________________
HealthStream-provided Services:

A. Initialization Services. HealthStream shall set up one (1) unique pathway to HealthStream Express to be accessed and shared by all Participants.

B. Student Services. HealthStream will maintain Participant access to the HealthStream Express platform on the World Wide Web so that Participant's Students may (1) go to the Participants' shared HealthStream Express pathway and select their Participant from a drop-down list; (2) self-register; (3) login to their secure account with their username and password; (4) select, enroll in and pay for, and take the Selected Courseware; and (5) access their own personal information and other data submitted and generated by them under this Agreement, including their educational transcript.

C. Implementation and Training Services. Once HealthStream performs implementation by adding Participant to the self-registration drop-down list, HealthStream shall send an email to the Client's designated Administrator with an Administrator URL, Student URL and utilization instructions. Online training tutorial for Participants' Administrators is included at no additional charge. The online training tutorial will provide the detailed instructions on utilization. In the event that the online training tutorial is not available, HealthStream shall provide a live online training session annually, based on Participant's Effective Date, to up to two (2) system Administrators at no additional charge. Live online training sessions shall be performed in group format at times and dates set by HealthStream.

D. Administrator Services. HealthStream will provide access to management services that provide up to two (2) Participant-designated system Administrators with access to reports that document the enrollment in and completion of Selected Courseware by Students.

E. Support Services. HealthStream shall provide to Participant, and not to Students, access to HealthStream's support personnel via e-mail and telephone to obtain answers to questions regarding the routine provision of Student Services and Administrator Services. Support Services shall be available to the Participant through up to two (2) local system Administrators utilizing the Services, from 7:00 AM to 7:00 PM Central Time, Monday through Friday, except for normal holidays.

Participant by its signature acknowledges that it has read this Agreement and all exhibits and attachments, understands its terms and contents and that it constitutes the entire agreement, understanding and representation, express or implied, between Participant and HealthStream with respect to the Selected Courseware and Services (as defined herein) to be furnished herein and that this Agreement supersedes all prior communications between the parties including all oral or written proposals. This Agreement may be modified or amended only by a written instrument signed by duly authorized representatives of Participant and HealthStream.
IN WITNESS WHEREOF, and intending to be legally bound hereby, each party hereto warrants and represents that this Agreement has been duly authorized by all necessary corporate action and that this Agreement has been duly executed by and constitutes a valid and binding agreement of that party. All signed copies of this Agreement shall be deemed originals.

Participant:

By: ____________________________
Name: __________________________
Title: __________________________

HealthStream, Inc.

By: ____________________________
Name: __________________________
Title: __________________________

After signing as required immediately above, and having supplied the date and required Participant information on the first page, submit completed Agreements via email or fax directly to:

HealthStream, Inc.
Attn. Cambrey Jordan
615.301.3210 direct
615.301.3485 fax
Cambrey.jordan@healthstream.com
Exhibit A

Selected Courseware

(3 Courses with component modules)

- Rapid Regulatory Compliance: Clinical I
  - Compliance
  - Ethics
  - Sexual Harassment
  - Patient Rights
  - Informed Consent
  - Advance Directives
  - EMTALA
  - Grievances
  - Developmentally Appropriate Care
  - Cultural Competence
  - Patient Restraint and Seclusion
  - Patient Abuse / Assault / Neglect

- Rapid Regulatory Compliance: Clinical II
  - General Safety
  - Fire Safety
  - Electrical Safety
  - Back Safety
  - Radiation Safety
  - MRI Safety
  - Ergonomics
  - Lifting & Transferring Patients
  - Preventing Slips, Trips, & Falls
  - Latex Allergy
  - Hazard Communication
  - Workplace Violence
  - Emergency Preparedness
  - Infection Control: HAI
  - Hand Hygiene
  - Standard Precautions: Blood-borne Pathogens
  - Transmission-Based Precautions: Airborne, Contact, & Droplet
  - Personal Protective Equipment

- Hazard Communication
**MARIN COMMUNITY COLLEGE DISTRICT**  
Kentfield, CA 94904

**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 19, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>B.10.F.1</td>
</tr>
</tbody>
</table>
| Subject:  | Approve Revised New Professional Services Agreement for Design Services  
Child Study Center Project (303C)  
HKIT Architects | Reason for Board Consideration: | ACTION APPROVAL |
| Enclosure(s): |                                                      | None        |

**BACKGROUND:**

At the April 19, 2011 Board meeting the College of Marin Child Study Center project (303C) was approved and funded. On June 28, 2011 the Board approved a new long form professional services agreement with HKIT Architects for the design of the Child Study Center Project (303C) in the amount of $365,700 [Board item B.11.H.3].

Following a reconciliation of the contract scope, a revised long form professional services agreement is presented to the Board for approval in the amount of $419,650, which includes the $30,000 short form contract previously approved by the Board on April 20, 2010 [Board item C.9.B.2] and additional scope, including a civil work. The additional requested amount is $53,950.

At this time the District seeks approval of a revised long form professional services agreement in the amount of $419,650 with HKIT Architects for the Child Study Center project (303C).

**FISCAL IMPACT:**

This new long form professional services agreement for design services will be paid from Measure C Bond funds from the Child Study Center Project (303C) in the amount of $419,650. The final, reconciled agreement for services will be brought to the Board for ratification at the first scheduled meeting following execution of the agreement.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve a new long form professional services agreement for design services with HKIT Architects with a revised agreement value in the amount of $419,650 for the Child Study Center Project (303C).

---

<table>
<thead>
<tr>
<th>Administrator Initiating Item</th>
<th>Administrator Approving Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laura McCarty</td>
<td>David Wain Coon, Ed. D.</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Superintendent/President</td>
</tr>
</tbody>
</table>
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees  Date: July 19, 2011
From: Superintendent/President  Item & File No. B.10.F.2
Subject: Notice of Completion
Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A)
Di Giorgio Contracting Company, Inc.
Reason for Board Consideration: ACTION APPROVAL
Enclosure(s): Notice of Completion

BACKGROUND:

On October 15, 2008, Di Giorgio Contracting Company, Inc. was selected to provide general contracting services for the Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A). The work on this project is complete, and at this time the District gives notice and certifies that:

- The project has been inspected and complies with the plans and specifications;
- The contractor has completed the work;
- The contract for the project is accepted and complete; and
- A Notice of Completion (attached) is ready to be filed for the project.

FISCAL IMPACT:

None.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees approve the Notice of Completion for the Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A).
Notice of Completion

State / local governmental entity recording fee when document is for the benefit of the government entity - GC 27383
(no fee)
Must be recorded within 10 days after completion

In execution of this Notice, notice is hereby given that:

1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District.
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District in fee.
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

<table>
<thead>
<tr>
<th>NAMES</th>
<th>ADDRESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
<td></td>
</tr>
</tbody>
</table>

6. Work of modernization on the property hereinafter described was completed on: July 19, 2011
7. The Project Names & Numbers are Main Building Complex (417A); Parking Lot Bioswale Pathways (401B); Pathways project (413A).
8. DSA Numbers (if applicable) 01-109314 and 01-109797
9. The contractor for such work of modernization is Di Giorgio Contracting Company, Inc.
10. The name of the contractor's Surety Co. is Western Surety Company
11. The date of contract between the contractor and the above owner is October 15, 2008
12. The street address of said property is 1800 Ignacio Blvd.
13. The property on which said work of modernization was completed is in the City of Novato, County of Marin, State of California, and is described as follows: New academic building and parking lot & pathway improvements.

__________________________
Date

__________________________
Signature of Owner
Marin Community College District

Verification

I, undersigned, say:
I am __________ Director of Modernization
("President," "Owner," "Manager," etc.)
Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is correct and true.

Executed on __________________, at __________________, California.
(City or Town where signed)

Revised 2011 0105
(Personal signature of the individual swearing that the contents of the notice are true)
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To:     Board of Trustees                      Date: July 19, 2011
From:   Superintendent/President               Item & File No. B.10.F.3
Subject: Notice of Completion
        Re-Bid Exterior Site Signage Project (812A)
        Western Sign Company, Inc.
Reason for Board Consideration:

ACTION APPROVAL

Enclosure(s):
Notice of Completion

BACKGROUND:

On August 13, 2009, Western Sign Company, Inc. was selected to provide general contracting services for
the Re-Bid Exterior Site Signage (812A). The work included installation of wayfinding and identification
signage for both the Kentfield and Indian Valley Campuses. Single elements included: monuments with
and without LED reader boards, vehicular directional signage, parking lot regulatory postings and
pedestrian wayfinding.

The work on this project is complete, and at this time the District gives notice and certifies that:

- The project has been inspected and complies with the plans and specifications;
- The contractor has completed the work;
- The contract for the project is accepted and complete; and
- A Notice of Completion (attached) is ready to be filed for the project.

FISCAL IMPACT:

None.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees approve the Notice of Completion
for the Re-Bid Exterior Site Signage (812A).
Notice of Completion

State / local governmental entity recording fee when document is for the benefit of the government entity - GC 27383
(no fee)
Must be recorded within 10 days after completion

In execution of this Notice, notice is hereby given that:

1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District.
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District in fee.
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

   NAMES                         ADDRESSES

6. Work of modernization on the property hereinafter described was completed on: July 19, 2011
7. The Project Name & Number are Re-Bid Exterior Signage Phase One (812A)
8. DSA Number (if applicable) Not Applicable
9. The contractor for such work of modernization is Western Sign Company, Inc.
10. The name of the contractor's Surety Co is Developers Surety and Indemnity Co
11. The date of contract between the contractor and the above owner is August 13, 2009
12. The street address of said property is 835 College Ave and 1800 Ignacio Blvd.
13. The property on which said work of modernization was completed is in the Town of Kentfield/City of Larkspur and City of Novato, County of Marin, State of California, and is described as follows:
   Installation of wayfinding and identification signage.

__________________________  __________________________
Date  Signature of Owner
       Marin Community College District

Verification

I, undersigned, say:
I am ______________________________
("President," "Owner," "Manager," etc.)
Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is correct and true.

Executed on _______________________, at ____________________, California.
(City or Town where signed)

(Personal signature of the individual swearing that the contents of the notice are true)
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees                                          Date: July 19, 2011
From: Superintendent/President            Item & File No. B.10.G
Subject: Authorization to Self Insure for Workers’ Compensation Liability

Reason for Board Consideration: APPROVAL

Enclosure(s): Application & Resolution

BACKGROUND:

On November 16, 2010, the Board of Trustees passed Resolution #11/16/10 B.10.B. approving the Notice of Intent to Withdraw from Marin Schools Insurance Authority (MSIA) Workers’ Compensation Program and authorization to join Northern California Community Colleges Schools Insurance Authority (NCCCSIA) Workers’ Compensation Program effective July 1, 2011.

As part of the application process to implement this change, we have been informed that whenever a District leaves one Self Insurance Authority to join another, the District is required to submit a new application to Self Insure to the State of California.

Enclosed is a copy of the required State application and Resolution authorizing that application process.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to proceed with the application procedure and approve the attached Application and Resolution to apply for a new Certificate to Self Insure for Worker’ Compensation Liabilities.

Administrator Initiating Item
Albert J. Harrison II, Vice President, College Operations
APPLICATION FOR A PUBLIC ENTITY
CERTIFICATE OF CONSENT TO SELF INSURE

NOTE: All questions must be answered. If not applicable, enter "N/A".
Workers' compensation insurance must be maintained until certificate is effective.

APPLICANT INFORMATION

Legal Name of Applicant (show exactly as on Charter or other official documents):
Marin Community College District

Street Address of Main Headquarters:
835 College Avenue

Mailing Address (if different from above):
835 College Avenue

City: Kentfield    State: CA    Zip + 4: 94904

Federal Tax ID No.: 68 0194359

TO WHOM DO YOU WANT CORRESPONDENCE REGARDING THIS APPLICATION ADDRESSED?

Name: Albert J. Harrison II

Title: Vice President, College Operations

Company Name: Marin Community College District

Mailing Address: 835 College Avenue

City: Kentfield    State: CA    Zip + 4: 94904

Type of Public Entity (check one):
☐ City and/or County ☑ School District ☐ Police and/or Fire District ☐ Hospital District ☐ Joint Powers Authority

☐ Other (describe):

Type of Application (check one):
☑ New Application ☐ Reapplication due to Merger or Unification ☐ Reapplication due to Name Change Only

☐ Other (specify):

Date Self Insurance Program will begin: 7-1-11 (*prior claims will remain with present administrator)

Form No. A-4-2 (2/92)
CURRENT PROGRAM FOR WORKERS' COMPENSATION LIABILITIES

☐ Currently Insured with State Compensation Insurance Fund, Policy Number: ____________________________

Policy Expiration Date: ____________________________ Yearly Premium: $ ____________________________

Current Yearly Insured (paid & unpaid) Losses: $ ____________________________ (FY or CY)

☐ Currently Self Insured, Certificate Number: 5505 132 05

Name of Current Certificate Holder: Marin School Insurance Authority

☐ Other (describe): ____________________________

JOINT POWERS AUTHORITY

Will the applicant be a member of a workers' compensation Joint Powers Authority for the purpose of pooling workers' compensation liabilities?

☐ Yes   ☐ No If yes, then complete the following:

Effective date of JPA Membership: 7-1-11   JPA Certificate No.: 5550 062 13

Name and Title of JPA Executive Officer:

Andrew Suleski, President

Name of Joint Powers Authority Agency:

Northern California Community College Self Insurance Authority

Mailing Address of JPA:

3536 Butte Campus Drive
City: State: Zip + 4:
Oroville CA 95965

Telephone Number: (530) 895-2353

PROPOSED CLAIMS ADMINISTRATOR

Who will be administering your agency's workers' compensation claims? (check one)

☐ JPA will administer, JPA Certificate No.: ____________________________

☐ Third party agency will administer, TPA Certificate No.: 062

☐ Public entity will self administer   ☐ Insurance carrier will administer

Name of Individual Claims Administrator:

K. Kay Byrnes, Claims Manager

Name of Administrative Agency:

Keenan & Associates

Mailing Address:

2882 Prospect Park Drive
City: State: Zip + 4:
Rancho Cordova CA 95670

Telephone Number: (916) 859-7160   FAX Number: (916) 859-7164
Number of claims reporting locations to be used to handle the agency's claims: 1

Will all agency claims be handled by the administrator listed on previous page?  Yes  No

AGENCY EMPLOYMENT

Current Number of Agency Employees: 334

Number of Public Safety Officers (law enforcement, police or fire): 8

If a school district, number of certificated employees: 130

Will all agency employees be included in this self insurance program?  Yes  No
If no, explain who is not included and how workers' compensation coverage is to be provided to the excluded agency employees:

INJURY AND ILLNESS PREVENTION PROGRAM

Does the agency have a written Injury and Illness Prevention Program?  Yes  No

Individual responsible for agency Injury and Illness Prevention Program:
Name and Title:
Mitchell LaMay, Chief of Police
Company or Agency Name:
Marin Community College District
Mailing Address:
835 College Avenue
City: Kentfield  State: CA  Zip + 4: 94904
Telephone Number: (415) 453-9455

SUPPLEMENTAL COVERAGE

Will your self insurance program be supplemented by any insurance or pooled coverage under a standard workers' compensation insurance policy?  Yes  No
If yes, then complete the following:
Name of Carrier or Excess Pool: N/A
Policy Number: N/A
Effective Date of Coverage: N/A
Will your self insurance program be supplemented by any insurance or pooled coverage under a specific excess workers’ compensation insurance policy?  
☐ Yes  ☐ No
If yes, then complete the following:
Name of Carrier or Excess Pool:  Protected Insurance Program for Schools (PIPS)

Policy Number: N/A

Effective Date of Coverage: 7-1-11

Retention Limits: $0/unlimited

Will your self insurance program be supplemented by any insurance or pooled coverage under an aggregate excess (stop loss) workers’ compensation insurance policy?  
☐ Yes  ☑ No
If yes, then complete the following:
Name of Carrier or Excess Pool: N/A

Policy Number: N/A

Effective Date of Coverage: N/A

Retention Limits: N/A

RESOLUTION OF GOVERNING BOARD

See Attached Resolution—Page 5

CERTIFICATION

The undersigned on behalf of the applicant hereby applies for a Certificate of Consent to Self Insure the payment of workers’ compensation liabilities pursuant to Labor Code Section 3700. The above information is submitted for the purpose of procuring said Certificate from the Director of Industrial Relations, State of California. If the Certificate is issued, the applicant agrees to comply with applicable California statutes and regulations pertaining to the payment of compensation that may become due to the applicant’s employees covered by the Certificate.

Typed Name:  Albert J. Harrison II

Title:  Vice President, College Operations

Agency Name:  Marin Community College District

Signature of Authorized Official:  

Date:  

Seal

(Emboss seal above or Notarize signature)
RESOLUTION NO.: B/10/G DATED: July 19, 2011

A RESOLUTION AUTHORIZING APPLICATION
TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA
FOR A CERTIFICATE OF CONSENT TO SELF INSURE
WORKERS' COMPENSATION LIABILITIES

At a meeting of the Board of Trustees

of the Marin Community College District

California Community College

a organized and existing under the laws of the State of California,

held on the 19th day of July, 2011, the following resolution was adopted:

RESOLVED, that the Board of Trustees

be and they are hereby severally authorized and empowered to make application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self Insure workers' compensation liabilities on behalf of the

Marin Community College District

and to execute any and all documents required for such application.

I, David Wain Coon Ed.D., the undersigned Secretary to the Board of Trustees

of the Board of the said Marin Community College District

California Community College

a hereby certify that I am the Superintendent/President

of said California Community College, that the foregoing is a full, true and correct copy of the resolution duly passed by the Board at the meeting of said Board held on the day and at the place therein specified and that said resolution has never been revoked, rescinded, or set aside and is now in full force and effect.

IN WITNESS WHEREOF: I HAVE SIGNED MY NAME AND AFFIXED THE SEAL OF THIS

California Community College

THIS _______ DAY OF _______ July _______, 2011

(Signature)
STATE OF CALIFORNIA

MARIN COUNTY

I, __________________________, do hereby certify that the foregoing Resolution No. 7/19/11 B.10.G was duly adopted by the Board of Trustees of the Marin Community College District at a meeting thereof held on the 19th day of July, 2011 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: ________________________________

Secretary of the Board of Trustees
of the Marin Community College District
Carole Hayashino, Member

Philip J. Kranenburg, Member

Eva Long, Ph.D., Member

James Namnath, Ph.D., Member

Wanden Treanor, Member

Barbara Dolan, Member

Diana Conti, Member

Raemond Bergstrom-Wood, Student Member
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.

Board Policies 7236, 7310, 7330, 7370 and 7510 are now ready for review by the Board of Trustees.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees receive Board Policies 7236, 7310, 7330, 7370 and 7510 for first reading and discussion.

Administrator Initiating Item   Dr. David Wain Coon, Superintendent/President
BP 7236 SUBSTITUTE AND SHORT-TERM EMPLOYEES

References:
Education Code Sections 88003, 87470, 87475-87482, and 88105

- From current College of Marin Policy 5.0011 titled Employment of Temporary Employees

It shall be the policy of The Board of Trustees to may retain the services of substitute and short-term temporary employees as necessary for any purpose authorized by the Education Code (e.g., EC 87470, 87475-87482, 88105). Such employees shall be compensated at a rate set in appropriate collective bargaining agreements salary schedules or as determined by the Superintendent/President or designee.

Certificated substitutes shall be obtained from the County Office of Education, from lists of District part-time instructors with teaching time available, or other available sources.

Classified substitutes or short-term employees shall be obtained through the regular recruiting process.

Also see BP/AP 7270 titled Student Workers and AP 7212 titled Temporary Faculty

NOTE: The language in black ink is current College of Marin Policy 5.0011 titled Employment of Temporary Employees 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 added by the Human Resources Office. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Adopted:
(Replaces current College of Marin Policy 5.0011)
BP 7310  NEPOTISM

References:
Government Code Sections 1090 et seq. and 12940 et seq.

The District does not prohibit the employment of relatives or domestic partners in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, demotion, or salary of the relative or domestic partner.

Immediate family means spouse, domestic partner, parents, grandparents, siblings, children, grandchildren, in-laws, step relatives, or any other relative living in the employee’s home.

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, morale, or involves other potential conflicts of interest, to refuse to place spouses in the same department, division or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, morale, or involves other potential conflicts of interest.

From current College of Marin Policy 5.0024 titled Employment of Family Members (GC 12940)

As a general rule, members of a family may be employed by the Marin Community College District. Members of a family are defined as husband, wife, parent, child, brother, sister, grandparent, and grandchild of an employee, domestic partners, and step relatives, or relatives by marriage in the previously-listed relationships. This rule is subject to the following limitations:
1. The spouse of a member of the Board of Trustees or the spouse of the Superintendent/President may not be hired as an employee of the District. The spouse of a Board member may continue employment with the District, provided the Board member's spouse was employed by the District prior to the Board member's selection or appointment.

2. The Board of Trustees may, upon recommendation by the Superintendent/President, deny employment to a spouse of any current employee or a family member of any current employee or Board member based on the individualized assessment of the work situation. The Board's assessment must demonstrate a reasonable potential for a financial conflict of interest wherein the employee or Board member would stand to personally profit from decisions he/ or she would make or effectively recommend on behalf of the District concerning his or her spouse or family member.

If current employees of the District marry, are married to, or are family members of current employees, the Board of Trustees Superintendent/President or designee will assess the individual work situation as needed. If the Board's assessment demonstrates a conflict of interest described above or evidence of a family member improperly providing benefits in initial appointment, evaluation, assignment of work, promotion, retention, salary determination, leave of absence, or other conditions of work the Board of Trustees will then direct the Superintendent/President will direct the reassignment of to reassign job responsibilities so as to minimize the resulting problems of supervision, safety, security, or morale and eliminate the potential for conflict of interest. Individuals whose duties are reassigned as result of this policy shall not suffer a change in employment status or a decrease in pay solely through application of this paragraph.

Also see AP 7510 titled Domestic Partners

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 5.0024 titled Employment of Family Members adopted on 2/24/82 and revised on 1/12/88. The language struck through is recommended for deletion. The language in underlined italics is recommended by Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Adopted:
(Replaces current College of Marin Policy 5.0024)
BP 7330 COMMUNICABLE DISEASE

References:
Education Code Sections 87408, 87408.6, and 88021

All newly hired academic employees, sworn police officers, and Child Development Center employees shall have on file a medical certificate indicating freedom from communicable diseases, including tuberculosis. No academic employee shall commence service until such medical certificate has been provided to the District.

All newly hired employees must show that they have been examined within the past 60 days to determine that they are free from active tuberculosis.

All employees shall be required to undergo an examination within four years of employment and every four years thereafter, to determine if they are free from tuberculosis.

- From current College of Marin Policy 5.0034 titled Acquired Immune Deficiency Syndrome (AIDS)

It is the policy of Marin Community College District to provide a safe and non-discriminatory environment through fair and sensitive practices for all students and employees of the college community.

According to current medical evidence, individuals with Acquired immune Deficiency Syndrome (AIDS) or AIDS-Related Conditions (ARC) or having positive HIV antibody status present no health risk to other in the classroom or in the workplace. To maintain and informed and supportive college community, the College shall, whenever possible, provide students, staff, and faculty with current information from available medical sources on AIDS/ARC.

The Marin Community College District shall not discriminate against any employee or student with AIDS/ARC or a positive HIV antibody status. The person shall be treated equally to all other employees and students, whether he or she is symptomatic or not, and as long as the person is psychologically and physically able to perform in accordance with the expected standards of the position or classroom curriculum.
The determination of whether or under what conditions an individual with AIDS/ARC or a positive HIV antibody status shall continue classroom participation or continue his/her employment shall be made with competent medical advice on a case-by-case basis.

Faculty, staff, or students infected with the HIV virus, or individuals concerned about possible risk of HIV infection, may contact College health professionals in order to receive appropriate medical advice, guidance and/or referrals. All information and consultations will be handled in a strictly confidential manner in accordance with applicable law.

Also see BP 7335 titled Health Examinations and AP 7336 titled Certification of Freedom from Tuberculosis

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in black ink is current College of Marin Policy 5.0034 titled Acquired Immune Deficiency Syndrome (AIDS) adopted on 12/5/89. The language struck through is recommended for deletion. The language in underlined italics is recommended by Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Adopted:
(Replaces current College of Marin Policy 5.0034)
BP 7370 USE OF DISTRICT RESOURCES FOR POLITICAL ACTIVITY

References:
   Education Code Sections 7054 and 7056:
   Government Code Section 8314

Employees shall not use District funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Board of Trustees. This policy prohibits political activity during an employee’s working hours but shall not be construed to prohibit an employee from urging the support or defeat of a ballot measure or candidate during nonworking time.

Also see BP 2716 titled Political Activity

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics reflects revisions from Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)
BP 7510       DOMESTIC PARTNERS

References:
Family Code Sections 297, 298, 298.5, 297.5, 299, 299.2, and 299.3;
Internal Revenue Code Section 152

Domestic partners registered with the California Secretary of State shall have, insofar as permitted by California law, all of the same rights, protections, and benefits, as well as the same obligations, responsibilities, and duties of married persons (spouses) under state law. Former domestic partners shall have all of the rights and obligations of former spouses. Surviving domestic partners shall have the same rights, protections, and benefits as are granted to a surviving spouse of a decedent.

Therefore, all references to “spouses” in the District’s policies or procedures shall be read to include registered domestic partners as permitted by California law.

The District utilizes an expanded definition of domestic partnership. Definitions and eligibility for domestic partners for District employees shall be outlined in applicable collective bargaining agreement. Board members and unrepresented employee groups shall be afforded similar rights to those covered by collective bargaining agreements.

Also see BP/AP 7310 titled Nepotism

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was recommended by Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)
Board President Conti called the meeting to order at 5:10 p.m. in the cafeteria on the Kentfield campus. Trustees Dolan, Hayashino, Long and Conti were present. They were joined by Trustees Treanor and Namnath in the new Fine Arts Building where they were given a tour by Laura McCarty, Director of Modernization.

A. Closed Session

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

The Board of Trustees of the Marin Community College District met in the SS A&B conference room on the Kentfield campus, all members having received notice as prescribed by law. Board President Conti called the meeting to order at 5:55 p.m. All publicly elected Trustees were present except Trustee Kranenburg. Dr. David Wain Coon, Al Harrison, Angelina Duarte, Linda Beam, and attorney Frank Zotter were also in attendance.

M/s (Long/Treanor) to adopt the agenda. The motion passed by a vote of 6-0.

There was no one present who wished to address the Board on the items listed to be discussed in closed session, and the Board went into closed session at 5:58 p.m.

The closed session recessed at 6:42 p.m.

B. Regular Meeting

1. Call to Order, Roll Call and Adoption of Agenda
Board President Conti reconvened the meeting of the Board of Trustees of the Marin Community College District in open session at 6:50 p.m. in the cafeteria on the Kentfield campus. All publicly elected Trustees were present except Trustee Kranenburg. Student Trustee Bergstrom-Wood was also in attendance.

President Coon announced that Trustee Kranenburg is traveling and had requested to participate remotely but this room is not equipped for that. He noted that we are working to remedy this situation.

M/s (Long/Hayashino) to approve the agenda. President Coon pulled B.11.H.11, Approve Swinerton Management & Consulting Contract Amendment, and also announced that the Swinerton evaluation/contract amendment would not be discussed during the Board Study Session (B.8.a). The motion to approve the agenda with these changes passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).

- Administration of Oath of Office to Student Trustee

President Coon administered the Oath of Office to Raemond Bergstrom-Wood, our new Student Trustee. Board President Conti welcomed Student Trustee Bergstrom-Wood and asked him to introduce himself.

Board Clerk Namnath reported that no action was taken and that the Board would reconvene in closed session after the open session.

3. Citizens’ Requests to Address the Board on Non-Agenda Items
Laura Roland, a member of the Carpenters Union, addressed the Board regarding portions of article 13.7 of the Project Stabilization Agreement which deals with employment opportunities for students of and residents within the District and green/sustainable construction practices. She commented that she is a 10 year resident of Greenbrae, is qualified to work on our new Science/Math Building, and has been to the job site twice only to be turned away. She stated that she will not have the opportunity to work on this taxpayer funded project without the Board’s help. A copy of Ms. Roland’s statement is attached to the minutes as part of the official record.

4. Chief Executive Officer’s Report
Dr. Coon reported that he, Interim Vice President Duarte, Board President Conti, and Board Vice President Long visited the Marin Brain Injury Network on June 20 to tour the facility and further explore the possibility of a partnership. He introduced Patricia Gill, Executive Director of the Marin Brain Injury Network, and Kim Strub, Board President for the Marin Brain Injury Network, who expressed excitement about a partnership with the college.
Dr. Coon introduced Debra Lewis, our Interim Director of Health Sciences, and announced that pending approval, Dr. Kenneth Meier will join us August 1 as our new Vice President of Student Learning. He thanked Interim Vice President of Student Learning Angelina Duarte for all she has done for the college and reported that she will stay during the transition month of July.

a. Accreditation Update
President Coon reported that a draft of our Follow-Up Report will be ready by Convocation so that the college community will have a chance to review it. He expressed appreciation to Dr. Hsieh for her leadership on this project.

b. Faculty Hiring
Angelina Duarte, Interim Vice President of Student Learning, and Sara McKinnon, Academic Senate President, reported to the Board on the recommendations of the Planning & Resource Allocation Committee (in consultation with the Academic Senate) to President Coon for full-time faculty hires (copy of presentation attached). PRAC is recommending 22 full-time faculty positions, the majority of which will be funded through conversion of part-time units to full-time positions. Program review has been the primary driver in all considerations along with WASC recommendations and full-time/part-time ratios.

c. Report on Sale of Bonds
Al Harrison, Vice President of College Operations, reviewed the report on the District’s recent bond sale in the Board packet (copy attached). Ten bids were received for the District’s Series C bonds in a competitive sale on May 18, 2001. The successful bidder was Bank of America Merrill Lynch and the actual cost of the sale was approximately $191,000.

5. Academic Senate Report
None

6. Classified Senate Report
None

7. Student Senate and Student Association Report
Student Trustee Bergstrom-Wood reported that no meetings have been held yet this summer.

8. Board Study Session
a. Modernization
President Coon commented that the past six months have been extremely challenging for the Fine Arts faculty and students and for the Modernization Team. Since January we have been focusing on “getting it right.” Dr. Coon stated that at this point we cannot go back and change the past but we can commit to getting it right in the future. He introduced Laura McCarty, Modernization Director, who gave a presentation (copy attached) on these topics:
  - Modernization Survey Results
  - New Fine Arts Status & Lessons Learned
The Modernization Team plans to work on improvements to the move-in process, improvements in managing expectations, and improvements to the equipment design and installation process.

Dara Youngdale of HKIT Architects gave a design update (copy attached) on the Child Study Center Project. Highlights of the design include an L shaped modular building with a play yard at the rear, a rain garden, an outdoor classroom, a secret garden, 2 large pre-school classrooms, and an observation room.

9. Policies/Procedures
   a. Board Member Travel (BP 2735)
      Board President Conti stated that we have limited funds for Board travel and that it is important for Board members to attend CCLC conferences to keep up with statewide issues. She suggested referring this issue to the Board Policy Committee for development of a recommendation for procedures on how to allocate the funds for Board member travel.

10. Consent Calendar Items
    M/s (Treasor/Long) to approve all items on the Consent Calendar. The motion passed by a roll call vote of 5-1 with Trustee Dolan casting the no vote. Student Trustee Bergstrom-Wood cast an advisory aye vote.

A. Calendar of Upcoming Meetings

B. Approve Classified Personnel Recommendations
   1. Appointment of Classified Personnel
   2. Appointment of Hourly Personnel
   3. Resignation/Retirement of Classified Personnel
   4. Temporary Reassignment of Classified Personnel
   5. Temporary Increase/Decrease in Assignment of Classified Personnel

C. Approve Academic Personnel Recommendations
   1. Appointment of Academic Personnel
   2. Resignation/Retirement of Academic Personnel

D. Approve Educational Management Personnel Recommendations
   1. Appointment of Educational Management Personnel

E. Approve Short-Term Hourly Positions

F. Budget Transfers – Month of May – FY 2010/11
G. Warrant Approval

H. Approve New Community Services Courses

I. Approve New Credit Courses

J. Approve Credit Course Revisions

K. Approve Credit Course Deletions

L. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
   1. Ratify/Approve Modernization Contracts, Changes and Amendments ($643,174.60)
   2. Approve Annual Renewal of Contract for Reprographic Services
      ARC (formerly Ford Graphics) ($90,000.00)
   3. Approve Annual Renewal Agreement
      Bond Program Legal Services – District Legal Counsel (#831A)
      Dannis Woliver & Kelley ($125,000)
   4. Declaration of Surplus Disposal
      PA & FA Relocation Project (#850I)

11. Other Action Items
   A. M/s (Treonor/Hayashino) to Approve 2011/12 Tentative Budget. The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.
   B. M/s (Treonor/Long) to waive reading and Approve Authorization to Sign on Behalf of Governing Board. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).
   C. M/s (Long/Treonor) to Approve Authorization to Bid for Purchase/Install of High Efficiency Boilers – IVC Pool Locker/Shower Building. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).
   D. M/s (Treonor/Long) to Approve Agreement with Fresh & Natural Food Service Group – Food Services. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).
   E. M/s (Treonor/Hayashino) to Approve P.O. for Printing of Community Education Schedules. The motion passed by a vote of 5-0-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood). Trustee Dolan abstained.
   F. M/s (Treonor/Long) to Approve Parking Citation Fee Increase. The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.
   G. M/s (Namnath/Hayashino) to Approve Parking Permit Fee Decrease. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).
   H. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
1. M/s (Treanor/Long) to Approve Authorization to Request Proposals for Facilities Master Plan Consultant. The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.

2. Preauthorize Award of Construction Contract – PE Track Renovation Project (#308G)
   This item was pulled from the agenda.

3. M/s (Treanor/Hayashino) to Approve Design – Child Study Center Project (#303C).
   The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).

4. M/s (Treanor/Hayashino) to Approve Long Form Professional Services Agreement Child Study Center Project (#303C) - HKIT Architects ($365,700). The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).
   M/s (Treanor/Hayashino) to approve B.11.H.5, 6 & 7. The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.

5. Approve Professional Services Agreement – Amendment 2
   SMCP Increment 2 & 3, Site Development & Building Project (#305A)
   Consolidated Engineering Laboratories ($146,667.90)

6. Approve New Professional Services Agreement
   LEED Consultant for New Academic Center Project
   LEED Registration Fees (#815A)
   Davis Langdon ($69,300)

7. Approve Professional Services Agreement – Amendment 10
   Main Building Complex Project (#417A) – Architectural Services
   VBN Architects ($5,000.00)

8. M/s (Treanor/Hayashino) to Authorize Bidding & Pre-Authorize Award of Construction Contract - IVC Bus Route Re-Paving Project (#417A). The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.

9. M/s (Namnath/Hayashino) to Approve Notice of Completion
   IVC Utilities Project (#407B). The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).

10. M/s (Namnath/Treanor) to Approve Funds Transfer
    New Fine Arts Building Project (#306C) & Bond Issuance Costs (#831C). The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.

11. Approve Swinerton Management & Consulting Contract Amendment
    This item was pulled from the agenda.

12. M/s (Treanor/Namnath) to Approve Performing Arts Swing Space PA & FA Relocation Project (#8501)
    Alternate (Swing) Performance Space and other relocation needs. The motion passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-
Wood) with Trustee Dolan casting the no vote.

I. M/s (Treanor/Hayashino) to Reject Late Claim – Elaina Perez. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).

RESOLUTIONS (Roll Call Vote)

J. M/s (Treanor/Hayashino) to waive reading and adopt the Resolution in the Matter of the Elimination/Reduction of Certain Positions in the Classified Service and Directing Notification of Classified Employees.

Jon Gudmundsson, CSEA job steward, commented that it is hard to do layoffs. He read the names of the individuals involved: Bobby Bradford, Diana Scranton, Dusja Wagner, Brianna Burkhardt, and Miles Mayo. He asked how we arrived at the dollar figure that had to be cut and commented that there is a lot of distrust about the number. Mr. Gudmundsson stressed the importance of communication and explaining what is happening. He applauded the effort to develop a partnership with the Marin Brain Injury Network.

Interim Vice President Duarte responded that Peggy Isozaki, Director of Fiscal Services, can provide a detailed explanation to the union.

The motion to waive reading and adopt the Resolution passed by a vote of 5-1 (plus an advisory aye vote by Student Trustee Bergstrom-Wood) with Trustee Dolan casting the no vote.

12. Board Policy Review (1st Reading) - BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)
   - BP 2720 Communication among Board Members
   - BP 3280 Grants
   - BP 3560 Alcoholic Beverages
   - BP 3570 Smoke-Free Learning and Working Environment
   - BP 3720 Information Technology Use
   - BP 4040 Library and Other Support Services
   - BP 7110 Delegation of Authority

13. Future Agenda Items
   a. MOU with Marin Brain Injury Network (July)
   b. Bolinas Property (July/August)
   c. Parcel Tax (July/August)
   d. CCLC Board Policy/Procedures Update (September)
14. Board Reports and/or Requests
   a. Legislative Report
      None
   b. Committee Chair Reports
      None
   c. Individual Reports and/or Requests

   Trustee Treanor reported that Nancy van Ravenswaay of the League of Women Voters fell and broke her hip and is currently in a convalescent hospital. She asked Elizabeth Moody to give Ms. Van Ravenswaay the Board’s love and support. Trustee Treanor also reported that she has been asked to serve on an advisory committee for the Little Hoover Commission that is doing a study on community colleges.

   Trustee Long thanked all the staff involved in the Dental Assisting Graduation and the many other end-of-year activities.

   Trustee Dolan thanked President Coon for taking care of sink hole problems and he thanked staff for the timely response. She reported that she, Trustees Long and President Coon attended the Medical Assisting Graduation. Trustee Dolan then presented Dean Schorske with a special card expressing appreciation for her efforts to make our Workforce Development programs run smoothly.

   Trustee Conti complimented staff on the wonderful commencement activities.

15. Approval of Minutes
   - Minutes of May 17, 2011 Board Meeting

   M/s (Treanor/Long) to approve the minutes of the May 17, 2011 Board meeting. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Bergstrom-Wood).

16. Information Items (see written reports)

   Board members were referred to the information items in their Board packets.
   A. Contracts and Agreement for Services Report – May, 2011 – BP1 (Fiscal Accountability)
   B. Modernization Update – BP3.1 (Keep modernization program on track)
      1. Director’s Report – BP3.1 (Keep modernization program on track)
      2. Contract Milestones Report through May, 2011 – BP3.1 (Keep modernization program on track)
      3. Schedule – BP3.1 (Keep modernization program on track)
   C. Revised Administrative Procedures
• AP 3255 Memberships
• AP 3260 Participation in Local Governance
• AP 3560 Alcoholic Beverages
• AP 3570 Smoke-Free Learning and Working Environment
• AP 3720 Information Technology Use
• AP 4021 Program Discontinuance
• AP 4022 Program Revitalization
• AP 4105 Distance Education
• AP 4225 Course Repetition
• AP 4227 Repeatable Courses
• AP 4228 Course Repetition Significant Lapse of Time
• AP 5110 Counseling
• AP 5520 Student Discipline Procedures
• AP 7120 Employment Recruitment

D. Calendar of Special Events
   Convocation – August 12, 2011 – 10:00 a.m. to 12 noon, Olney Hall

17. Correspondence
   Board members were referred to the correspondence in their Board packets.

18. Board Meeting Evaluation
   No comments

19. Adjournment
   The meeting was recessed to closed session at 9:35 p.m. in the SS A&B conference room in the Student Services Building on the Kentfield campus. All publicly elected Trustees were present except Trustee Kranenburg and President Coon was also in attendance. Trustee Namnath left the meeting at 10:00 p.m.

   The meeting was recessed to open session at 11:15 p.m. Board President Conti reported that no action was taken during closed session and adjourned the meeting.
Good evening, members of the board,

My name is Laura Roland.

I am speaking in regards to the new math/science building at Kentfield College.

I am a journeyman carpenter, union member, and have supported myself solely in the construction industry for 17 years.

I want to address Article 13 of the project stabilization agreement. Article 13.7, the unions and contractors recognize the districts desire to provide an increased awareness of construction training and employment opportunities for students of and residents within the district. I am a resident of Greenbrae in Marin County and have been here for 10 years. I pay rent here, buy groceries here, pay sales tax here, enjoy life here.

I am involved in the community here. Article 13.7 also has language addressing green/sustainable construction practices. It is a goal of this community to live and work in the same community—to reduce our carbon footprint and to strengthen the economic base of this community. Earn money here, spend money here.
Unfortunately, contractors and their workforce aren't from here and don't share these goals. I have been to the jobsite twice only to be turned away. I am qualified to do the work, I am a journeyman carpenter with 17 years experience. I am a certified welder (metal framer and commercial), door and hardware installer.

I visited the jobsite twice and didn't see a single female carpenter working with tools. Part of increased awareness mentioned in Article 13 is the fact that women can and do do this work when given the opportunity. Without your help, I will not have the opportunity to work on this taxpayer-funded project. I ask that you help me help them to stick to the goals of the taxpayers of Marin County and to the things we agreed to when the project stabilization agreement was signed.

Thank you.
Full-time Faculty Hires

A UNIQUE OPPORTUNITY FOR COLLEGE OF MARIN

JUNE 28, 2011

SARA MCKINNON
ANGELINA DUARTE
CO-CHAIRS
PLANNING AND RESOURCE ALLOCATION COMMITTEE
Planning & Resource Allocation

- Recommendations for full-time faculty are a product of the Planning and Resource Allocation Committee (PRAC) in consultation with the Academic Senate.

- Program Review was the primary driver in all considerations along with WASC recommendations and FT/PT ratios.
Restoring Our Certificated Workforce

- 34 Faculty retirements in the last 7 years
- Only 5 new hires in the last 5 years
- Workload has shifted to Part-time Faculty
- UPM Contract settlement created new opportunity
- Need to make progress toward 75:25 Ratio
- Need to conserve the 50% Law
Staffing Trends

College of Marin 2001-2010
FTE for Overall Staffing

- Educ Admin
- Tenured/tenure Track
- Academic Temp
- Classified Admin
- Classified Professional
- Classified Support
FT/PT FTEF

Percentage of Full Time V. Part Time FTEF 2001-2010

<table>
<thead>
<tr>
<th>Year</th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001-Marin</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>2002-Marin</td>
<td>64%</td>
<td>36%</td>
</tr>
<tr>
<td>2003-Marin</td>
<td>68%</td>
<td>32%</td>
</tr>
<tr>
<td>2004-Marin</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>2005-Marin</td>
<td>64%</td>
<td>36%</td>
</tr>
<tr>
<td>2006-Marin</td>
<td>61%</td>
<td>39%</td>
</tr>
<tr>
<td>2007-Marin</td>
<td>56%</td>
<td>44%</td>
</tr>
<tr>
<td>2008-Marin</td>
<td>55%</td>
<td>45%</td>
</tr>
<tr>
<td>2009-Marin</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>2010-Marin</td>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>
CRITERIA USED

- Program Review Requests for faculty positions
- Recommendations made by WASC
- Full-time/Part-time Ratios
- No Full-time faculty in the discipline
- Full-time capacity in gateway disciplines Eng/Math/ESL
- Number of Students Served
- State Mandated Positions
# Recommended Positions

<table>
<thead>
<tr>
<th>Discipline</th>
<th># of Positions Recommended</th>
<th>Type</th>
<th># of Pt-time units/yr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting (Business)</td>
<td>1</td>
<td>Conversion</td>
<td>108.2</td>
</tr>
<tr>
<td>Basic Skills-English</td>
<td>1 to 2</td>
<td>Conversion</td>
<td>142</td>
</tr>
<tr>
<td>Biology</td>
<td>1 to 2</td>
<td>Conversion</td>
<td>221.22</td>
</tr>
<tr>
<td>Chemistry</td>
<td>1</td>
<td>Conversion</td>
<td>116</td>
</tr>
<tr>
<td>Counseling</td>
<td>2</td>
<td>Funded</td>
<td>NA</td>
</tr>
<tr>
<td>Credit ESL</td>
<td>1 to 2</td>
<td>Conversion</td>
<td>146.4</td>
</tr>
<tr>
<td>Distance Education</td>
<td>1</td>
<td>New</td>
<td>NA</td>
</tr>
<tr>
<td>Drama</td>
<td>1</td>
<td>Conversion</td>
<td>48.94</td>
</tr>
<tr>
<td>English and Humanities</td>
<td>1 to 3</td>
<td>Conversion</td>
<td>251.4</td>
</tr>
<tr>
<td>EOPS</td>
<td>1</td>
<td>Funded</td>
<td>NA</td>
</tr>
<tr>
<td>ESL-Noncredit</td>
<td>1 to 2</td>
<td>Conversion</td>
<td>302</td>
</tr>
<tr>
<td>Geology</td>
<td>1</td>
<td>Conversion</td>
<td>No FT Instructor in Fall</td>
</tr>
<tr>
<td>Library</td>
<td>1</td>
<td>Funded</td>
<td>NA</td>
</tr>
<tr>
<td>Spanish/Italian</td>
<td>1</td>
<td>Conversion</td>
<td>69 for 3 disciplines</td>
</tr>
<tr>
<td>Spanish/French</td>
<td>1</td>
<td>Conversion</td>
<td></td>
</tr>
</tbody>
</table>
A Unique Opportunity

- A critical mass of new faculty means:
  - Increased support for existing Faculty (committees, program review, curriculum revision and development, student learning outcomes, evaluation, governance)
  - A time to define what is needed and wanted in future Faculty
  - New Energy and Innovation for Student Success
  - Opportunity to create sustainable New Faculty Development
June 15, 2011

Memorandum

To: Marin Community College District
From: Public Financial Management, Inc.
Re: Election of 2004, Series C General Obligation Bond Sale Information

As Financial Advisor to the Marin Community College District ("the District"), Public Financial Management Inc. ("PFM") is providing a brief summary of the sale of the District's Election of 2004 General Obligation Bonds, Series C ("Series C Bonds").

Summary of Bids Received
The District sold the Series C Bonds in a competitive sale on May 18, 2011. The District received 10 bids for the Series C Bonds, which are summarized below.

<table>
<thead>
<tr>
<th>Bidder</th>
<th>True Interest Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banc of America Merrill Lynch</td>
<td>4.585429%</td>
</tr>
<tr>
<td>J.P. Morgan Securities LLC</td>
<td>4.586506</td>
</tr>
<tr>
<td>Barclays Capital, Inc.</td>
<td>4.596520</td>
</tr>
<tr>
<td>Wells Fargo Bank, National Association</td>
<td>4.605079</td>
</tr>
<tr>
<td>Citigroup Global Markets Inc.</td>
<td>4.619447</td>
</tr>
<tr>
<td>Hutchinson, Shockey, Erley &amp; Co.</td>
<td>4.639024</td>
</tr>
<tr>
<td>Southwest Securities, Inc.</td>
<td>4.716403</td>
</tr>
<tr>
<td>Morgan Stanley &amp; Co Inc.</td>
<td>4.734456</td>
</tr>
<tr>
<td>Fidelity Capital Markets</td>
<td>4.753057</td>
</tr>
<tr>
<td>Robert W. Baird &amp; Co., Inc.</td>
<td>4.790192</td>
</tr>
</tbody>
</table>

Banc of America Merrill Lynch was awarded the Series C Bonds with the lowest True Interest Cost of 4.585429%.
**Costs of Issuance for Series C Bonds**

The cost of issuance for the Series C Bonds totaled $204,000. The breakdown of the costs incurred is provided in the table below.

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stradling Yocca Carlson &amp; Rauth</td>
<td>$ 75,000</td>
</tr>
<tr>
<td>Public Financial Management</td>
<td>62,000</td>
</tr>
<tr>
<td>Moody's Investors Service</td>
<td>25,000</td>
</tr>
<tr>
<td>Standard &amp; Poor's</td>
<td>21,000</td>
</tr>
<tr>
<td>Printer – Image Master</td>
<td>2,989</td>
</tr>
<tr>
<td>Paying Agent - US Bank National Assoc.</td>
<td>1,288</td>
</tr>
<tr>
<td>Bond Buyer Advertising</td>
<td>1,161</td>
</tr>
<tr>
<td>CalMuni</td>
<td>1,375</td>
</tr>
<tr>
<td>Contingency</td>
<td>14,187</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$204,000</strong></td>
</tr>
</tbody>
</table>
Measure C Bond Program
Modernization Update

JUNE 28 2011
Agenda

1. Results of the Modernization Survey
2. Fine Arts – Status & Lessons Learned
3. Child Study Center – HKIT architects
4. Swinerton Evaluation and Contract Amendment
1. The Results of the Survey:
The survey had 4 major objectives:

1. To provide a performance measurement at a major project milestone of the Bond:
   - Two major buildings, FA and NMB were recently completed.
   - It was an opportunity to validate the feedback we received on these projects.

2. To Define areas for improvement:
   - We developed “lessons learned” or specific actions we will take to improve our project delivery process.
   - We created a template for tracking progress year-over-year.

3. To Provide additional data for the SMC evaluation:
   - It was an opportunity to validate the contract evaluation process.

4. To provide data for our accreditation process:
   - “Strengthen the role of research through a broad institutional dialog and critical analysis of research data”
   - “Develop a facilities master plan to ensure the effective utilization and quality of physical resources which are necessary to support its programs and services.”
The survey had a high response rate:

- Part 1 – 90 respondents to general questions:
  - 40% Faculty
  - 60% Staff & Admin

- Part 2 – The project specific responses as follows:
  - PE – 14
  - Trans Tech – 15
  - Main Building – 25
  - Fine Arts – 24
  - Science/Math/Central Plant - 18
The results showed strengths and challenges in the following areas:

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Safe and secure</td>
<td>1. FF&amp;E not complete at</td>
</tr>
<tr>
<td>construction</td>
<td>move in</td>
</tr>
<tr>
<td>2. Good site boundaries</td>
<td>2. Punch list takes too</td>
</tr>
<tr>
<td>and signage</td>
<td>long to complete</td>
</tr>
<tr>
<td>3. Adequate</td>
<td>3. Punch list timeline</td>
</tr>
<tr>
<td>communication</td>
<td>and status updates</td>
</tr>
<tr>
<td></td>
<td>can improve</td>
</tr>
</tbody>
</table>
The comments provided specific feedback to help us focus our improvement strategies:

- People want to have a say in designing their environment. They perceive it may improve the way they teach or work:
  - "I was not adequately involved in the planning...which resulted in many problems once the move occurred"
  - "Listen to the people who occupy the buildings, don’t just tell them what you’re going to do"
  - "Folks are generally competent and helpful after the fact in addressing problems that happened in the FA building but seemed to not adequately foresee problems before they occurred."
The Improvement Strategies:

- **Create a “Core Team:”**
  - A Core team will include users and representatives from a wide variety of campus constituents.

- **Provide a continuous feedback loop:**
  - Provide instant feedback to design team:
    - Clear direction
    - Explore options with core team
  - Provide opportunities for feedback:
    - In writing
    - Verbally, in meetings
  - Be clear about goals and sign off.
  - Transparency – publish meeting notes on public server.
2. Completion status and "lessons learned" from the Fine Arts building:
## Completion Status of the Fine Arts Building:

<table>
<thead>
<tr>
<th>Room</th>
<th>Summer 2011 completion items</th>
<th>Fall 2011</th>
<th>Summer 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sculpture</td>
<td>Exhaust noise, Foundry/Kiln operation</td>
<td>Foundry roof extension and membrane, widen driveway, roll up doors</td>
<td></td>
</tr>
<tr>
<td>Ceramics</td>
<td>Plumbing modifications, dust collector exhaust modifications, battery backup kiln, minor electrical</td>
<td>Kiln roof extension and membrane, roll up doors</td>
<td></td>
</tr>
<tr>
<td>Art History</td>
<td>Lectern and AV equipment adjustments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jewelry</td>
<td>Storage, torch pressure &amp; gas safety</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Painting/drawing</td>
<td>Storage, lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2D/3D &amp; printmaking</td>
<td>Storage, lighting, minor plumbing and equipment modifications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architecture &amp; graphic design</td>
<td>Lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site</td>
<td>Door hardware improvements, temporary benches, trash receptacles, roof hoist, gas system safety review, slippery floors (interior)</td>
<td>Permanent benches, mechanical room fixes</td>
<td>Weather protection-all levels, improve Circle Drive entrance</td>
</tr>
</tbody>
</table>
Supplemental funding requests to complete the FA building:

- Part 1 – Action item in this meeting to cover costs of changes, modifications, and added scope to be completed summer and fall 2011. ($350,000)

- Part 2 – Future funding request to cover improvements that require a longer lead time due to design, user group involvement, and DSA approval.
  - Weatherization – all floors
  - Improved entrance to future arts “complex”
  - Architectural fees
Improvements to Move-in Process:

<table>
<thead>
<tr>
<th>Area of Process Improvement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thorough commissioning of equipment and furnishings starting 6 months or more before move.</td>
<td></td>
</tr>
<tr>
<td>Add resources when necessary to supplement team and offset burden on COM staff during move-in and close out.</td>
<td></td>
</tr>
<tr>
<td>SMC internal schedule peer review process including critical decision dates, coordination milestones, and contingencies for reasonably foreseeable events/issues.</td>
<td></td>
</tr>
</tbody>
</table>

1. Don't rush move-in process.
<table>
<thead>
<tr>
<th>Area of Process Improvement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2. Managing Expectations</strong></td>
<td></td>
</tr>
<tr>
<td>• Ensure commitment of user group team to being involved throughout process.</td>
<td></td>
</tr>
<tr>
<td>• Post meeting minutes on a project specific website with agreed upon actions documented.</td>
<td></td>
</tr>
<tr>
<td>• Periodic planning meetings with director level &amp; other key staff to insure project goals, plans, and schedules are communicated and that District department needs are accounted for.</td>
<td></td>
</tr>
</tbody>
</table>
Improvements to the equipment design and installation process:

<table>
<thead>
<tr>
<th>Area of Process Improvement:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Equipment Procurement</td>
</tr>
<tr>
<td>• Clear definition of equipment procurement firm and architect/engineer’s responsibilities – new RFQ.</td>
</tr>
<tr>
<td>• Raise issues early and develop contingency plans in detail.</td>
</tr>
<tr>
<td>• Continue to involve users/lab techs, M&amp;O, media services and IT in pre-move meetings.</td>
</tr>
</tbody>
</table>
# Roles & Responsibilities in the Design Process

<table>
<thead>
<tr>
<th>Title</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Trustees</td>
<td>Provide high level strategic input during planning; review &amp; approve design (space program, size, scope, aesthetics, color).</td>
</tr>
<tr>
<td>President/Cabinet</td>
<td>Provide overall leadership and direction, resolve issues of disagreement and interpretation of campus standards when questions arise. Make recommendations to the BOT.</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Provide direction and guidance to Swinerton, evaluate architectural plans for conformance to District standards, cost and design. Liaison to campus and external community.</td>
</tr>
<tr>
<td>Swinerton – Program Manager</td>
<td>Day to day project, construction and financial management of projects. Liaison to architect and other consultants.</td>
</tr>
<tr>
<td>Architect and Engineers</td>
<td>Create plans, specifications (including FF&amp;E coordination), and resolution of aesthetic and technical issues.</td>
</tr>
<tr>
<td>FF&amp;E consultant</td>
<td>As a direct consultant to the District and managed by Swinerton, coordinate the planning, specifications, and installation of furniture, fixtures, and equipment.</td>
</tr>
<tr>
<td>Commissioning agent</td>
<td>Verify that equipment and systems achieved project requirements as intended by Owner and as designed by A/E team.</td>
</tr>
</tbody>
</table>
3. Design update on the Child Study Center:
Child Study Center

- HKIT/Starkweather Bondy Architects
- User Group Representatives:
  - Lyda Beardsley
  - Peggy Dodge
**MARIN COMMUNITY COLLEGE DISTRICT**  
Kentfield, CA 94904

**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 19, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td></td>
<td>Item &amp; File No. B.15.A</td>
</tr>
<tr>
<td>Subject:</td>
<td><strong>Contracts and Agreement for Services for Month of June 2011</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

**INFORMATION**

**Attachment**

**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.

**Administrator Initiating Item**  
Albert J. Harrison II, Vice President, College Operations
# Contracts and Agreement for Services

## OVER $1,000.00

### MONTHLY REVIEW

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Unrestricted</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0212101</td>
<td>College Source, Inc</td>
<td>Matriculation</td>
<td>$ 2,813.00</td>
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<tr>
<td></td>
<td>Transfer evaluation online services for transfer students at the College.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0212112</td>
<td>Charles A Askin</td>
<td>District Wide</td>
<td>$ 1,898.60</td>
</tr>
<tr>
<td></td>
<td>Arbitration services for the College.</td>
<td></td>
<td></td>
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<tr>
<td>P0212122</td>
<td>Perfect Timing, Inc</td>
<td>Information Technology</td>
<td>$ 3,000.00</td>
</tr>
<tr>
<td></td>
<td>Information technology services for the College.</td>
<td></td>
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</tr>
<tr>
<td>P0212126</td>
<td>WK McLellan Co</td>
<td>Grounds</td>
<td>$ 1,000.00</td>
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<tr>
<td></td>
<td>Paving, patching and repair services for the College’s parking lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0212127</td>
<td>Dorius &amp; MacCarthy Plumbing &amp; Heating</td>
<td>Maintenance</td>
<td>$ 2,800.00</td>
</tr>
<tr>
<td></td>
<td>Testing services for the overflow valves.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0212128</td>
<td>Firemaster</td>
<td>Maintenance</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td></td>
<td>Testing/Maintenance services for fire extinguishers at the Indian Valley Campus.</td>
<td></td>
<td></td>
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<tr>
<td>P0212129</td>
<td>Environmental Resource Group</td>
<td>Maintenance</td>
<td>$ 4,915.00</td>
</tr>
<tr>
<td></td>
<td>Air quality inspection services for the Learning Resource Center.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0212158</td>
<td>Fahy Tree Service</td>
<td>Grounds</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td></td>
<td>Tree removal services for the College.</td>
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<td></td>
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<tr>
<td>P0212193</td>
<td>Department of Toxic Substances Controls</td>
<td>Police</td>
<td>$ 1,060.00</td>
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<td></td>
<td>License fees for 2010-2011 for the College.</td>
<td></td>
<td></td>
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<tr>
<td>P0212201</td>
<td>Pitney Bowes Global Financial Services, LLC</td>
<td>Logistics</td>
<td>$ 1,195.73</td>
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<td>Leasing services for the postal meter for the College.</td>
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<tr>
<td>P0212207</td>
<td>School &amp; College Legal Services of California</td>
<td>District Wide</td>
<td>$ 23,527.89</td>
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<tr>
<td></td>
<td>Legal services for the College in April and May 2011.</td>
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<tr>
<td><strong>Restricted</strong></td>
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<td></td>
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<tr>
<td>P0211715</td>
<td>Essanay Film &amp; Television</td>
<td>President’s Office</td>
<td>$ 8,343.00</td>
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<tr>
<td></td>
<td>Video services for the President’s Circle.</td>
<td></td>
<td></td>
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<tr>
<td>P0211750</td>
<td>Barbara Garfien</td>
<td>President’s Office</td>
<td>$ 4,104.90</td>
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<tr>
<td></td>
<td>Coordination services for the President’s Circle.</td>
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<td></td>
</tr>
<tr>
<td>Agreement Number</td>
<td>Vendor/Description</td>
<td>Department</td>
<td>Amount</td>
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<tr>
<td>------------------</td>
<td>----------------------------</td>
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<tr>
<td>P0212169</td>
<td>Awnco Retractables</td>
<td>Maintenance</td>
<td>$4,707.17</td>
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<tr>
<td></td>
<td>Awning installation service for Child Development awning.</td>
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<td></td>
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<tr>
<td>P0212116</td>
<td>Unicorn Group</td>
<td>Measure C</td>
<td>$1,364.66</td>
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<tr>
<td></td>
<td>Printing and mailing services for the Community Forum.</td>
<td></td>
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</tr>
<tr>
<td>P0212183</td>
<td>Division Of The State Architect</td>
<td>Measure C</td>
<td>$2,349.81</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td>Review fees for West Campus Bridge.</td>
<td></td>
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</tr>
</tbody>
</table>
Modernization Director's Report to Board of Trustees  
July 19, 2011

BUDGET UPDATE

Bond spending plan: $264.5 million ($249.5 m bond, $15 m interest)  
Reserves: $8,199,000, of which $2,300,000 is allocated to IVC  
Expended to date: $142.3 million (53.8% of bond spending plan)  
  • Assessment: $5.5 million  
  • Planning/design: $51.1 million  
  • Construction: $85.7 million

Summary of modernization items in this agenda:

Consent (all routine items not requiring resolution or discussion): ($517,409.90)
  • Five (5) new construction contracts for ratification ($23,660)
  • Two (2) construction change orders ($40,100)
  • Two (2) new professional service agreements ($194,300)
  • Four (4) professional service agreement amendments ($191,193.90)
  • One (1) new lease agreement ($33,130)
  • Approve Renewal of Contract for Financial Management Software (Paragon) ($35,026)
  • Declaration of Surplus Disposal PA & FA Relocation Project (850I)

Action (items requiring resolution or discussion): ($419,650)
  • Approve Revised Long Form Professional Services Agreement; Child Study Center Project (303C) ($419,650)
  • Approve Notice of Completion; Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A)
  • Approve Notice of Completion; Building Signage Phase 1 Project (812A) (covers Diamond PE Center Alterations (308B); Transportation Technology Complex (402A); Main Building Complex (417A)

Net value of new contracts / changes / amendments in this agenda: ($937,059.90)

CURRENT DESIGN

• KTD New Academic Center: Schematic is progressing well. Design update this meeting.
• KTD Child Development Center: Schematic design and CEQA process underway. Color boards presented this meeting for BOT review

CURRENT CONSTRUCTION

• IVC Main Building Complex & Bioswale: No change orders submitted this meeting. Notice of Completion action this meeting.

• KTD Fine Arts Building: Change orders #16 this meeting; change orders = 9.96% %.

• IVC Utilities Project: No change orders this meeting.
• SMCP Science Math Central Plant: No change order this meeting.
• KTD Performing Arts Building: Change Order #2 this meeting; change orders .3%.

OTHER OPEN INITIATIVES

• Swing space/relocation: For the PA building, additional trailers and a performance tent are now in the procurement process.
• Furniture, fixtures, equipment: FF&E procurement & installation are nearing completion for the new FA building. Summer completion items are underway.
• Signage: The new signage is essentially complete and the old signage is planned for removal IVC.
• Project Stabilization Agreement: Proceeding.
• LEED: All active projects are pending completion of construction.

BOARD FUND-RAISING OPPORTUNITIES

• IVC New Main Building: Name needed for building; opportunity to “purchase”
• IVC New Main Building: Harry Moore Memorial bench w/sustainability sign (~$15,000). To date roughly $15,760 has been raised. Final design of the sustainability plaque is underway.
• 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.
### COMPLETED PROJECTS

<table>
<thead>
<tr>
<th>Project Description</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>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>
</tbody>
</table>

**Total completed projects to date:** $107,960,726
### A. Alfa Tech Consulting Enterprise (Geothermal / PV & PE / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical &amp; IT design services for 12 KV Utility extension project</td>
<td>To follow project 402A schedule</td>
<td>Amendment 14</td>
<td>Complete</td>
</tr>
<tr>
<td>Electrical design for acid storage &amp; ticket dispensing machine &amp; feature blue lights/telephone (471A)</td>
<td>1/18/2023</td>
<td>Amendment 21</td>
<td>Complete</td>
</tr>
<tr>
<td>Construction Admin for PE Center Supplemental Costing Project 3046</td>
<td>12/31/2010</td>
<td>Amendment 24</td>
<td>Complete</td>
</tr>
</tbody>
</table>

### B. Amy Skewes-Cox (EIR)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No outstanding items</td>
<td></td>
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</tr>
</tbody>
</table>

### C. CSW Stuber-Stroeh (Blaswalne / West Campus Bridge / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Building Complex (417A)</td>
<td>10/1/2009</td>
<td>Amendment 26</td>
<td>Complete</td>
</tr>
<tr>
<td>Create final Record Set documenting all completed utility infrastructure project on Indian Valley Campus, District Civil Engineer Project (803A)</td>
<td>6/30/2011</td>
<td>Amendment 35</td>
<td>In close out</td>
</tr>
<tr>
<td>Signage &amp; Shopping center design which covers the area of new construction in the vicinity of New Main Building Complex (417A)</td>
<td>2/28/2011</td>
<td>Amendment 35</td>
<td>Complete</td>
</tr>
<tr>
<td>Site walk engineering recommendations for pavement repair @ Ignacio Blvd &amp; @ the loop through the parking area used by buses during construction - Main Building Complex (417A)</td>
<td>6/30/2011</td>
<td>Amendment 35</td>
<td>Complete</td>
</tr>
<tr>
<td>Civil Engineering Services as follows: Toss survey &amp; base map pavemeni dems &amp; rehab plan, grading &amp; drainage plan, signage &amp; signing plan, SWPPP &amp; Erosion Control Plan, SPC, etc - Main Building Complex (417A)</td>
<td>12/31/2011</td>
<td>Amendment 37</td>
<td>In progress</td>
</tr>
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</table>

### D. Degennabi Engineers (District Structural Engineers)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
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<tbody>
<tr>
<td>No outstanding items</td>
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### E. SD2 International (Science / Math / Central Plant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
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</thead>
<tbody>
<tr>
<td>Construction Phase - 24 Months</td>
<td>4/15/10</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>10/30/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Add/services for subcontract (Davis Langdon) to prepare options of probable construction cost for revisions to existing design; Current South entrance tree canopy &amp; adjacent Museum (Rm 150) will be replaced by a new tree plan and approx. 1,600 grass square feet; display kiosks containing the historic cupola will be incorporated adjacent to elevator No. 1, museum will be relocated to available space currently programmed for the IF server room; SWPPC increases No. 2 &amp; 3, Demo &amp; Building Project (3054)</td>
<td>2012</td>
<td>Amendment 3</td>
<td>In progress</td>
</tr>
</tbody>
</table>

### F. Fugro West, Inc. (District Soils Engineer)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No outstanding items</td>
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<td></td>
<td></td>
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</tbody>
</table>

### G. HKIT (Hardison, Komatsu, Ivelich & Tucker) (Transportation Technology Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>9/1/09-9/1/10</td>
<td>Contract</td>
<td>In close out</td>
</tr>
<tr>
<td>Programming confirmation &amp; beginning schematic design; Child Study Center E/ HCS Project (300C)</td>
<td>12/31/2011</td>
<td>New SF Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Construction Drawings &amp; Spec (95%) review for the MEP Supplemental Project (306B/402A/417A/407B)</td>
<td>5/20/2011</td>
<td>Amendment 21</td>
<td>Complete</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bid Set Due for the MEP Supplemental Project (306B/402A/417A/407B)</td>
<td>6/17/2011</td>
<td>Amendment 21</td>
<td>In progress</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bidding &amp; GA Services for the MEP Supplemental Project (306B/402A/417A/407B)</td>
<td>6/23/11 to 10/20/11</td>
<td>Amendment 21</td>
<td>In progress</td>
</tr>
<tr>
<td>Completed programming confirmation, continued schematic design and beginning of design development; Child Study Center E/ HCS Project (300C)</td>
<td>6/23/2011</td>
<td>SF Amendment 1</td>
<td>In progress</td>
</tr>
<tr>
<td>Design &amp; engineering services for DSA required ramp handed extension; DSA Coordination and meetings - Transportation Tech Center Project (409A)</td>
<td>6/23/2011</td>
<td>Amendment 22</td>
<td>In progress</td>
</tr>
<tr>
<td>Long Form Contract for Child Study Center Project 303C</td>
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<td>New LF Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Activity</td>
<td>Milestone Date</td>
<td>Document</td>
<td>Completed</td>
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</tr>
<tr>
<td>Main Building Complex Signage (417A)</td>
<td>9/30/2010</td>
<td>Amendment 5</td>
<td>In close out</td>
</tr>
<tr>
<td>Add construction admin services related to signage for Science-Math-IP Complex Project 395A</td>
<td>N/A</td>
<td>Amendment 6</td>
<td>In progress</td>
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</table>

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No outstanding items</td>
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<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>3/15/11-5/30/11 - 5/01-11 to 6/1-12</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>6/30/11-7/31/11 - 8/1-12 to 6/1-13</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Project Close-out with DSA</td>
<td>4/26/11-6/3/11 - 6/1-12 to 4/1-13</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Extra programming &amp; conceptual design schemes</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td></td>
</tr>
<tr>
<td>Survey specs and prelim project scope guidelines</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td></td>
</tr>
<tr>
<td>Feasibility study required by DSA and additional time and material authorization for additional interviews to meet DSA requirements for PA Modernization Project 396A</td>
<td>11/1/2011</td>
<td>Amendment 9</td>
<td></td>
</tr>
<tr>
<td>Fine Arts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>Original: 5/11/10-7/31/10 Current: 10/21/10 - 3/11/11</td>
<td>Contract Amendment 4</td>
<td>In close out</td>
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<tr>
<td>Project Close-out with DSA for New FA Bldg 396C</td>
<td>Original: 4/30/10-8/31/10 Current: 4/1/11</td>
<td>Contract Amendment 4</td>
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<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
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<tr>
<td>No outstanding items</td>
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<tr>
<td>Kentfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
<td>On Going</td>
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<tr>
<td>LEED Services</td>
<td>6/15/07 through CA Phase</td>
<td>Amendment 4</td>
<td>On Going</td>
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<tr>
<td>Construction Administration</td>
<td>Part of VCC Main project</td>
<td>Amendment 5</td>
<td>In close out</td>
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<tr>
<td>Conceptual parking lot study for lots 1, 6, 7 and 9 as KFD Campus as requested by Owner in prep for September GOT and Revised Bond Spending Plan, District Landscape Architect Project (6079)</td>
<td>n/a</td>
<td>Amendment 17</td>
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<tr>
<td>No outstanding items</td>
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<th>Document</th>
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<tbody>
<tr>
<td>FF&amp;E Specifications - PA Modernization (395A)</td>
<td>1/1/2011</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
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<td>FF&amp;E Specifications - SMCP Increment #3 (395A)</td>
<td>3/1/2009</td>
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<tr>
<td>FF&amp;E Specifications - Main Building Complex (417A)</td>
<td>7/1/2009</td>
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</thead>
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<tr>
<td>Operations/Project Close-out Phase</td>
<td>12/1/09-5/31/10</td>
<td>Contract</td>
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</tr>
<tr>
<td>Cress for unused portion of fee related to cancellation of two (2) 1-year Paragon subscriptions at $500 each under Main Bldg Complex Project (417A)</td>
<td>n/a</td>
<td>Amendment 5</td>
<td>Completed</td>
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<tr>
<td>Structural engineering services for DSA Field Change Directive documents #2 and #4, Main Bldg Complex Project 417A</td>
<td>5/30/2011</td>
<td>Amendment 10</td>
<td></td>
</tr>
</tbody>
</table>
### 305A - Science Math Center Plant Complex

**Oct 2006 Schedule/Budget**
- Design
- Construction
- Current expenditures

**Feb 2007 Schedule/Budget**
- $4,187,802
- $38,249,478

**March 2009 Schedule/Budget**
- $6,617,000
- $62,923,000

**November 2009 Schedule/Budget**
- $6,617,000
- $62,923,000

**March 2011 Schedule/Budget**
- $5,591,598
- $54,772,000

**Current Schedule (% of current phase)**
- 100%
- 42%

**Current expenditures (% of budget)**
- 96%
- 24%

**NTP 06-11; SCO 06-12**

### 306C New Fine Arts Building

**Oct. 06 Schedule / Budget**
- $1,732,885
- $15,977,033

**Feb. 07 Schedule / Budget**
- $1,849,800
- $17,149,500

**March 09 Schedule / Budget**
- $2,047,000
- $16,953,000

**June 11 Schedule / Budget**
- $2,052,116
- $17,297,184

**Current Schedule (% of current phase)**
- 100%

**Current expenditures (% of budget)**
- 98%

### 306A Performing Arts Modernization

**Oct. 06 Schedule / Budget**
- $1,052,468
- $9,720,632

**Feb. 07 Schedule / Budget**
- $1,578,000
- $15,522,000

**March 09 Schedule / Budget**
- $1,678,000
- $15,522,000

**Current Schedule (% of current phase)**
- 100%

**Current expenditures (% of budget)**
- 95%

**NTP 06-11; SCO 06-12**

---

Page 1 of 3 Pages
### 308 Diamond PE Center Alterations

<table>
<thead>
<tr>
<th>Year</th>
<th>Oct. 06 Schedule / Budget</th>
<th>Feb. 07 Schedule / Budget</th>
<th>March 09 Schedule / Budget</th>
<th>Current Schedule (% of current phase)</th>
<th>Current expenditures (% of budget)</th>
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</thead>
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<tr>
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<tr>
<td>2013</td>
<td></td>
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Total: $1,960,312

### 402A Transportation Technology Complex

<table>
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<tr>
<th>Year</th>
<th>Oct. 06 Schedule / Budget</th>
<th>Feb. 07 Schedule / Budget</th>
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<th>March 11 Schedule / Budget</th>
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<tr>
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Total: $1,452,523

### 417A Main Building Complex

<table>
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<tr>
<th>Year</th>
<th>Oct. 06 Schedule / Budget</th>
<th>Feb. 07 Schedule / Budget</th>
<th>Nov. 09 Schedule / Budget</th>
<th>April 10 Schedule / Budget</th>
<th>March 11 Schedule / Budget</th>
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<td>2007</td>
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</table>

Total: $2,031,665

Page 2 of 3 Pages
2.1 Schedule
Marin Community College District – College of Marin
Based on expenditures as of 06-30-11. Includes BSP revisions on 06-28-11.

<table>
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<th>2007</th>
<th>2008</th>
<th>2009</th>
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<th>2011</th>
<th>2012</th>
<th>2013</th>
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<tr>
<td>303B New Academic Center</td>
<td>See Note 7</td>
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<td>$15,677,000</td>
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<td>$17,500,000</td>
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<td>Jan. 10 Schedule / Budget</td>
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<tr>
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<td>76%</td>
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<tr>
<td>Current expenditures (% of budget)</td>
<td>16%</td>
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</table>

| 302B LRC Modernization | See Note 8    |             |             |             |             |             |             |             |             |
| Oct. 06 Schedule / Budget | $1,283,478    |             |             |             |             |             |             | $13,106,643 |
| Feb. 07 Schedule / Budget | $597,145      |             |             |             |             |             |             |             |             |
| Current Schedule | Removed from Schedule |             |             |             |             |             |             |             |             |

| 304A Fusselman Hall Modernization | See Note 9    |             |             |             |             |             |             |             |             |
| Oct. 06 Schedule / Budget | $54,7204      |             |             |             |             |             |             | $5,737,201  |
| Feb. 07 Schedule / Budget | $0            |             |             |             |             |             |             |             |             |
| Current Schedule | Removed from Schedule |             |             |             |             |             |             |             |             |

Notes:
1A) Project duration has changed. The original duration was based on a 50,000 SF bidg and was not revised to reflect the increased building program of 77,000 SF. The revised duration takes into account this modification.

2A) Project under construction

3A) Project has been submitted to DSA, therefore the project design is 95% complete. There will be very little additional invoiced until DSA releases the Project.

3B) Project has been submitted to DSA and is expected to be out of DSA in Fall/Winter, 2010

3C) Project start date is affected by the FA completion date.

4A) 308B project budget is $20,894,716 since $1.5 million has been allocated to other PE projects such as 308E Utilities, 308F Pool and PE swing space.

5A) In field construction issue needing DSA approval, schedule adjusted to current status.

6A) Slight delay for bidding due to delay in DSA approval

7A) No State funding will be available for his project

8A) Project funds reallocated to other projects.

9A) Project funds reallocated to other projects.
<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: July 19, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.15.C</td>
</tr>
<tr>
<td>Subject:</td>
<td>Revised Administrative Procedures</td>
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</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Enclosure(s):</td>
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**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 7125, 7126, 7216, 7236, 7330, 7337, 7344, 7370, and 7371 are presented herein for information.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

For information only. No action is required.

Administrator Initiating Item  Dr. David Wain Coon, Superintendent/President
AP 7125 VERIFICATION OF ELIGIBILITY FOR EMPLOYMENT

Reference:
8 U.S. Code Section 1324a

The District will not hire or recruit a person for employment if it knows that the person is not authorized to be employed in the United States.

Reliable documentation of eligibility for employment will be verified as required by federal rules and regulations.

For each new employee, the District will complete the verification form or forms required by the United States government. The District will retain such forms for at least three years for persons it does not hire. For persons it does hire, the District will retain such forms for at least three years or until one year after the persons leaves the District's employment, whichever is later.

The District will protect the privacy of the information it collects pursuant to this procedure.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was added by the Human Resources Office. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Approved:
(This is a new procedure recommended by the CC League and the League’s legal counsel)
AP 7126   APPLICANT BACKGROUND CHECKS

References:
   Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
   Fair Credit Reporting Act (federal)

Applicants for positions may be subject to background or reference checks.

Where a background investigation is performed by a third party, the Human Resources Department shall make a clear and conspicuous disclosure to the applicant on a separate form before the report is procured. The applicant shall be provided an option to receive or not receive the report. If the applicant is not hired or the District takes other action that adversely effects any applicant based in whole or in part upon the third-party report, the Human Resources Department shall provide oral, written, or electronic notice of:

- the adverse action to the applicant;
- the name, address, and telephone number of the third party agency that furnished the report;
- the applicant's right to obtain a free copy of the report; and
- the applicant's right to dispute the accuracy or completeness of any of the information in the report.

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was added by the Human Resources Office. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

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

Human Resources

AP 7216  ACADEMIC EMPLOYEES – GRIEVANCE PROCEDURE FOR CONTRACT DECISIONS

Reference:
   Education Code Section 87610.1

This procedure is addressed in the faculty collective bargaining agreement.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics reflects revisions from Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

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

AP 7236

Human Resources

AP 7236 SUBSTITUTE AND SHORT-TERM EMPLOYEES

Reference:
Education Code Section 88003

- From current College of Marin Procedure 5.0011 DP.1 titled Employment of Temporary Employees

Classified Substitute Employee
- any person employed to replace any classified employee who is temporarily absent from duty.
- if the District is engaged in a procedure to hire a permanent employee to fill a vacancy, one or more substitute employees may be hired for not more than 60 calendar days. Exceptions will be addressed with the appropriate bargaining unit.

Non-Student Hourly Employees

1. A non-student hourly employee may substitute in a permanent position during the temporary absence of a permanent classified employee on leave or in a temporary assignment. Substitution may not exceed 194 working days in the school year. A non-student employee may substitute in a vacant permanent position during the recruitment and selection process, but the employment may not exceed 60 calendar days unless there is agreement to a different period of time between the District and the appropriate employee organization.

Short-Term Employee
- any person employed to perform a service for the District upon the completion of which the service required or similar services will not be extended or needed on a continuing basis.

2. The Education Code 88003 allows the employment of temporary non-student short-term employees outside the Classified Service under specified conditions:

A. The person can only be employed to perform a short-term service, upon the completion of which, the service will not be extended, and

B. The person must be employed for no more than 194 working days in a school year (irrespective of number of hours worked per day). Short-term employee services shall not exceed 194 working days, including holidays, sick leave, vacation, and other leaves of absences, irrespective of number of hours worked per day.
3. In order to assure that the letter and intent of these conditions are met, the following procedures are in effect for non-student hourly employees:

A. Non-student hourly employees may perform special one-time services or tasks beyond the capacity of the permanent classified staff. Examples might be a one-time file conversion, or a special research effort. These appointments may not exceed 194 working days. Categorically funded appointments are subject to the same restrictions.

B. Students with 12 units or more cannot be employed as non-student hourly employees. They must be employed as "Student Hourly Employees." (see District Procedure 5.0008 DP1).

C. A full-time student hourly employee (excluding Work-Study and Disabled Program students):

1) Cannot hold a concurrent non-student hourly appointment.

2) Cannot change to a non-student hourly appointment during a semester, but may at the beginning of a semester, providing he or she was in legal student status during the previous semester and is carrying less than 12 units in the new semester.

D. Work-Study student hourly employees, carrying less than 12 units, may, with the approval of the Director of Financial Aid, hold a concurrent non-student hourly appointment but must observe the total hour limitation of the work/study appointment.

E. A non-student hourly employee may not hold another concurrent non-student hourly appointment unless an exception is approved by the Director of Personnel.

F. A part-time or less than 12 months per year permanent classified employee may not receive a non-student hourly appointment unless it is unrelated to the duties of the permanent position and only for hours which when combined with the part-time job do not exceed full-time. A full-time permanent classified employee may not receive a non-student hourly appointment.

G. Non-student hourly Short-term employees may not exceed 37.5 hours per week. Short-term and substitutes may be granted overtime only with the authorization of their manager, may only be granted to non-student hourly employees serving as substitutes in A above.

H. Non-student hourly employees will be hired in appropriate hourly jobs in preference to the use of Commercial temporary employment agency services may be used. Agency help may be used in an emergency (i.e., assistance must be obtained within 24 hours) but may not exceed two weeks in duration. If the assistance is needed for a longer period, a student or non-student hourly must be hired, or if the need is projected for a period in excess of 194 working days, the staffing plan must be changed and a permanent employee hired.

I. Positions that are long-term (over 194 working days), or regular shifts of 15 or more hours per week, must be recommended for conversion to permanent, classified positions, not filled by hourly appointments. Permanent positions must be filled through open
competition.

J. No non-student hourly short-term employee may be assigned or allowed to begin work prior to the completion and approval of the Personnel Action Form, appropriate Human Resources requirements, and completion of the employee's pre-employment processing by the Personnel office.

K. No short-term employee may be assigned or allowed to begin work prior to the completion of appropriate Human Resources requirements.

L. Hourly pay rates for non-student hourly employees can be obtained from the Personnel Office.

**Academic Substitute Employee**
- Any person employed to replace any academic employee who is temporarily absent from duty.
- Substitute employees may be hired as needed.

Exceptions to these provisions which are not set forth in law may be granted by the Superintendent/President or designee.

Also see BP/AP 7270 titled Student Workers and AP 7212 titled Temporary Faculty

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**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 5.0009 titled Professional Experts adopted on 2/24/82 and revised on 2/25/85. The language struck through is recommended for deletion. The language in **underlined italics** was added by Human Resources. Reviewed by BP/AP Task Force 5/5/11 and minor changes added to Section J. The Dean of Human Resources further clarified revision and approved final document to forward to College Council on 5/10/11.

**Date Approved:**
(Replaces current College of Marin Policy 5.0009)
Marin Community College District Procedure

AP 7330 COMMUNICABLE DISEASE

References:
Education Code Sections 87408, 87408.6, and 88021

For applicants for positions:

- A medical certificate is required showing that the applicant is free from any communicable disease, including, but not limited to, active tuberculosis, unfitting the applicant to instruct or associate with students.
- The medical certificate shall be submitted by a physician as authorized by code.
- The medical examination is conducted not more than six months before the submission of the certificate and is at the expense of the applicant.
- A contract of employment may be offered to an applicant subject to the submission of the required medical certificate.
- The medical certificate becomes a part of the personnel record of the employee and is open to the employee or his or her designee.

❖ From current College of Marin Procedure 5.0034 DP.1 titled Acquired Immune Deficiency Syndrome (AIDS)

The District recognizes the need to protect the legal rights of individuals with AIDS/ARC, or a positive HIV antibody status as these rights pertain to privacy, employment, enrollment for instruction, participation in curricular and extra-curricular activities, and provision of any benefit or service to which they are otherwise entitled.

The Marin Community College District shall follow these general guidelines:

1. The District shall comply with all state and federal mandated health requirements relative to communicable diseases.

2. The District shall provide reasonable accommodations to students and employees with AIDS/ARC or related illnesses in a manner consistent with those provided for any other disability. (See the section on Affirmative Action, Section 504: Handicap, in the current College Catalog or pertinent sections of the Student Handbook.)
3. Strict confidentiality of the student's or employee's identity and nature of illness shall be maintained by the District. There is no medical necessity to advise co-workers or students of the immediate presence of persons who have AIDS/ARC or a positive HIV antibody status. Students and employees shall not be required to respond to questions about their personal health status with respect to AIDS/ARC or HIV antibody status. No information, except where required by law, shall be released to any person, agency, group, employer, insurer, or institution without written consent of the student or employee.

4. College Police and faculty, staff, and students in nursing, dental assisting, and other health care programs shall be familiar with and follow guidelines developed by the Centers for Disease Control. Staff members of the College's child care centers shall be familiar with and follow the Centers for Disease Control recommendations on the education and foster care of children infected with the AIDS virus, including symptomatic carriers and children with AIDS/ARC.

5. The District shall provide AIDS education relevant to students and appropriate to the role of employees and report annually on its AIDS-related educational activities to the State Chancellor's Office, as required by California Senate Concurrent Resolution 79; 1988.

6. The District shall provide protection as deemed necessary to comply with safe disposal of waste materials (such as needles and disposable gloves) from the College Health Center or health care programs.

Also see BP 7335 titled Health Examinations and AP 7336 titled Certification of Freedom from Tuberculosis

NOTE: The red type signifies legally required language (unless noted otherwise) recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in black ink is current College of Marin Procedure 5.0034 DP.1 titled Acquired Immune Deficiency Syndrome (AIDS) approved on 10/9/89. The language struck through is recommended for deletion. The language in underlined italics is recommended by Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

Date Approved:
(Replaces current College of Marin Procedure
5.0034 DP.1)
AP 7337 FINGERPRINTING

References:
Education Code Sections 87013 and 88024;
Penal Code Sections 11077.1 and 11102.2

The Chief Human Resources Officer will designate one or more employees to receive, store, disseminate and destroy criminal records furnished by the California Department of Justice and to serve as the contract for the California Department of Justice for related issues. Any such employee must be confirmed by the California Department of Justice as required by law and pursuant to California Department of Justice procedures. The Chief Human Resources Officer will notify the California Department of Justice by March 1 of each year of the individuals designated.

The Chief Human Resources Officer will ensure that criminal history record information is destroyed once the District’s business need for the information is fulfilled.

Classified Employees
The District, within ten working days of date of employment, shall require each person to be employed, or employed in, a nonacademic position to be fingerprinted with a personal description of the applicant or employee, as the case may be, prepared by an approved law enforcement agency. The law enforcement agency transmits the fingerprints to the Department of Justice and the Federal Bureau of Investigation.

The District assumes the cost for the service for probationary/permanent classified applicants/employees.

If the applicant/employee incurs a fingerprinting administrative fee, the fee will be reimbursed once the applicant submits fingerprints in accordance with these procedures and is subsequently hired by the District within 30 days of the application.

Substitute and temporary classified employees employed for less than an academic year are exempted from these procedures.

The local law enforcement agency, upon receipt of information from the Department of Justice and/or the Federal Bureau of Investigation, excerpts from the history all information regarding any convictions of the employee and shall forward that information to the District.
**Academic Employees**
The District, within ten working days of the person's date of employment, requires the individual to *be fingerprinted* and a personal description of the employee prepared by an approved law enforcement agency. The law enforcement agency transmits the fingerprints to the Department of Justice and the Federal Bureau of Investigation.

The District assumes the cost for the service for probationary/permanent academic applicants/employees.

Substitute, adjunct, and/or temporary academic employees employed for less than an academic year do not receive reimbursement for the cost of the fingerprinting process.

The local law enforcement agency, upon receipt of information from the Department of Justice and/or the Federal Bureau of Investigation, excerpts from the history all information regarding any convictions of the employee and shall forward that information to the District.

**Others Employed by the District**
Other employees or individuals providing services to the District (such as Children’s Center Workers, Student Ambassadors, and Interim Employees) may be required to be fingerprinted at the discretion of the District.

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**NOTE:** The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics is recommended by Human Resources. Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

**Date Approved:**
(This is a new procedure recommended by the CC League and the League’s legal counsel)
NOTIFYING THE DISTRICT OF ILLNESS

References:

*Education Code Section 88191*

Employees are required to provide immediate notification to their appropriate supervisor or designee when they are absent for any length of time. In the event the supervisor or designee cannot be contacted, notification of the absence must be made to the Office of Human Resources, during the hours of 8:00 a.m. - 5:00 p.m. If the illness is extended, notification of absence must be made daily until an official medical verification has been provided to the District detailing the employee's necessary absence from work.

Absences

A. Absences must be recorded on employees' time sheets or on applicable absence report forms.

B. Absences due to illness or injury shall be charged to accumulated sick leave credit in accordance with Education Code. Employees who have a negative balance of sick leave may be eligible to receive compensation under applicable state laws.

C. Absences for other reasons shall be subject to salary deduction.

D. Excessive absence or tardiness is grounds for disciplinary action.

E. Employees participating in their respective Catastrophic Leave Program may be eligible for additional compensated leave of absence.

Additional procedures for notification of employee illness or absence are delineated in the applicable collective bargaining agreement.

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**NOTE:** This procedure is legally advised by the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in *underlined italics* is recommended by Human Resources.

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**Date Approved:**

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

Human Resources

AP 7370 USE OF DISTRICT RESOURCES FOR POLITICAL ACTIVITY

References:
Education Code Sections 7050 et seq.

No restriction shall be placed on the political activities of any employee of the District except as provided in Board Policy and these procedures.

No District funds, services, supplies, or equipment may be used to urge the support or defeat of any ballot measure or candidate, including but not limited to any candidate for election to the Board of Trustees.

District resources may be used to provide information to the public about the possible effects of a bond issue or other ballot measure if both the following conditions are met:
- The informational activities are otherwise authorized by the Constitution or laws of the State of California; and
- The information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

Any administrator or Board member may appear before a citizens' group that requests the appearance to discuss the reasons why the Board of Trustees called an election to submit to the voters a proposition for the issuance of bonds and to respond to inquiries from the citizens' group.

An officer or employee of the District may solicit or receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of officers or employees of the District. Such activities are prohibited during working hours and entry into buildings and grounds of the District during working hours is prohibited. Such activities are permitted during nonworking time. “Nonworking time” means time outside an employees’ working hours, whether before or after the work day or during the employees’ lunch period or other breaks during the day.

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

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

AP 7371    PERSONAL USE OF PUBLIC RESOURCES

References:
    Government Code Section 8314;
    Penal Code Section 424

No employee or consultant shall use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). Reviewed and approved to move forward on April 26, 2011 by the Executive Dean of Human Resources.

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