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 Bob Balestreri at 485-9414. 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.

A. Closed Session – 5:30 p.m. in SS A&B, Kentfield 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

Nine - Mize-Kurzman vs. Marin CCD (California Court of Appeal)

UPM/T. Fung, P. Christensen vs. MCCD Grievance

SEIU vs. MCCD Grievance (Police Officers – Donning & DOFFING)

UPM/Ordin vs. MCCD Grievance

UPM/Christensen vs. MCCD Grievance (Overload III)

UPM/Jones vs. MCCD (Overload)

SEIU vs. MCCD Grievance (Contracting Out)

SEIU vs. MCCD (PERB Unfair Practice Charge re. Surface Bargaining)

SEIU vs. MCCD (PERB Unfair Practice Charge re. Contracting Out)

(c) PUBLIC EMPLOYEE DISCIPLINE/DISCUSSION/DISMISSAL/RELEASE/SEPARATION

(d) Under Government Code, Section 54957:

PUBLIC EMPLOYMENT

Title: Superintendent/President

3. Recess to Open Session

REGULAR MEETING AGENDA

6:30 p.m. – Staff Lounge, Deedy Student Services

Kentfield Campus

B. Reconvene to Regular Meeting

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

2. Report of Closed Session for October 19, 2010
3. Citizens’ Requests to Address the Board on Non-Agenda Items (3 minutes each)

4. Chief Executive Officer’s Report (15 minutes)
   a. Staff Reports (5 minutes)
      1. Accreditation Update (Al Harrison)
      2. Technology Plan (Al Harrison)
      3. Integrated Planning Manual (Nick Chang)
      4. Update on Track/Athletic Field (Al Harrison)
      5. Follow-Up Report (written report in packet)

5. Academic Senate Report (5 minutes)

6. Classified Senate Report (5 minutes)

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

8. Consent Calendar Items (Roll Call Vote)
   A. Calendar of Upcoming Meetings
   B. Approve Classified Management Personnel Recommendations
      1. Appointment of Classified Management Personnel
   C. Approve Classified Employee Changes – Instructional Technology
   D. Approve Short-Term Hourly Positions
   E. Approve Educational Management Personnel Recommendations
      1. Appointment of Educational Management Personnel
   F. Approve Academic Personnel Recommendations
      1. Resignation/Retirement of Academic Personnel
   G. Budget Transfers – Month of September – FY 2010/11
   H. Warrant Approval
   I. Declaration of Surplus Property – Miscellaneous Equipment
   J. Approve New Credit Courses
   K. Approve Credit Course Revisions
   L. Approve Credit Course Deletions
   M. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
      1. Ratify/Approve Modernization Contracts, Changes and Amendments ($254,227)
      2. Authorize Procurement of Specialty Equipment
         New Fine Arts Building Project (306C)
3. Approve Subcontractor Substitution Requests (mobile storage shelving)
   Science/Math/Central Plant Complex Increment 2 & 3
   Site Development & Building Project (305A)
   Lathrop Construction Associates, Inc. -- ($0) (laboratory fume hoods and casework)
4. Reauthorize Staff Approval of Measure C Contract Changes & Amendments

N. Approve Revised Board Policies – BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)
   1. BP 4070 Auditing and Auditing Fees
   2. BP 5052 Open Enrollment

9. Other Action Items (10 minutes)
   A. Modernization (Measure C) – BP3.1 (Keep modernization program on track)
      1. Authorize Bidding
         Performing Arts Modernization Project (306A)
   B. Approve Extension of Memorandum of Understanding – Marin General Hospital (“MGH”) and the Marin Simulation Center
   C. Approve Extension of Memorandum of Understanding – Novato Community Hospital (“NCH”) and the Marin Simulation Center
   D. Approve Hospital Experience Agreement with Alta Bates Summit Medical Center
   E. Approve Hospital Experience Agreement with Marin General Hospital Corporation
   F. Approve Marin Emergency Radio Authority Appointment Resolution
   G. Approve Authorization to Bid for Purchase/Install of High Efficiency Hot Water Heaters – IVC Locker/Shower Building

10. 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 5030 Fees

11. Board Reports and/or Requests (15 minutes)
    a. Legislative Report
    b. Committee Chair Reports
    c. Individual Reports and/or Requests

12. Approval of Minutes (2 minutes)
    • Minutes of September 18, 2010 Board Meeting
    • Minutes of September 21, 2010 Board Meeting
    • Correction to Minutes of May 18, 2010
13. Information Items (see written reports)
   A. Contracts and Agreement for Services Report – September, 2010 – BP1 (Fiscal Accountability)
   B. 9/30/2010 Year to Date Financial Report - BP1 (Fiscal Accountability)
   C. Modernization Update – BP3.1 (Keep modernization program on track)
      1. Director’s Report – BP3.1 (Keep modernization program on track)
      2. Contract Milestones Report through September, 2010 – BP3.1 (Keep modernization program on track)
      3. Schedule – BP3.1 (Keep modernization program on track)
   D. Revised Administrative Procedures
      AP 5030 Fees
   E. Calendar of Special Events
      October 26-28, 2010 Accreditation Visit
      November 18-20, 2010 – CCLC Annual Convention and Partner Conferences, Pasadena Convention Center
      December 14, 2010 – Ribbon Cutting for New Main Building at IVC, Assembly Room 118/116 (time tbd)
      April 29-May 1, 2011 – CCLC Annual Trustees Conference
         Hyatt Regency Monterey
      May 28, 2011 – College of Marin Commencement – 10:00 a.m., Gymnasium

14. Correspondence
15. Board Meeting Evaluation
16. Adjournment
President's Report
Board of Trustees Meeting
October 19, 2010

Farewell Chief Lacy!
College of Marin Chief of Police Charles “Chuck” Lacy retired on Oct. 1, 2010 after a 42-year distinguished career in law enforcement that began in the midst of the anti-war and civil rights movements on the UC Berkeley campus, spanned a large-scale evolution within the field of policing and ended with a 10-year tenure as head of the College of Marin Police Department. Raul R. Botello will be the Acting Chief of Police at COM until a permanent replacement is hired. Botello has over 27 years of law enforcement experience with Bay Area Rapid Transit District Police Department (BART PD), including working as a uniformed patrol officer, field training officer, and detective. He has been working at the College of Marin Police Department as an hourly substitute since January 2007.

Kudos
The founder of the College of Marin Italian studies program, Kathryn “Kathy” Freschi, was recognized last Friday by the Cristoforo Colombo Club of Marin for her lifelong service to the Italian community. The Distinguished Service Award recognizes Freschi’s pioneering work in the Italian community and her 30 years of commitment and passion for all things Italian, said long-time friend and colleague, Lido Cantarutti, a part-time Italian teacher at College of Marin, who presented Freschi with the club honor at a luncheon at the San Rafael Community Center. Freschi who has served as a dean of the non-credit Community Education and Services Program and chair of the Modern Languages Department, helped develop new disciplines of Japanese, Chinese and American Sign Language as well as launch the Study Abroad program on campus. Although not of Italian heritage she has devoted most of her life to studying the language and culture. Congratulations, Kathy!

Contemporary Opera Marin
Paul Smith, director
Friday, Oct. 29, at 7:30 p.m.
Lefort Recital Hall (FA 72)
Saturday, Oct. 30, 7:30 p.m.
Sunday, Oct. 31, 7:30 p.m.
Muir Beach Community Center
Call (415) 485-9460 for more information

Contemporary Opera Marin presents Creepy Crawly Cabaret. An hour long music theatre piece celebrating Halloween and the Day of the Dead using music by Schubert, Mauricio Kagel, Kevin Scheupbach and Ernesto Lecuona, among others.

Physical Light
Friday and Saturday, Oct. 29 and 30, at 8 p.m.
Friday and Saturday, Nov. 5 and 6, at 8 p.m.
Fine Arts Theatre
Contact Robin Jackson at (415) 485-9385 for more information

The College of Marin Dance Department presents Physical Light—an evening of performances inspired by the qualities found in light: sun bright to midnight dark; pure white to a spectrum of colors. It is the light within the heart and the light that illuminates the human body in motion, allowing dancers to create physical light.
TECHNOLOGY PLANNING COMMITTEE, 2010 - 2016

Michael Irvine, Chair: Laboratory Technician, Music
Bob Balestri: Dean of Enrollment Services
Ed Buckley: Interim Director, Planning, Research, and Institutional Effectiveness
Jeff Cady: Faculty, ESL
Win Cottle: Faculty, English
Frank Crosby: Faculty, Communications
Alice Dielli: Laboratory Technician, Computer Science
Harriet Eskildsen: Faculty, Adapted Computer Technology and Study Skills
Chialin Hsieh: Director, Planning, Research, and Institutional Effectiveness
Dong Nguyen: Instructional Technology Analyst
Marshall Northcott: Director, Information Technologies
Nathaniel ParkeR: Student, President ASCOM, and Student Trustee
Kathleen Smyth: Faculty, Physical Education
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INTRODUCTION

Since the development of the Information Technology Plan 2004-2007, the college has made substantial upgrades to its technology resources to improve institutional operations and effectiveness, upgrade available services to students, and provide faculty with tools to effectively deliver instructional content. The college has replaced its administrative data system and support programs, upgraded its web site and related services, added limited wireless connectivity, created an online testing center, provided a course management system (WebCT/Blackboard), and implemented a number of programs to facilitate the matriculation process for students.

Maintaining the currency and effectiveness of computers, systems, and services is negatively impacted by the fiscal crisis in California. It is imperative, therefore, that college leaders think strategically as they decide how best technology can help us address our educational goals. Technology planning is a complex effort, requiring the evaluation, purchase, and maintenance of highly sophisticated hardware and software; the coordinated efforts of individuals across various disciplines and units in order to effectively implement the technologies; and ongoing training for both technical specialists and end-users. A good technology plan must be more than a list of items to purchase or people to hire. It must also be a tactical initiative coordinated throughout the college to identify critical needs. For these reasons, the college identified the development of this plan as one of the three highest priorities in the Strategic Plan 2009-2012.

VISION STATEMENT

College of Marin will have a well integrated, state-of-the-art information technology environment that sustains and enhances teaching and learning, supports the college’s mission and educational master plan, and provides for the communication of timely and accurate information to increase the effectiveness of all of the college’s operations and services.

PHILOSOPHY

1. Technological resources should be made available to support excellent instruction and to facilitate and enhance effective student learning and student development. Technology should serve, not drive the college in its efforts to fulfill its mission and address the goals of the Educational Master Plan. (Success)

2. Students, faculty, and staff should have access to technology that improves their ability to contribute in their respective roles in the institution. (Access)

3. Students, faculty, and staff should have ongoing access to technology training and education. (Staff/students development)

4. Technology planning should include cost effective acquisition and allocation of ongoing resources to support infrastructure, hardware, and software. (Institutional effectiveness)

KEY TERMS

As used here, the term technology refers to electronic or information technology that supports functions and operations college-wide, including some specialized technology unique to and shared by particular disciplines or operations. Included in this definition are office technologies such as personal computers, printers, the telephone system, the email system, and standard office computer applications; instructional technologies such as computer labs, electronic media, and classroom management systems; student support technologies that facilitate orientation, assessment, counseling, placement, enrollment, and articulation; and administrative technology systems that support the administrative and business requirements of the district.

Since the Technology Plan is intended to implement Priority #3 of the college’s Strategic Plan 2009-2012, it employs the same major planning terms. The strategic initiatives are broad implementation goals, which can be divided into more detailed and concrete action steps. The action steps we have listed are only samples, to give the reader a sense of what will be required in order to complete the strategic initiative. They will need to be developed in more detail in the next phase of the development of the plan.

Like the Strategic Plan, this plan envisions that each action step will have a champion. This is the individual, typically an administrator, who is charged with ensuring that the action steps are being addressed in an effective manner.

We have divided the strategic initiatives into two broad categories. Those labeled support of student learning address the needs of programs and services that directly serve students. Those labeled support of college’s technological infrastructure also support student learning, of course, but do so indirectly. Obviously, there is overlap between these two categories, but we want to emphasize their functional differences and strongly emphasize the importance of each to the other.

Finally, we have sought to identify the types and mix of resources that each initiative is likely to require: policies, hardware, software, training, and staffing. As used here, the term policy includes procedures, planning activities, administrative regulations, and protocols.

TECHNOLOGY PLANNING PROCESS, 2007 - 2010

August 2007- October 2008

The Technology Planning Committee, created as an official governance committee to replace the ad hoc Technology Committee, undertakes a review of the Information Technology Plan 2004-2007 developed by the earlier committee with the help of the Strata Information Group (SIG). The following individuals served on the ad hoc Technology Committee in 2007: Ingrid Schreck (Chair), Bonnie Borenstein, Steve Dodson, Harriet Eskildsen, John Hinds, Kathleen Kirkpatrick, Nancy Ketchen, Jim Locke, Mike Lewis, Deb Mindel, Rene Prado, Rainer Wachelovsky, and Derek Wilson. The following individuals served on the Technology Planning Committee from August 2007-May 2008: Victoria Coad (Chair), Susan Andrien, Jim Arnold, Jeff Cady, Win Cottle (through Feb 2009), Frank Crosby, Steve Dodson, Harriet Eskildsen, Joseph Giroux, John Guldmunsson, Andy Haber, Michael Irvine, and Michael Ransom. The following individuals served on the Technology Planning Committee from August 2008-May 2010: Michael Irvine (Chair), Bob Balestreri, Jeff Cady (through May 2009), Win Cottle, Frank Crosby, Alice Dieli, Harriet Eskildsen, Ratnakar Nanavaty (through November 2008), Marshall Northcott, Dong Nguyen (through December 2009), Nathaniel Parker (through May 2009), and Kathleen Smyth.
October 2008
The Technology Planning Committee (TPC) begins an update of the college's computer inventory.

November 2008
After beginning work to update an older computer replacement plan, TPC is directed by the Institutional Planning Committee to begin preparing a college wide technology plan.

January 2009
IPC receives the new Computer Replacement Plan but asks for more detailed data from the completed computer inventory, as well as from program reviews.

February 2009
IPC approves the Computer Replacement plan and sends it to the Budget Committee for consideration. With encouragement from IPC, TPC continues to work on a new technology plan, reviewing the 2004 – 2007 Plan to determine what should be retained.

March 2009
IPC directs TPC to develop the Technology Plan 2010 – 2016 according to the schedule listed in the Strategic Plan Actions steps in conjunction with the Educational Master Plan.

April 2009
Changes in Program Review enable TPC to gather better information about technology needs. The committee discusses the inclusion of policies, standards, and procedures in the new plan.

August 2009
TPC begins to examine technology plans from other colleges. The interim Director of Planning, Research, and Institutional Effectiveness (PRIE) is brought on board as an advisor to the committee.

September 2009
The Program Review Committee implements TPC recommended changes in the Program Review template.

October 2009
TPC assesses the extent to which 2004 – 07 Information Technology Plan recommendations are completed, and determines that except for the establishment of the ERP software, action has not been taken on the recommendations. TPC explores the use of graphic depictions of Technology Plan recommendations, and selects the Skyline College technology plan as a good model.

November 2009
TPC develops a timeline for plan preparation, vision, and philosophy statements, and a template for developing goals and action steps. The PRIE Director serves as resource to the committee and assists in the editing of the plan. TPC determines that there should be a public period during which the academic community at large can look at the progress made on the plan.

January 2010
The Committee modifies the organization of the plan to create continuity with the previous plan and to reflect the organization of the institutional Strategic Plan.

February 2010
TPC refines the plan's organization, including a matrix with categorical descriptors, and sets on the terms "Strategic Initiatives" and "Action Plans" to parallel the Strategic Plan. Criteria for determining priorities are developed. It also proposes steps to finalize the plan by April of 2010.

March 4, 2010
A draft introduction describing the features and history of the plan is written and approved by the committee.

March 9, 2010
The plan, 2010 – 2016 Technology Plan, Phase 1 is submitted to PRAC.

April 6, 2010
The final version of the plan, which includes prioritized initiatives and detailed action steps, is submitted to PRAC for final approval.

STRATEGIC PLAN 2009 – 2012,
COLLEGE PRIORITY #3

Prepare, implement, and evaluate a college technology plan that identifies the policies, hardware, software, and training needed to improve student, staff, and faculty access to the effective use of technology in instruction. (EMP Recommendation College Systems 3)

Strategic Objective 3.1: Champions: Vice President of College Operations
Prepare a College Technology Plan 2010 – 2016 that identifies the current needed improvements in policies, hardware, software, and training.

Action Step 3.1.1
1. 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.
   2. Responsible Party: Vice President of College Operations
   3. Timeline: October 2009

Action Step 3.1.2
1. Compile the technology requests from all prior year Program Reviews.
   2. Responsible Party: Vice President of College Operations
   3. Timeline: October 2009

Action Step 3.1.3
1. Collaborate with on-campus IT staff to develop a list of needed improvements to hardware and software.
   2. Responsible Party: Vice President of College Operations
   3. Timeline: December 2009
Action Step 3.1.4
1. 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 (Student Access 3).
2. Responsible Party: Vice President of College Operations
3. Timeline: December 2009

Action Step 3.1.5
1. Prepare a College of Marin Technology Plan 2010 - 2016 that identifies the current needed improvements in policies, hardware, software, and training.
2. Responsible Party: Vice President of College Operations
## STRATEGIC INITIATIVES WITH ACTION STEPS

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>STRATEGIC INITIATIVE</th>
<th>EXAMPLES OF POSSIBLE ACTION STEPS</th>
<th>POLICY</th>
<th>HARDWARE</th>
<th>SOFTWARE</th>
<th>TRAINING</th>
<th>STAFFING</th>
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<tbody>
<tr>
<td>1 SUPPORT OF STUDENT LEARNING</td>
<td>Increase technology capabilities in labs and classrooms.</td>
<td>1.1 Provide effective and current equipment and software in technology-dependent labs and classrooms as requested during the Program Review process.</td>
<td>X</td>
<td>X</td>
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<td>1.2 Develop and maintain a priority list of new smart classrooms and classrooms to be converted to &quot;smart&quot; classrooms.</td>
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<td>1.3 Provide adequate personnel to maintain and staff labs and smart classrooms.</td>
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<td>1.4 Provide effective online resources (e.g. software, training) needed to support and supplement instruction offered in both traditional and online formats.</td>
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<td>X</td>
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<td>1.5 Develop standardized plan for the digitization of necessary instructional materials.</td>
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<td>X</td>
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<td>CHAMPION: Vice President College Operations</td>
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<tr>
<td>2 SUPPORT OF STUDENT LEARNING</td>
<td>Create and maintain an inventory of instructional technology resources to assist in setting priorities for technology purchases.</td>
<td>2.1 Collect inventory data through Program Review and publish the instructional inventory annually as part of the update of the Technology Plan. (See Strategic Initiative 8.)</td>
<td>X</td>
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<td>CHAMPION: Vice President College Operations</td>
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<td>3 SUPPORT OF STUDENT LEARNING</td>
<td>Develop and maintain a comprehensive Distance Education program that includes hybrid and online classes.</td>
<td>3.1 Define Distance Education, including hybrid and online courses for College of Marin.</td>
<td>X</td>
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<td></td>
<td>CHAMPION: Vice President of Student Learning</td>
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<td>3.2 Formalize policy for converting and implementing Distance Education within College of Marin courses.</td>
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<td>3.3 Develop a set of best practices for Distance Education including hybrid and online courses.</td>
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<td>3.4 Insure Distance Education program including hybrid and online courses is supported with appropriate hardware, software, and training.</td>
<td>X</td>
<td>X</td>
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<td>CHAMPION: Vice President of Student Learning</td>
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<td>4 SUPPORT OF STUDENT LEARNING</td>
<td>Maintain an ongoing training program for instructional staff &amp; faculty on instructional systems and applications.</td>
<td>4.1 Coordinate an instructional training program with the institutional training program described below. (See Strategic Initiative 12.)</td>
<td>X</td>
<td>X</td>
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<td>CHAMPION: Vice President of Student Learning</td>
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<td></td>
<td>SUPPORT OF STUDENT LEARNING</td>
<td>Expand the technology resources available to students, and publicize the resources and access procedures.</td>
<td>5.1 Create an online help desk for students.</td>
<td>X</td>
<td>X</td>
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<td>5.2 Expand wireless capability at both campuses.</td>
<td>X</td>
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<td>5.3 Provide tech workshops for students as part of orientation.</td>
<td>X</td>
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<td>CHAMPION: Both Vice Presidents</td>
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<td>SUPPORT OF STUDENT LEARNING</td>
<td>Ensure that assisted technology is accessible and complies with Section 508 Standards of the Rehabilitation Act.</td>
<td>6.1 Utilize faculty and staff who possess assisted technology expertise to: Ensure compliance with Section 508 Standards in the purchase of accessible computers and peripherals, software, and other types of electronic equipment, remove access barriers to the college website and other college-wide communications media, and develop and implement best practices for faculty in delivering accessible instruction.</td>
<td>X</td>
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<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Identify and implement organizational and procedural changes to increase effectiveness and responsiveness.</td>
<td>7.1 Review the recommendations of the 2004-2007 Information and Technology Plan having to do with organizational structure and governance.</td>
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<td>CHAMPION: Vice President College Operations</td>
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<tr>
<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Establish an effective technology governance structure.</td>
<td>8.1 Refine and clarify the charge, purpose, role, responsibility, membership, and operations of the Technology Planning Committee.</td>
<td></td>
<td>X</td>
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<td>CHAMPION: Vice President College Operations</td>
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<tr>
<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Use our current technology to conduct business process analysis to improve operations.</td>
<td>9.1 Identify and prioritize technological opportunities for streamlining workflow and business routine in processes such as faculty contract hiring, student refunds, reduction of paper use, class schedule analysis, and enrollment management tools, and technological processes associated with matriculation functions.</td>
<td></td>
<td>X</td>
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<td></td>
<td></td>
<td></td>
<td>CHAMPION: Both Vice Presidents</td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>10</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Implement plans to upgrade, improve, maintain, and reassign technology systems and equipment.</td>
<td>10.1 Fund and implement the College's approved Computer Replacement Plan.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>11</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Continue to expand the capabilities and security of the college network and improve access for both instruction and administrative services.</td>
<td>11.1 Evaluate and submit recommendations for replacement of outdated or obsolete network support hardware and software, including servers, routers, switches, and wireless access points.</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>11</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td></td>
<td>11.2 Research and submit recommendations for campus-wide wireless deployment.</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>11</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td></td>
<td>11.3 Enhance the protection of the district information and assure office productivity and data security through antivirus, encryption, and other tools.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Maintain an ongoing training program for all staff &amp; faculty on institutional systems and applications.</td>
<td>12.1 Develop an orientation program that includes best practices for maintaining security and preserving data.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td></td>
<td>12.2 Coordinate institutional training program with the instructional training program described in Strategic Initiative 4.</td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>13</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Improve access to financial and budget information for managers and department chairs.</td>
<td>13.1 Perform a needs analysis.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td></td>
<td>13.2 Prioritize and research impact on operational process and available resources.</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>13</td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td></td>
<td>13.3 Implement high priority improvements.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td></td>
<td></td>
<td>CHAMPION: Vice President College Operations</td>
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<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Improve access to class schedule analysis tools and enrollment management tools for instructional managers and department chairs.</td>
<td>14.1 Perform a needs analysis.</td>
<td>X</td>
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<td>14.2 Prioritize and research impact on operational process and available resources.</td>
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<td></td>
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<td>14.3 Implement high priority improvements.</td>
<td>X</td>
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<td></td>
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<td><strong>CHAMPION:</strong> Vice President of Student Learning</td>
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<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Provide adequate and properly trained staff to enable the IT Help Desk to provide more responsive services to faculty and staff.</td>
<td>15.1 Provide adequate staffing during all class hours.</td>
<td>X</td>
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<td></td>
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<td>15.2 Provide ongoing training for IT staff to answer questions and solve problems such as hardware support and maintenance, MyCOM accessibility, print capabilities, etc.</td>
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<td><strong>CHAMPION:</strong> Vice President College Operations</td>
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<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Develop a phased approach for migrating all district PCs running Windows XP to Windows 7 before XP end-of-life (2012).</td>
<td>16.1 Identify PCs that do not meet minimum specifications for upgrade.</td>
<td>X</td>
<td></td>
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<td></td>
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<td>16.2 Prioritize computer upgrades where possible and replacement where necessary.</td>
<td></td>
<td>X</td>
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<td></td>
<td></td>
<td>16.3 Replace and upgrade computers.</td>
<td></td>
<td>X</td>
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<td></td>
<td>SUPPORT OF COLLEGE'S TECHNOLOGICAL INFRASTRUCTURE</td>
<td>Improve and expand telephone and voice messaging services to faculty and staff.</td>
<td>17.1 Replace or enhance the existing telephone and voice mail system to comply with FCC Enhanced 911 regulations as directed by Homeland Security.</td>
<td>X</td>
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<td><strong>CHAMPION:</strong> Vice President College Operations</td>
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CRITERIA FOR PRIORITIZING TECHNOLOGY STRATEGIC INITIATIVES

The Technology Planning Committee used the broad criteria outlined below to develop the priority levels for the Technology Strategic Initiatives we have identified. In addition, in order to impose a context on our deliberations, the Committee assumed a maximum allocation of $500,000 per year for technology needs. This is neither a request, nor an expectation. Everyone understands the severe funding problems that the college faces. However, introducing this admittedly arbitrary number helped us remain, if not realistic, at least restrained in our optimism as we worked through this process.

GLOBAL LEVEL CRITERIA
- Consistent with Educational Master Plan
- Advances elements of the Strategic Plan
- Advances elements of the Technology Plan
- Responds to tactical necessity or opportunity (e.g., new requirements, new funding)

PROGRAM LEVEL CRITERIA
- Consistent with relevant program review priorities
- Addresses the needs of high demand programs or services
- Demonstrates reasonable balance of costs to benefits
- Demonstrates high likelihood of effective implementation and use

PRIORITIES
It is the position of the Technology Planning Committee, that all of the initiatives identified in this plan need to be systematically addressed if College of Marin is to maintain currency in its use of technology and provide high quality programs and services to its students. However, from a tactical perspective, we have identified six initiatives that we believe should be addressed as soon as possible.

Several of these initiatives deal with policy and planning issues that do not require an immediate commitment of financial resources. These are:

1.2 that addresses the development of a priority list for smart classrooms; #3.1, 3.2, and 3.3 that address systematically addressing the development of distance education; #4.1 and 12.2, that address the development of a plan for technology training and professional development focusing on both institutional and institutional applications; and #8.1 that addresses refining and clarifying the charge and responsibilities of the Technology Planning Committee The college should immediately commence working on all of these “policy” issues that do not require additional funding.

The following recommendations focusing on six initiatives are the product of extensive discussion within the Technology Planning Committee, based on the criteria outlined on page 5.

Strategic Initiative 3
While the college provides a number of hybrid and online courses, it has only recently begun to develop a formal plan for distance education. Policies and guidelines need to be developed regarding the size and scope of distance offerings, as well as a professional development program so that instructors can improve their effectiveness in the online environment.

Estimated costs for this Initiative: $7,000 Blackboard CMS upgrade annually ($9,500 current annual cost), Faculty Resource Facilitator (three units for next 3 semesters), IT support for CMS integration with Banner, which requires reallocation of staff time, and training costs of $7,000 for one training.

Recommendations: That #3.1, 3.2, and 3.3 be implemented, that Blackboard CMS and the Faculty Resource Facilitator be maintained, and that funding be added for CMS/Banner integration, and that additional training be added as the distance education program matures and funds allow.

Strategic Initiative 6
Section 508 of the Federal Rehabilitation Act requires that assisted technology is accessible to all students, including those with disabilities, using approved and licensed computers, peripherals, software, and other types of electronic equipment. The college needs to confirm that it is complying with Section 508 requirements.

Estimated costs: Unknown pending a review of accessibility issues.

Recommendation: That the college review its practices regarding the use of assisted technology to ensure it is in compliance with Section 508.

Strategic Initiative 9
This initiative addresses significant challenges and opportunities in the essential business of running the college. It is clear that resources will need to be devoted to technological infrastructure over the next several years. As a tactical priority, the Committee focused on the technology needs associated with student support services. Two such needs were deemed crucial: improved academic advising, and improved events scheduling.

Academic advising can be significantly improved with the utilization of DegreeWorks for which we have already purchased the software license. DegreeWorks is an integrated add-on to Banner Student and allows students to spend less time deciphering degree requirements and more time pursuing their academic goals. Robust academic planning tools and real-time counseling capabilities help advisors provide consistent and meaningful direction to students.

Estimated Costs:
- Required server to operate DegreeWorks = $10,000
- Project manager (consultant) to implement DegreeWorks and set-up initial tables and rules = $10,000
- One full-time classified Degree Works specialist to maintain existing tables and act as primary articulation officer for the College = $60,000 per year.
- One full-time Evaluations Specialist position to evaluate incoming transcripts and enter equivalencies into student academic history = $65,000 per year.
- Advisor and staff training = $3,000
- Total Cost: Up to $148,000 initial investment with possible $125,000 annual cost
The other identified need, the scheduling of special events, can be handled by R-25 (Resource 25), is a campus-wide, multi-user system that directly interfaces with the new Student Information System (BANNER) to maintain facility synchronization for efficient use of space. Resource 25 includes robust reporting capabilities and a powerful web component. The flexibility and scope of R25 functionality allows users to precisely manage space and other resources at the activity level and to structure events to meet scheduling needs and goals. We have a current license for this software.

**Estimated costs:** $3,000 one time, for training.

**Recommendation:** That the college fund the utilization of R-25 in 2009-10 or 2010-11, by reallocating existing resources, and that the purchase of a server for the utilization of DegreeWorks is given high priority when resources become available.

**Strategic Initiative 10**

This initiative addresses the need to maintain keep current in terms of technology equipment software, licenses, and subscriptions.

10.1 Computers: In February of 2009 the college approved a district-wide computer replacement plan, but it was not implemented. (The plan is located at http://www.marin.edu/tech/index.htm)

We have approximately 1,447 instructional and non-instructional computers collectively at both College of Marin campuses. The 2009-2010 program review indicated the need for 178 additional or replacement instructional computers at a cost of $250,000 and 34 additional or replacement non-instructional computers at a cost of $42,000. The computer replacement plan recommended a five-year replacement cycle for computers.

**Estimated costs:** $266,271 annually using the current specified computer models.

**Recommendation:** That the college explore ways to reallocate funds or identify new funds to support either a five-year replacement cycle or one of longer duration, if necessary, so that the college does not fall further behind. Moreover, a regular allocation for computer replacement should be established each year as part of the budget development.

10.2 Software licensing, maintenance contracts, subscriptions, and peripherals: In the 2009-2010 program review, there were requests for replacement instructional software, which total $110,000. Like computers, these items need to be addressed each year. In order to create strategies for replacement of software, the college must first identify what it now has, where it has it, and what is being requested.

The college currently owns TrackIt, a software program that can identify the hardware and software at every computer at the college. Information regarding peripherals such as printer drivers can also be gathered by TrackIt. Implementing this tool will require about 40 hours of system administration and about a half hour of technical time to set up each of approximately 500 computers.

Information about electronic subscriptions, etc. can be gathered from Program Review and budget expenditures.

**Estimated cost:** 40 hours of system administration, 250 hours of set-up and training for Track It. Ongoing software costs to be determined.

**Recommendation:** That once needs are assessed and organized, pricing and maintenance agreements must be negotiated with vendors, a plan for acquisition of these materials must be created, and a funding plan developed.

**Strategic Initiative 11**

This initiative addresses the need to maintain and improve the "backbone" of the technological infrastructure of the college.

11.1: Network switches have approximately an eight-year life span, but also have a lifetime warranty. Cost is incurred when replacement switches are required because of lack of speed, inability to handle enough information, or the need to add more access points. The cost to maintain adequate switches is difficult to predict. A network monitoring system, costing approximately $30,000, would help the college track the efficiency of the switches. This system would require staff to constantly monitor the system. New bond-funded buildings will have new switches. It will be our task to replace, as we can, those outdated switches in the older buildings.

Servers provide access to the local and global networks. We have approximately 64 servers throughout our campuses. Total cost to replace those servers will be at least $300,000 as many are $12,000 each. Server maintenance and replacement as well as the need for additional servers for more storage are imminent and some funds must also be reallocated for this purpose.

**Estimated costs:** Costs for replacement switches and servers are unknown; $30,000 initial cost plus a permanent full time staff position for a switch monitoring system.

11.2: Wireless access is a high priority, particularly for students. Buildings funded by bond funds will have wireless access. Deployment in the remaining buildings will need to be completed over time.

**Estimated cost:** Approximately $800 - $1,600 (installed) per 10,000 square feet of building space.

**Recommendation:** That in 2010-11, the college seek reallocated funds for switch and server replacement/maintenance and in the future seek new one-time funding for a switch monitoring system, and that it develop a plan providing wireless access over a multi-year period.

11.3: Security of information is an ongoing concern and the college must continue its efforts in providing the tools and services to this end.

**Estimated cost:** Sustained funding for this purpose.

**Recommendation:** We must make sure that funds are not reallocated to the detriment of this purpose.

**Strategic Initiative 17**

The phone and voice mail systems here at the college have lived on way past their prime. This initiative addresses the need to replace/upgrade the existing telephone and voice mail system, which will greatly enhance communication, as well as bring the college into compliance with FCC, enhanced 911 security regulations. This would allow emergency services, during a "911" call, to know the exact location of the caller. Currently a call is only identified as "College of Marin".

**Estimated costs:** $55,000 to replace the voice mail system.

**Recommendation:** That the phone voice mail system be replaced/updated to provide more efficient service communications, especially in emergency situations at the college.
ACTION STEPS
The Vice President of College Operations will develop a “Technology Spending Plan” allocating dollars sufficient to address the Strategic Initiatives action steps as follows:

Strategic Initiative 1 Recommendation: That 3.1, 3.2, and 3.3 be implemented, that Blackboard CMS and the Faculty Resource Facilitator be maintained, that funding be added for CMS/Banner integration, and that additional training be added as the distance education program matures and funds allow.

Action Steps: Allocate funds in the 2010-11 spending plan to implement a Blackboard CMS upgrade. Initial cost is estimated at approximately $14,000, $7,000 for the upgrade and $7,000 for training. The future annual maintenance cost for future years will have to be included the regular operating budgets.

Strategic Initiative 6 Recommendation: That the College reviews its practices regarding the use of assisted technology to ensure it is in compliance with Section 508.

Proposed Action Steps: Recommendation is not clear and requires further study. Administration will review and study to ensure that the college complies with Section 508.

Strategic Initiative 9 Recommendation: The College funds the utilization of R-25 in 2009-10 or 2010-11, by reallocating existing resources, and that the purchase of server for the utilization of Degree Works is given high priority when resources become available.

Action Steps: Funds shall be allocated and included in the Technology Spending Plan for the implementation of both Degree Works, and Resource 25 (R-25). The IT department will develop and implementing schedule beginning with fall 2010. Because of limited staff in the IT department and the time and resources required to implement the two systems, R-25 shall be implemented first followed by Degree Works. The Vice President of Student Learning, is the assigned champion for the Degree Works project. As pointed out in the technology plan, the college acquired the program at the same time it purchased the other SunGard products. Estimated initial investment cost, $150,000.

Strategic Initiative 10 Recommendation: That the college explore ways to reallocate funds or identify new funds to support either a five-year replacement cycle or one of longer duration, if necessary, so that the college does not fall further behind. Moreover, a regular allocation for computer replacement should be established each year as part of the budget development.

Proposed Action Steps: The administration proposed to take the following steps in 2010-11 academic year.

Upgrade the equipment in at least one academic lab based on the age and condition of the equipment.

Continue to seek solutions to allocating dollars for the development of an equipment replacement fund.

Estimate cost for the 2010-11 year, $100,000. IT department, because of its limited staff, cannot acquire or deploy equipment in excess of $100,000, which will cover the cost of approximately 100 computers.

Strategic Initiative 11 Recommendation: That in 2010-11, the college seeks reallocated funds for switch and server replacement/maintenance and in the future seeks new one-time funding for a switch monitoring system, and that it develop a plan providing wireless access over a multi-year period.

The administration will evaluate the need and develop a plan for providing wireless access college-wide over a multi-year period. HP, in accordance with our purchase agreement, replaces all network gear therefore; the college will replace network gear and servers on an as-needed basis.

Strategic Initiative 17 Recommendation: That the phone voice mail system be replaced/upgraded to provide more efficient service communications, especially in emergencies at the college.

Proposed Action Steps: This recommendation is in need of further study to determine the cost and specific needs. However, administration shall give a high priority to bringing the college into compliance with FCC, enhanced 911 security regulations.
## SPENDING PLAN 2010 - 2011

<table>
<thead>
<tr>
<th>STRATEGIC INITIATIVE #</th>
<th>PURPOSE</th>
<th>BUDGET</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>#3</td>
<td>Upgrade Blackboard including training</td>
<td>$14,000</td>
<td>Increase in CMS seat licenses, not an upgrade to Enterprise (7K additional licensing/maint, 7k training)</td>
</tr>
<tr>
<td>#9</td>
<td>Implement R-25</td>
<td>16,000</td>
<td>training for 2 techs (5K), 4 users (10K)</td>
</tr>
<tr>
<td></td>
<td>Implement DegreeWorks</td>
<td>100,000</td>
<td>DegreeWorks (15K for a server, 10K for training, 80K - for supplemental consulting costs per initial quote), software installation and initial consulting pre-paid</td>
</tr>
<tr>
<td>#10</td>
<td>Upgrade equipment and software in academic labs</td>
<td>107,960</td>
<td>MMST (30), LC 110 (7), LC150 (29). Propose 27 MMST replacements at $1250 each (quote W70360366), not high-end at $2600 ea. Cover three high-end workstations. Propose covering new software but not continuing costs. Propose not covering FFE (mounted projector at $10K). LC software costs are unknown at this time but budgeted at $200/station. Replacement strategy requires the return to inventory of all replaced computers.</td>
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<tr>
<td></td>
<td>Purchase computers for full-time faculty</td>
<td></td>
<td>All full-time faculty have computers</td>
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<tr>
<td>#17</td>
<td>Enhance phone system for E-911 services</td>
<td>19,000</td>
<td>Purchase and install replacement hardware. STN quote 40861.</td>
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<td>256,960</td>
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Introduction

The *College of Marin Integrated Planning Manual 2009* was developed to guide integrated, institutional planning at College of Marin. The manual describes the ways that the college's constituent groups participate in and contribute to college planning. The 2010 revisions to the document are a result of ongoing assessment of timelines and specific functions associated with the college's planning and resource allocation process made by the Planning and Resource Allocation Committee (PRAC).

This document begins with a description of the integrated planning model and the planning documents that are key to that model. It then outlines the following:

- Specific tasks to be accomplished
- Processes by which decisions/recommendations will be developed
- Timeline for each task
- Individuals or groups responsible for completing the tasks
- Individuals or groups that will receive the recommendations and render final decisions.

The undersigned faculty, classified staff, and administrative representatives of College of Marin have agreed upon the planning process structure and procedures described in this manual.

__________________________________________  __________________________________________
Superintendent/President                      Academic Senate President

__________________________________________  __________________________________________
Associated Students President                  Classified Senate President

__________________________________________  __________________________________________
Co-Chair, Planning and Resource Allocation     Co-Chair, Planning and Resource Allocation
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Integrated Planning

In an integrated planning process, all college planning is part of a functional system unified by a common set of assumptions and well-defined procedures, and is dedicated to the improvement of institutional effectiveness. The driving force for all college efforts is student learning. Assessments focus on how well students are learning and based on those assessments, changes are made to improve student learning and success.

College of Marin’s planning policies and practices both direct and demonstrate strategies for institutional effectiveness. Dialogue regarding the improvement of institutional effectiveness occurs in an ongoing and systematic cycle of evaluation, integrated planning, resource allocation, implementation, and re-evaluation. These practices and policies are summarized in this planning manual.

To summarize the planning model:

The College Mission describes the college’s intended student population and the services the college promises to provide to the community. As such, this statement is the touchstone for the entire planning process.

↓

The college uses this statement to assess its current status and anticipate future challenges in a long-term Educational Master Plan.

↓

This long-term plan is then the driver of the college’s three-year Strategic Plans and its annual Program Reviews. The program reviews include a thorough analysis of each academic and student services program and administrative function, as well as programmatic planning at the unit level. The strategic objectives in the Strategic Plan and the unit plans in the Program Reviews also inform the subsequent editions of the Educational Master Plan; the long-term and short-terms plans reciprocally inform one another.

↓

Resources are allocated based on collegewide Strategic Plans and unit-level plans, thereby ensuring the college’s forward movement on the college’s strategic objectives that were drawn from the recommendations in the Educational Master Plan and articulated in the Strategic plan.

↓

Following the allocation of resources, the college mobilizes its resources to implement its plans.
College of Marin Integrated Planning Manual Revised 2010

The college assesses progress on the strategic objectives and makes adjustments in action steps as needed to continue the college's forward movement in fulfilling its Mission. Assessment of the outcomes, as well as assessment of the planning processes itself, is embedded throughout the planning efforts.

College of Marin Integrated Planning
Mission

The college mission statement is the touchstone for the entire planning process in that it describes the college’s intended student population and the services the college promises to provide to the community.

The college’s schedule for reviewing the mission statement is every three years in a cycle that sequences this review during the year prior to the development of the next strategic plan. In keeping with the schedule identified later in this manual, the college’s mission will be reviewed in 2011, 2014, and 2018.

The current college mission statement is:

College of Marin’s commitment to educational excellence is rooted in our mission to provide excellent educational opportunities for all members of our diverse community by offering:

- preparation for transfer to four-year schools and universities;
- workforce education;
- basic skills improvement/English as a Second Language
- intellectual and physical development and lifelong learning; and
- cultural enrichment.

College of Marin is committed to responding to community needs by offering student-centered programs and services in a supportive, innovative learning environment with a strong foundation of sustainability, which will instill environmental sensitivity in our students.

(Mission approved by the Marin Community College District Board of Trustees on April 20, 2010)

The Accrediting Commission for Community and Junior Colleges’ standard most relevant to the development and review of college missions is:

I.A. Mission

The institution has a statement of mission that defines the institution’s broad educational purposes, its intended student population, and its commitment to achieving student learning.

1. The institution establishes student learning programs and services aligned with its purposes, its character, and its student population.

2. The mission statement is approved by the governing board and published.

3. Using the institution’s governance and decision-making processes, the institution reviews its mission statement on a regular basis and revises it as necessary.

4. The institution’s mission is central to institutional planning and decision-making.
## Timeline and Process for Review of the Mission

<table>
<thead>
<tr>
<th>Month</th>
<th>Year(s)</th>
<th>Process Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>September</strong></td>
<td>2011, 2014, 2018</td>
<td>• PRAC forms a task force to review the college mission. Mission Review Task Force develops a review process to ensure collegewide feedback.</td>
</tr>
<tr>
<td><strong>October</strong></td>
<td>2011, 2014, 2018</td>
<td>• The Mission Review Task Force submits the process plan to the College Council for feedback. Mission Review Task Force modifies the review process as appropriate.</td>
</tr>
<tr>
<td><strong>November</strong></td>
<td>2011, 2014, 2018</td>
<td>• Mission Review Task Force conducts the review so that input from the college community is solicited regarding potential modifications to the college mission.</td>
</tr>
<tr>
<td><strong>December</strong></td>
<td>2011, 2014, 2018</td>
<td>• Mission Review Task Force modifies the mission as appropriate and submits to the college’s three Senates and College Council for review and recommendations. The College Council ensures collegewide review of the proposed revision to the college mission prior to approval.</td>
</tr>
<tr>
<td><strong>January</strong></td>
<td>2012, 2015, 2019</td>
<td>• College Council revises the mission if appropriate and recommends forwarding the mission to the Board. The Superintendent/President submits the revised mission statement to the Board of Trustees for approval. Following this approval, the revised mission statement is circulated collegewide for use in all publications.</td>
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</tbody>
</table>
Educational Master Plan

The Educational Master Plan projects the future of College of Marin for the coming decade, and makes general recommendations that address current and foreseeable challenges.

The plan’s analysis of internal and external data and the resulting recommendations provide a common foundation for the dialogue about the college’s effectiveness in fulfilling its mission. These recommendations are intended to serve as the basis for the college’s three-year Strategic Plans and to inform annual unit plans. In this manner a direction is established for the college under changing conditions and for the long-term development of programs and services.

The current Educational Master Plan spans from 2009 to 2019. Subsequent iterations of the Educational Master Plan will be developed when the term of this plan expires. An update of this Educational Master Plan may be warranted if there is a major change of internal or external conditions.

The Accrediting Commission for Community and Junior Colleges’ standard most relevant to the development and implementation of all processes described in the remainder of this College of Marin Integrated Planning Manual 2010 is:

1. B. Improving Institutional Effectiveness

The institution demonstrates a conscious effort to produce and support student learning, measures that learning, assesses how well learning is occurring, and makes changes to improve student learning. The institution also organizes its key processes and allocates its resources to effectively support student learning. The institution demonstrates its effectiveness by providing 1) evidence of the achievement of student learning outcomes and 2) evidence of institution and program performance. The institution uses ongoing and systematic evaluation and planning to refine its key processes and improve student learning.

The institution maintains an ongoing, collegial, self-reflective dialogue about the continuous improvement of student learning and institutional processes.

The institution sets goals to improve its effectiveness consistent with its stated purposes. The institution articulates its goals and states the objectives derived from them in measurable terms so that the degree to which they are achieved can be determined and widely discussed. The institutional members understand these goals and work collaboratively toward their achievement.

The institution assesses progress toward achieving its stated goals and makes decisions regarding the improvement of institutional effectiveness in an ongoing and systematic cycle of evaluation, integrated planning, resource allocation, implementation, and reevaluation. Evaluation is based on analyses of both quantitative and qualitative data.
The institution provides evidence that the planning process is broad-based, offers opportunities for input by appropriate constituencies, allocates necessary resources, and leads to improvement of institutional effectiveness.

The institution uses documented assessment results to communicate matters of quality assurance to appropriate constituencies.

**Timeline and Process for the Educational Master Plan**

- **September 2018**
  - PRAC calls for the development of the *College of Marin Educational Master Plan 2019 – 2029* by assigning this task to the Educational Planning Committee.

- **September - December 2018**
  - Drawing on resources in the college and in the community, the Educational Planning Committee prepares a draft *College of Marin Educational Master Plan 2019 – 2029* that includes the key internal and external measurable performance indicators; presents programmatic projections for instruction, student services, and support of learning areas; and identifies challenges that the college is facing or is likely to face in the coming decade. Once each chapter is completed, it is distributed for collegewide review.

- **January 2019**
  - The Educational Planning Committee integrates the collegewide feedback as appropriate and distributes the complete draft for a final collegewide review and feedback.

- **February 2019**
  - The Educational Planning Committee incorporates feedback received from the collegewide review and prepares a final document which is distributed to PRAC, the Senates, and College Council for recommendations and approval.
  - The Superintendent/President presents the *College of Marin Educational Master Plan 2019-2029* to the Board of Trustees for their approval.
Strategic Plan

The Strategic Plan is the college’s short-term plan. This plan identifies the specific actions that the college must take to implement the recommendations identified in the Educational Master Plan.

This planning process is initiated by reviewing the Educational Master Plan recommendations and determining which will serve as the college's top priorities for the next three to four years. From these college priorities, a number of specific strategic objectives are identified. In turn each strategic objective is translated into a number of concrete, measurable action steps to be used to achieve the strategic objectives. Each action step includes a timeline for completion, a description of indicators of success, and the assignment of parties responsible for implementing the action.

The Strategic Plan promotes continual improvement over time because the process calls for the prioritization of a reasonable number of strategic objectives for college wide concentration each year. Each year the college produces an annual institutional effectiveness report that documents progress on the strategic objectives to reinforce and sustain the college dialogue on the college's long-term and short-term goals. See the section in this document titled Timeline and Process for Assessing Progress on College Goals/Plans.

The PRAC calls for the subsequent strategic plan when the term of the current strategic plan expires or when all strategic objectives have been achieved. The schedule for the coming decade is:

Strategic Plan 2009-2012 (spring 2009 through spring 2012)

Strategic Plan 2012 - 2015 (fall 2012 through spring 2015)

Strategic Plan 2015 - 2019 (fall 2015 through spring 2019)

These final strategic plan progress reports feed into the Educational Master Plan to be developed in the 2018 – 2019 academic year.
Timeline and Process for Developing Strategic Plans

February

- In spring 2009, PRAC analyzed the recommendations in the College of Marin Educational Master Plan 2009-2019 and set the college priorities for the next three to four years. This procedure will be followed for 2012 and 2015.

February-March

- In spring 2009, PRAC developed a draft Strategic Plan 2009-2012 comprised of a reasonable number of strategic objectives and action steps for each college priority. The action steps identified specific tactics, a timeline for completion, and the party/parties responsible for completing each task.
- The draft Strategic Plan 2009-2012 was distributed collegewide for feedback. This procedure will be followed for 2012 and 2015.

April

- In spring 2009, PRAC incorporated the feedback from the collegewide review and prepared the final strategic plan. The strategic plan was presented to the Superintendent/President and College Council for review and approval.
- This procedure will be followed for 2012 and 2015.
- Annually, in late spring and early fall, PRIE prepares an Institutional Effectiveness Report which documents and quantifies the progress on each of the college’s strategic objectives and the unit plans presented in program reviews. Refer to “Timeline and Process for Assessing Progress on College Goals/Plans” in this manual for details on this annual assessment of progress.
Program Review

Program review is a systematic process involving the collection, analysis, and evaluation of quantitative and qualitative data about an academic program, student service or program, or an administrative work plan. Program review is an essential component of the college’s dynamic cycle of planning → evaluation → improvement.

The process is designed to identify strengths and weaknesses as a foundational step in developing plans for improvement. It is a means for determining the effectiveness of the units and the administration of the academic and non-academic functions, including, but not limited to: instruction, student services, and administrative support of learning activities.

As a way to integrate planning, program review queries each component of the college as to its contributions to achieving the strategic objectives identified in the College of Marin Strategic Plan 2009-2012. This annual data-driven process includes both qualitative and quantitative outcomes.

The college launched program reviews for instructional programs in 2005 and for student services programs in the following year. In fall 2009, the college developed and implemented program reviews for all administrative services.

Having completed three full program reviews from 2007 to 2009, the college has decided to create a “mini program review” template in which programs can make annual equipment, supplies and staffing requests with stated justifications.

Full program reviews with complete analyses of longitudinal data will be completed every two or three years. Starting in fall of 2011, a two-year cycle of program review for Career and Technical Education programs will be instituted. For 2010-2011, these programs will conduct mini program reviews as needed.

Starting in fall of 2012, a three-year cycle for all other disciplines/programs, student services, and administrative services will be instituted. For the two years prior to fall 2012, these programs will conduct mini program reviews as needed (for 2010-2011 and 2011-2012). These reviews will be prompted if a program is requesting changes to staffing including faculty or requesting additional equipment and supplies. The schedule for these cycles follows.
### Timeline for Program Review—Career and Technical Education Programs

#### Career and Technical Education Programs

**Full Program Review Every Two Years**

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<tr>
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*Business Office Systems, Business, Computer Information Systems, Real Estate*

All programs will conduct mini program reviews as needed for 2010-2011.
Timeline for Program Review—All Other Disciplines/Programs

All Other Disciplines/Programs
(Full Program Review Every Three Years)

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<td>Behavioral Sciences</td>
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<td>Library/Learning Resources</td>
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<td>Community Education</td>
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<td>Mini Program Review</td>
<td>Full Program Review</td>
<td>Mini Program Review</td>
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<td>College Skills</td>
<td>Mini Program Review</td>
<td>Full Program Review</td>
<td>Mini Program Review</td>
<td>Mini Program Review</td>
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<tr>
<td>English/Humanities</td>
<td>Mini Program Review</td>
<td>Full Program Review</td>
<td>Mini Program Review</td>
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<tr>
<td>Modern Languages</td>
<td>Mini Program Review</td>
<td>Full Program Review</td>
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<tr>
<td>Social Sciences</td>
<td>Mini Program Review</td>
<td>Full Program Review</td>
<td>Mini Program Review</td>
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<tr>
<td>Fine and Visual Arts</td>
<td>Mini Program Review</td>
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<td>Full Program Review</td>
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<td>Performing Arts</td>
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<td>Full Program Review</td>
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All programs will conduct mini program reviews as needed for 2010-2011 and 2011-2012.
# Disciplines/Programs

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<tr>
<th>Group 1</th>
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<th>Group 3:</th>
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<td>Life and Earth Sciences</td>
<td>Communications</td>
<td>Fine and Visual Arts</td>
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<tr>
<td>Biology, Physical Geography,</td>
<td>Communications, Speech,</td>
<td>Art, Architecture</td>
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<tr>
<td>Geology</td>
<td>Film/Video Journalism</td>
<td>Performing Arts</td>
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<td>Mathematics</td>
<td>College Skills</td>
<td>Dance, Drama, Music</td>
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<td>Physical Sciences</td>
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<td>Astronomy, Computer Science,</td>
<td>Noncredit ESL</td>
<td>Health Education,</td>
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<td>English/Humanities</td>
<td>Rehabilitation Fitness, P.E.,</td>
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<td>Behavioral Sciences</td>
<td>English, Humanities,</td>
<td>Intercollegiate Athletics</td>
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<td>Philosophy</td>
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<td>Science, Psychology, Sociology</td>
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<td>Distance Education</td>
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<td>Library/Learning Resources</td>
<td>Chinese, French, Italian,</td>
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<tr>
<td>Community Education</td>
<td>Japanese, Spanish</td>
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<td></td>
<td>Social Sciences</td>
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<td></td>
<td>Economics, Ethnic Studies,</td>
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<td></td>
<td>Cultural Geography, History,</td>
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<td>Political Science, Social</td>
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<td></td>
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**Timeline for Program Review—Student Services**

**Student Services**
*(Full Program Review Every Three Years)*

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<td>Transfer and Career Center</td>
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<td>Health Center</td>
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<td>Job Placement Center</td>
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*All programs will conduct mini program reviews as needed for 2010-2011 and 2011-2012.*
### Timeline for Program Review—Administrative Services

**Administrative Services**  
*(Full Program Review Every Three Years)*

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<td><strong>Chief Executive Operations</strong>*</td>
<td>Full Program Review</td>
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<td><strong>Student Learning</strong>*</td>
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<td><strong>College Operations</strong>*</td>
<td>Full Program Review</td>
<td>Mini Program Review</td>
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<td>Full Program Review</td>
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</table>

*Communications, Human Resources, Planning, Research, and Institutional Effectiveness ("PRIE")  
**Instructional Management  
***Fiscal Services, Modernization, Maintenance and Operations, Police Services, and Technology*

*All programs will conduct mini program reviews as needed for 2010-2011 and 2011-2012.*
Student Learning Outcomes (SLOs)

Student Learning Outcomes are an integral part of the college's review process. Through analysis of SLO assessments, recommendations for improvement can be determined. Organized under a broad umbrella of collegewide outcomes, SLOs have been identified for courses and programs including basic skills and General Education, as well as degrees and certificates.

College Learning Outcomes:

1. Written, Oral and Visual Communication: Communicate effectively in writing, orally and/or visually using traditional and/or modern information resources and supporting technology.

2. Scientific and Quantitative Reasoning: Locate, identify, collect, and organize data in order to then analyze, interpret or evaluate it using mathematical skills and/or the scientific method.

3. Critical Thinking: Differentiate between facts, influences, opinions, and assumptions to reach reasoned and supportable conclusions.

4. Problem Solving: Recognize and identify the components of a problem or issue, look at it from multiple perspectives and investigate ways to resolve it.

5. Information Literacy: Formulate strategies to locate, evaluate and apply information from a variety of sources - print and/or electronic.

The college began this process in 2005 for its instructional programs. In 2008, student services created SLOs for their areas. Formal SLO reports have been included in the 2007 and 2009 program reviews. SLO reports will be a major component of all full program reviews starting in 2012.

Between 2010 and 2012, the college will focus on formal assessment of SLOs at all levels. An SLO Assessment Council (SLOAC) has been established in fall 2010. This committee will help to facilitate, evaluate and report on the achievement of proficiency-level outcomes stated in the ACCJC Student Learning Outcome rubric.

Timeline for Student Learning Outcomes

<table>
<thead>
<tr>
<th>Year</th>
<th>Discipline</th>
<th>General Education</th>
<th>Degree/Certificate</th>
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<tbody>
<tr>
<td>2010-2011</td>
<td>All disciplines work on creating SLO assessments for their primary course offerings</td>
<td>General Education groups create rubrics</td>
<td>Degree/certificate SLOs are written and means of assessment developed</td>
</tr>
<tr>
<td>2011-2012</td>
<td>All disciplines assess and report SLO findings</td>
<td>Major General Education courses assessed and reported</td>
<td>Degree/certificates assessed and reported</td>
</tr>
</tbody>
</table>

SLOs are reported on annually after 2011-2012

Annual Update of Curriculum: Course Outlines over 5 years old are updated.
Resource Allocation

The resource allocation processes link program reviews and strategic planning to the resources needed to accomplish the college goals.

The guiding principles for all resource allocation processes are as follows:

Resources include all assets of the college including its fiscal resources, facilities, equipment, and the time and talents of its faculty and staff.

The processes for allocating resources are transparent. All members of the college community are informed about the routines and components of planning that lead to resource allocations.

The resource allocation processes begin each year with the development of budget assumptions that forecast the available discretionary general fund resources for the coming fiscal year and thereby set the parameters for program reviews and work plans.

Priority will be given to resource requests that support:

- achievement of college strategic objectives and
- health, safety, and accessibility.

To the extent that it is fiscally possible, the college will sustain an innovations fund to support faculty/staff ideas through a competitive mini-grant process.

The chart on the accompanying page presents the timeline and processes for allocating general fund resources that are used to directly support the college's strategic planning objectives. These funds include discretionary funds (funds beyond fixed costs) as well as reallocated funds from vacant positions or discontinued programs.
## Annual Timeline and Process for Program Review and Resource Allocation

### August
- The Planning, Research, and Institutional Effectiveness (PRIE) Office provides data for the program review template for all programs under review.

### September
- Members of the Program Review Committee and the SLO Facilitators meet with the instructional departments/disciplines, student service areas, and administrative service areas scheduled to complete a program review.

### October - December
- Those identified to complete a program review complete reviews and submit all responses electronically to the Program Review Committee by December 1st.

### November
- The VP of College Operations and the Resource Allocation Committee reviews the prior year budget and develops budget assumptions for the coming fiscal year. These assumptions forecast the available discretionary general fund resources for the coming fiscal year and thereby set the parameters for program reviews and work plans. The VP of College Operations communicates these assumptions collegewide.

### December 1 - December 16
- Chairs review and comment on the program reviews from their departments. Deans review and comment on the program reviews from their divisions.
• Sections of the completed program reviews are distributed to appropriate committees.
• The program reviews are evaluated for completeness and initial assessment; interviews are conducted if further information or clarification is needed.
• Committees make assessments and rank the requests and/or clarify needs according to rubrics.
• The cabinet will evaluate administrative services.
• The Student Access and Success Committee will evaluate student services program reviews.

March

• Recommendations and reports from committees are submitted to PRAC. Requests are reviewed by PRAC and PRAC makes recommendations to the Superintendent/President for review and budgeting.

May - June

• Superintendent/President submits tentative budget which includes PRAC recommendations. The Board of Trustees approves the tentative budget.

August

• The Board of Trustees approves the adoption budget.
Plan Implementation and Reports

Because the institutional plans in this manual include both program review activities and strategic plan action steps, plan implementation will vary significantly. Therefore, no single timeline and process is described here.

The individual(s) responsible for implementing plans are identified in the source documents, and they are charged with:

- Developing appropriate timelines and processes;
- Assessing success after the plans are implemented; and
- Reporting the activities and results to PRAC semi-annually.

The college community has access to information on the progress of plan implementation through the PRIE Web Site.

Timeline and Process for Plan Implementation and Reports

- **January**
  - Reporting activities and results to PRAC.

- **April**
  - Reporting activities and results to PRAC.
Assessment of Progress on College Priorities and Objectives

The annual Institutional Effectiveness Report, a widely distributed report of the college's progress on its goals and plans, is the key benchmark of accountability in this integrated planning process.

Timeline and Process for Assessing Progress on College Priorities & Objectives

- **August - February 2010, 2011**
  - Those identified as responsible for completing action steps complete their work and provide evidence/results to the champion for each strategic objective.

- **January 2011**
  - PRAC calls for progress reports on the action steps and these progress reports are documented in the PRAC minutes.

- **March 2011**
  - PRAC reviews and validates the progress reports, comparing the reported achievements against the goals set forth in program reviews and the *Strategic Plan 2009-2012*.
  - PRAC identifies specific barriers to success for unmet goals/plans. The Vice-President of Student Learning works with the Superintendent/President's Cabinet to remove barriers where possible.

- **May 2011**
  - PRIE prepares the 2010-2011 annual Institutional Effectiveness Report to document and quantify the progress on each of the college's strategic objectives and the unit plans presented in program reviews.

- **May 2011**
  - PRIE distributes the Institutional Effectiveness Report collegewide and presents it to the Board of Trustees.
Assessment of the Planning Process

In keeping with the accreditation standard on institutional effectiveness, the college routinely assesses its planning process.

Each year, PRAC dedicates one meeting to an informal review of the planning process. Members of the college community are invited to share comments on any aspect of the process – comments which will result in revisions of processes if appropriate.

A formal review of the components of the integrated planning process will take place during the year prior to the development of the next strategic plan, parallel to the schedule for the review of the college mission. In keeping with the schedule identified earlier in this manual, the college's planning process will be formally reviewed and revised as needed in 2011, 2014, and 2018.

Timeline and Process for Assessing the Planning Process

<table>
<thead>
<tr>
<th>Month</th>
<th>Activities</th>
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<tbody>
<tr>
<td>April</td>
<td>• PRAC creates a venue for dialog among appropriate groups and individuals to provide feedback on the integrated planning process.</td>
</tr>
</tbody>
</table>
| May       | • The PRIE Office and the SLO Facilitators and the chair of the Program Review committee conduct an assessment of the program review process. The facilitators report to PRAC and the Academic Senate.  
            • Recommendations for changes to the template and/or process for program review are made to the Program Review Committee by the Academic Senate and/or PRAC.  
            • The PRIE Office and the SLO Facilitators assess the data packets and refine the assessment tools as needed.  
            • PRAC consolidates the feedback on the planning process and distributes this feedback collegewide. |
| June      | • The Program Review Committee finalizes revisions to the program review template. |
| September | • PRAC recommends changes as needed in the planning processes and distributes its recommendations collegewide for comment. |
| October   | • PRAC updates the College of Marin Integrated Planning Manual as needed for use in the planning cycle that begins the following year. |
Annual Research Agenda

Research is the centerpiece of the College of Marin Integrated Planning Model. As depicted in the graphic in the first chapter of this manual, data drives the key components of the process: the mission, the educational master plan, the strategic plans, program reviews, outcome assessments and progress on both the college goals as well as the planning process itself.

Given this central role, it is essential for the college to establish an annual research agenda that is focused on student learning and supports the various components of integrated planning.

Timeline and Process for Establishing the Research Agenda

- September 2010
  - The Office of Planning, Research and Institutional Effectiveness, working with Research Advisory Group (RAG) are charged with collecting, evaluating, and prioritizing research requests.

- September 2010
  - The Office of Planning, Research and Institutional Effectiveness and RAG establishes:
    - Standardized definitions of key terms
    - A process for members of the college community to submit research requests
    - Guidelines for setting research priorities

- September – May 2010 – 2011
  - The director of Planning, Research and Institutional Effectiveness and the Research Advisory Group (RAG) meet monthly to set the priority ranking for requests received, and coordinates the achievement of those requests with ongoing requirements for data reports, such as program review and the basic skills initiative.
  - The group prepares a monthly research calendar of the tasks and makes the calendar available college-wide. As reports are produced, the PRIX office posts these reports online and alerts the college community of the location and content of each report.

- May 2011
  - The group summarizes the year’s work in a report to College Council.
**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>October 19, 2010</th>
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<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.4.a.5</td>
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<tr>
<td>Subject:</td>
<td>Follow-up Report</td>
<td>Enclosure(s):</td>
<td></td>
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<tr>
<td>Reason for Board Consideration:</td>
<td>INFORMATION</td>
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**BACKGROUND:**

In response to questions posed by Trustees at the September 21, 2010 Board meeting the attached report is submitted for your information.

**RECOMMENDATION:**

For information only.

Administrator Initiating Item  A.J. Harrison II, Superintendent/President
FOLLOW-UPS FROM SEPTEMBER 21, 2010 BOARD MEETING

Board members asked for additional information on the track/athletic field issue and for options for ways to renovate the facility (see minutes).

A report answering as many of the Board’s questions as we currently have information for is included in the Board packet.

Trustees asked for additional information and data related to the New Academic Center programming document (see minutes).

A Board Study Session on this subject was presented at the October 18 Special Board Meeting.
BOARD QUESTIONS AND REQUESTS FROM SEPTEMBER 21
BOARD MEETING

Athletic Field/Track

Trustee Hayashino asked for legal counsel’s opinion on the use of measure C funds for athletic fields and clarification of COM’s agreement with Branson.

- The college has received a legal counsel’s opinion, from bond counsel, Stradling Yocca Carlson & Rauth. In the opinion of counsel, Measure C bond monies may be used to pay for the renovation or construction of athletic fields.
- COM’s January 2006 “agreement” regarding postponement of development of the football field is an agreement to agree to renovation of the football field. Because this is a legal matter which could be subject to litigation and because legal opinion is privileged, confidential and/or protected from disclosure, detailed discussion should be a matter for closed session.

Trustee Conti asked if the Academic Senate has a position on use of the field for lacrosse.

- The Academic Senate, to my knowledge, has not taken a position on the use of the field for lacrosse or other sports. The Senate has supported the recommendation that the college maintain the track as a full regulation size track.
Trustee Treanor asked for information on renovation and maintenance costs, lifespan and warranties.

- Staff are in the process of obtaining data on the cost to renovate and maintain the track. Administration will provide this information in a subsequent report once the data is available.

Trustees Namnath and Conti asked to have the agenda for the next Board meeting structured so that options for a long-term solution for renovation of the facility can be deliberated.

- Staff are still in the process of collecting information to assist in the discussion and reaching a conclusion for a long-term solution for renovation of the facility. This item will be placed on the agenda for discussion at a future meeting, perhaps in November.

New Academic Center

Trustee Kranenburg asked about the possibility of using IVC for additional classroom space.

Trustee Hayashino asked if a lot of the space problems could be a scheduling issue.

Trustee Conti asked why we would spend money on fixing the Austin Science Center if it is not a viable building and people have been told it needs to be demolished.

Trustee Long asked if anyone is doing enrollment projections and expressed concern about having enough space for our students in the future.

- Answers to the above questions were addressed in the Special Board meeting scheduled for October 18th.
BOARD AGENDA ITEM

To: Board of Trustees  Date: October 19, 2010
From: Superintendent/President  Item & File No. B.8.B
Subject: Classified Management Personnel Recommendations
Reason for Board Consideration:  Enclosure(s):
CONSENT APPROVAL  Recommendations

BACKGROUND:

The following actions are included in the Classified Management Personnel Recommendations:

A. Appointment of Classified Management Personnel

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

RECOMMENDATION:

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

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

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<th>Item No.</th>
<th>Name</th>
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</table>

BACKGROUND INFORMATION:

1. Officer Raul Botello has accepted the Interim Chief of Police position effective October 1, 2010, until the position is filled following the retirement of Chief Charles Lacy.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
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<tr>
<td>Subject:</td>
<td>Classified Employee Changes – Instructional Technology</td>
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<td>CONSENT APPROVAL</td>
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<tr>
<td>Enclosure(s):</td>
<td>Job Description and Salary Schedules</td>
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BACKGROUND:

Pursuant to MOU dated September 10, 2010, between the District and CSEA the parties agree to the following:

2. The existing Programmer classification will be reclassified to the Administrative Systems Analyst classification, effective July 1, 2010.

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

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the following actions effective July 1, 2010: approve new Administrative Systems Analyst job description, revised CSEA Salary Schedule and amend the Staffing Plan accordingly.

Instructional Technology

1. Reclassify Burton Schane 1.0 FTE from the Programmer position - Range 22 ($4,478.50-$5,443.75) to Administrative Systems Analyst position - Range 24 ($4,704.38-$5,716.75) to address internal issues. New job description attached for your review and approval.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Relations & Labor Relations
COLLEGE OF MARIN
JOB DESCRIPTION

ADMINISTRATIVE SYSTEMS ANALYST

Purpose Statement: (Duties, General Description)
Under general supervision, this position provides technical, analytical, and process support for all assigned projects and tasks. The position reports directly to the Director of Information Technologies.

Essential Functions:
With functional and technical knowledge of key administrative database applications, SQL databases, provides support while possessing strong research, programming and communications skills.
Addresses technical issues with non-technical audiences, moves easily between projects on a regular basis, work as a member of a team and foster positive working relationships.
Provides on-going infrastructure and application support of the district’s integrated database (Banner) and partner applications.
Acts as liaison between end users, vendors, and Information Technologies in the assessment and resolution of problems related to technology.
Provides technical leadership for projects.
Trains end users on new features and services, while managing and maintaining procedural documentation.
Participates in short- and long-range planning.
Maintains currency on new developments that directly impact services or planned projects.
Participation in internal and external user groups; serve on committees and attend conferences as assigned.
Provides assistance as required by others, as needed and appropriate.

Other Functions:
May serve as a project leader for the purpose of coordinating the completion of a project, task, or assignment. In this function the project leader assesses the necessary time needed to accomplish the assignment, and has overall responsibility to finish the project within the calculated time frame and within the allotted budget.

Knowledge, Skills and Abilities: (Desirable Attributes & Skills)
KNOWLEDGE is required to perform advanced math; read and apply technical information, compose a variety of technical and non-technical documents and/or facilitate group discussions; and analyze situations to define issues and draw conclusions. Specific knowledge required to satisfactorily perform the functions of the job includes: Principles and techniques of effective online research, programming, change management, time management and communications.
SKILLS are required to perform multiple highly technical tasks with a frequent need to upgrade skills due to changing job conditions. Specific skills required to satisfactorily perform the functions of the job include: utilizing pertinent desktop and server software.
ABILITY is required to schedule a significant number of activities; routinely gather, collate, and/or classify data; and use job related equipment. Flexibility is required to work with a significant diversity of individuals and/or groups under a wide variety of circumstances; analyze data utilizing defined by different processes and for different purposes; and operate equipment using standard methods of operation. In working with others, analyzing complex problems, recommending and testing solutions, and making approved changes to data or programs; with data it is significant; and with equipment it is limited or moderate. Read, interpret, and apply information learned from printed and online technical publications. Communicate clearly and concisely, both orally and in writing. Specific abilities required to
COLLEGE OF MARIN
JOB DESCRIPTION

satisfactorily perform the functions of the job include: communicating with persons of varied backgrounds; establishing and maintaining effective working relationships; meeting deadlines and schedules; working as part of a team; communicating effectively verbally and in writing; working with frequent interruptions; and adapting to changing priorities. Sensitivity to and understanding of the diverse academic, socioeconomic, cultural and ethnic backgrounds, disabilities and learning styles of community college students and staff is also required.

Responsibility:
Responsibilities include: working under limited supervision, focusing primarily on results; coordinating all development and other changes with the Director, and actively supporting the efforts of the community and the technical staff within established standards and guidelines and operating within a defined budget and/or financial guidelines.

Working Environment:
The usual and customary methods of performing the job’s functions require the following physical demands: some lifting, carrying, pushing and/or pulling; some climbing and balancing; some stooping, kneeling, crouching and/or crawling; significant reaching, handling, and manual dexterity. Generally the job requires 90% sitting, 5% walking and 5% standing. The job is performed under minimal temperature variations, a generally hazard free environment, and in a clean atmosphere.

Minimum Qualifications/Position Requirements (Education & Experience):
(Any combination of education and experience)
Bachelors Degree from an accredited college or university with major course work in computer science or a related field or the Equivalent, AND three (3) years of professional experience providing research and programming support for major applications in an integrated database environment; and a working knowledge of a variety of programming languages and reporting tools.

Desirable Qualifications:
Working knowledge of SunGard Higher Education’s Banner, Luminis and partner applications. Experience providing programming support in a higher education environment.

Certificates & Licenses:

Clearances: Criminal Justice/Fingerprint Clearance & TB Clearance

FLSA Status: Non-exempt

Date: September 10, 2010

Bargaining Unit: CSEA

Salary Range: 24
### MARIN COMMUNITY COLLEGE DISTRICT
### CALIFORNIA SCHOOLS EMPLOYEES ASSOCIATION SALARY SCHEDULE (CSEA)

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</table>

### Longevity Increments

- W = 3640.00
- X = 3744.00
- Y = 3917.88
- Z = 4091.75
- Z+ = 4161.63

Salary Schedule Effective 7/1/2006
Current Version Effective 7/1/2010

Created 9/28/2010
<table>
<thead>
<tr>
<th>Title</th>
<th>Range</th>
<th>W</th>
<th>X</th>
<th>Y</th>
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<td>Step B</td>
<td>Step C</td>
<td>Step D</td>
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<td>6002.75</td>
</tr>
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</table>

1. On recommendation of the supervisor, an employee shall advance one (1) step within his/her salary range effective as follows:
   a) Employees shall be eligible for a step increase on their anniversary date for Steps A - E. Their anniversary date is on the first day of the month following twelve (12) months of service in the position and this day and month, yearly thereafter. Employees who have breaks in service have reconstructed anniversary dates.

2. Longevity pay shall be granted, monthly, to all eligible employees, on the following basis:
   a) Effective January 1, 1994, those employees who achieve eligibility for the first, second, third or fourth increment, as designated below, are given their step on their anniversary date. (See Article VI B. 4. (a) and (b)) Their anniversary date is on the first day of the month following years of service, as follows.

   1. A first increment for eight (8) years of creditable service.
   2. A second increment for ten (10) years of creditable service.
   3. A third increment for thirteen (13) years of creditable service.

   4. A fourth increment for sixteen (16) years of creditable service.
   5. A fifth increment for twenty (20) years of creditable service, effective July 1, 1998.

   b) Employees hired or promoted prior to January 1, 1982, shall be eligible for longevity increments on July 1, of each year.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904  

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: October 19, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item and File No. B.B.D</td>
</tr>
<tr>
<td>Subject:</td>
<td>Short-Term Hourly Positions</td>
<td>Enclosure(s):</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Job Descriptions</td>
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</table>

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:
- Career Education – Department Aide IV

On the non-instructional side of the 50% law:
- Bookstore – Bookstore Clerk (3)
- Bookstore – Office Aide III (10)
- Community Education/Facilities – Theatre Manager

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
## A. SHORT TERM HOURLY POSITIONS - October 19, 2010

<table>
<thead>
<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>
</tr>
</thead>
<tbody>
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<td>Bookstore</td>
<td><strong>Bookstore Clerk</strong> - To assist classified staff, cashier, stock, price, customer service, shipping/receiving. Also prep for push/buyback.</td>
<td>3</td>
<td>11/15/10</td>
<td>2/28/11</td>
<td>$9.75-$16.00</td>
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<tr>
<td></td>
<td><strong>Office Aide III</strong> - To assist classified staff, cashier, stock, price, customer service, shipping/receiving. Also prep for push/buyback.</td>
<td>10</td>
<td>11/15/10</td>
<td>2/28/11</td>
<td>$8.50-$9.75</td>
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<tr>
<td>Community Education/ Facilities</td>
<td><strong>Theatre Manager</strong> - To work rental by Prince Charles Air Band. Set-up, run equipment, troubleshoot and oversee theatre use - technical and physical support.</td>
<td>1</td>
<td>11/13/10</td>
<td>11/13/10</td>
<td>$18.94</td>
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<tr>
<td>Career Education</td>
<td><strong>Dept. Aide IV</strong> - Assist instructor in evening section of Auto 118. The class is grant funded through Skyline/District sponsored by the Dept. of Labor. This is one-time only funds for one semester through WIA (Workforce Investment Act).</td>
<td>1</td>
<td>*8/18/2010</td>
<td>12/16/10</td>
<td>$17.64</td>
</tr>
</tbody>
</table>

**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.
BACKGROUND:

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. APPOINTMENTS OF EDUCATIONAL MANAGEMENT PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
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<td>Coon, David Wain, Ed. D.</td>
<td>Superintendent/President</td>
<td>1.0</td>
<td>Permanent</td>
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**BACKGROUND INFORMATION:**

1. Appointment to position as Superintendent/President.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: 10/19/10
Item & File No. B.8.F

Subject: Academic Personnel Recommendations

Reason for Board Consideration: Enclosure(s):

CONSENT APPROVAL

Recommendations

BACKGROUND:

The following actions are included in the Academic Personnel Recommendations:

A. Resignation/Retirement of Academic Personnel

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. **RESIGNATION/RETIREMENT OF ACADEMIC PERSONNEL**

<table>
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<tr>
<th>Item No.</th>
<th>Name</th>
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<th>Appt. Type</th>
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**BACKGROUND INFORMATION:**

1. Ms. Carol Lacy has submitted her resignation for retirement purposes.
The accompanying transfer information includes twenty-five budget transfers in September 2010 totaling $58,976 in the Unrestricted Fund.

There were nineteen budget transfers in the Restricted Fund for $127,993 in September 2010 including eight transfers to and from Restricted Reserve Contingency for a net effect to Restricted Reserves Fund of $7,033: $887 for equipment for EOPS, and two transfers for $14,980 to allocate funds for the Indian Valley locker room construction project and five transfers to Reserves for $22,900 to align EOPS budget.

There were no budget transfers in the Child Care Fund for in September 2010.

There were no budget transfers in the Measure C Fund in September 2010.

**Net effect of transfers for the Month.**

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<tr>
<th>Object Code</th>
<th>General Fund</th>
<th>Child Care</th>
<th>Capital Outlay</th>
<th>Measure C Bond</th>
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<td>2000 (Classified Salary)</td>
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<td>3000 (Employee Benefits)</td>
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<td>5000 (Other Operating Exp.)*</td>
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<td>6000 (Capital Outlay)</td>
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<td>7000 (Other Outgo)**</td>
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</table>

*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 September 2010 Budget Transfers – FY 2010/2011.

Peggy Isozaki, Vice President, College Operations
<table>
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<td>23</td>
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</table>

**TOTAL GENERAL FUND**

<table>
<thead>
<tr>
<th></th>
<th>11,343.20</th>
<th>(30,918.50)</th>
<th>7,037.00</th>
<th>(15,977.27)</th>
<th>(6,111.97)</th>
<th>27,594.77</th>
<th>7,032.77</th>
<th>-</th>
<th>186,958.74</th>
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</table>

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

**Object Code**

<table>
<thead>
<tr>
<th></th>
<th>4000</th>
<th>4000</th>
<th>5000</th>
<th>5000</th>
<th>6000</th>
<th>6000</th>
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<tr>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>7377</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>7377</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Total Measure C Building transfers were funds remained within same account code**
**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>October 19, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.8.H</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Warrant Approval for Month of September 2010</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Enclosure(s):</td>
<td>Warrant Listing</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

Attached is the 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 **09/01/2010 through 9/29/2010**, warrants 93257-94141 were issued in the total amount of $5,225,317.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the payments for goods and services.

Administrator Initiating Item  
**Peggy Isozaki, Vice President, College Operations**
DATE: October 19, 2010

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services

Per Board Bylaw 1.5310, Section b-7, it is recommended that warrants 93257-94141 in the amount of $5,225,317 for all funds for the period 09/01/2010 through 09/29/2010 be approved for payment. Copies of invoices for 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 and claims. The General Fund expenditures represent $1,512,280 of the above amount. Expenditure Summary includes payroll through September 30, 2010.

---

President or Designee

**EXEMPLARY SUMMARY**

2010-2011
General Fund – All Programs
Period Ending 09/30/2010

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
<th>Encumbered</th>
<th>Expended</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificated Salaries</td>
<td>20,295,515</td>
<td>0</td>
<td>4,897,972</td>
<td>15,397,543</td>
</tr>
<tr>
<td>Classified Salaries</td>
<td>10,923,147</td>
<td>0</td>
<td>2,643,646</td>
<td>8,279,501</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>11,000,039</td>
<td>0</td>
<td>2,680,881</td>
<td>8,319,158</td>
</tr>
<tr>
<td>Books &amp; Supplies</td>
<td>1,523,548</td>
<td>111,123</td>
<td>188,608</td>
<td>1,223,817</td>
</tr>
<tr>
<td>Other Operating Expense*</td>
<td>5,654,527</td>
<td>362,670</td>
<td>997,945</td>
<td>4,293,512</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>1,534,224</td>
<td>453,702</td>
<td>178,732</td>
<td>901,790</td>
</tr>
<tr>
<td>Other Outgo**</td>
<td>12,424,182</td>
<td>927,495</td>
<td>4,373,816</td>
<td>8,050,366</td>
</tr>
<tr>
<td>Total</td>
<td>63,355,182</td>
<td>927,495</td>
<td>15,961,600</td>
<td>46,466,087</td>
</tr>
</tbody>
</table>

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

In accordance with Board Policy, the District will submit to the Board a list of equipment to declare surplus. The items listed on the attachment(s) have been determined to have no further value to the District. Some of the items have been replaced and are no longer used. Some items are simply old and repair and/or maintenance is not cost effective. Items that have no value will be disposed of. The District may be able to sell some of the equipment. No one item or item lot is valued at $5,000 or more.

In accordance with Board Policy and Education Code Section 81452(a), a unanimous vote is required declaring the value of any one item or item lot to be less than $5,000. Upon a unanimous vote, the items may then be disposed of pursuant to the provisions of Education Code Section 81452(c).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees declare the items described on the attached surplus and that no single item or item lot is valued at $5,000 or more and further authorize the District to dispose of the equipment, pursuant to Education Code Section 81452(c), as the District feels is appropriate.

Administrator Initiating Item

Margaret Isozaki, Interim Vice President of College Operations
<table>
<thead>
<tr>
<th>Campus</th>
<th>Bldg</th>
<th>Quant</th>
<th>Detailed Description</th>
<th>Inventory #</th>
<th>Age</th>
<th>Condition</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>IVC</td>
<td>24 - Yard</td>
<td>1</td>
<td>Den Fab Hook Frame Rack</td>
<td></td>
<td>20+</td>
<td>Not needed in new facility</td>
<td>Surplus</td>
</tr>
<tr>
<td></td>
<td>24 - Rm 100</td>
<td>2</td>
<td>Pulling Towers</td>
<td></td>
<td>20+</td>
<td>Not needed in new facility</td>
<td>Surplus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>Hunter F611 Wheel Aligner</td>
<td></td>
<td>Unk</td>
<td>Not needed in new facility</td>
<td>Surplus</td>
</tr>
</tbody>
</table>
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904  

BOARD AGENDA ITEM  

To: Board of Trustees  
Date: October 19, 2010  

From: Superintendent/President  
Item & File No. B.B.J  

Subject: New Credit Courses  

Reason for Board Consideration:  
CONSENT APPROVAL  

Enclosure(s):  

BACKGROUND:  

New courses are developed by faculty at the discipline level. They are proposed to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board policy 2.0001 and 2.0001 DP.1.  

The Academic Program will offer the following new credit courses. The courses are recommended by the appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning. The proposed new courses may be categorized as follows:  

**Liberal Arts and Sciences**  
Courses of freshman and sophomore level in the area of liberal arts and sciences transfer education.  

- **CHIN** 100 Chinese Basics  
  In this course students will learn the pinyin system, pronunciation, partial pictograms, radicals, components, parts of the character formation, and the practice of writing-HĀ nzĀ-/characters.  

- **GEOG** 127 Introduction to Spatial Analysis using Geographical Information Systems.  
  An interdisciplinary course that explores the true power of Geographic Information Systems (GIS) – Spatial Analysis.  

- **MUS** 288 Advanced Voice Workshop
An Advanced practicum on singing vocal literature, highlighting vocal development, style characteristics, and development of performance techniques, with emphasis on advanced vocal literature.

**Selected Topics**

Courses designed to explore specialized and contemporary topics which are not traditionally taught in the regular credit program.

| ACRT  | 139F | Metal Fabrication |

This course is designed to assist the student to understand advanced metal fabrication techniques and their usefulness in other applications. The course will include basic metal straightening fundamentals and introduce students to tools, techniques, and theory of metal fabrication.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the proposed new credit courses.

**Administrator initiating item:**

Nick Chang, Vice President of Student Learning
BACKGROUND:

Revised courses are developed by faculty at the discipline level. Revisions are proposed by departments to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board Policy 2.0001 and 2.0001 DP.1.

The following course revisions are recommended by appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning.

<table>
<thead>
<tr>
<th>Course</th>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARCH 220</td>
<td>Advanced Architectural Drafting</td>
<td>Revise catalog description, course content, schedule description, student outcomes, and texts/assigned Reading.</td>
</tr>
<tr>
<td>ART 131</td>
<td>Drawing and Composition 2</td>
<td>Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>DANC 241A</td>
<td>Dance Company</td>
<td>Change course number from “DANC 241A,B,C,D” to “DANC 241A” Revise catalog description.</td>
</tr>
<tr>
<td>DANC 241B</td>
<td>Dance Company</td>
<td>Revise catalog description.</td>
</tr>
<tr>
<td>DANC 241C</td>
<td>Dance Company</td>
<td>Revise catalog description.</td>
</tr>
<tr>
<td>DANC 241D</td>
<td>Dance Company</td>
<td>Revise catalog description.</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Revisions</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------</td>
<td>-----------</td>
</tr>
<tr>
<td>MUS 121</td>
<td>Ear Training</td>
<td>Change prerequisite from “MUS 106” to “Read Simple Music, Know Major Scales.” Change advisory from “none” to “MUS 106.” Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 162</td>
<td>Band</td>
<td>Change prerequisite from “MUS 176 or equivalent” to “Standardized Audition.” Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 181</td>
<td>Voice I</td>
<td>Change prerequisite from “MUS 106 and standardized audition” to “none.” Change advisory from “none” to “Read Simple Music, or MUS 106.” Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 182</td>
<td>Voice II</td>
<td>Change prerequisite from “MUS 181” to “none.” Change advisory from “none” to “MUS 181.” Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 221</td>
<td>Ear Training III</td>
<td>Revise catalog and schedule description, critical thinking, student outcomes, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 222</td>
<td>Ear Training IV</td>
<td>Revise catalog description, course content, schedule description, critical thinking, student outcomes, and texts/assigned reading.</td>
</tr>
<tr>
<td>MUS 281</td>
<td>Voice III</td>
<td>Change prerequisite from “MUS 182” to “none.” Change advisory from “none” to “MUS 182.” Revise catalog description, course content, schedule description, critical thinking, student outcomes,</td>
</tr>
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</table>
Credit Course Revisions – Cont’d

methods of evaluation, methods of instruction, and texts/assigned reading.

MUS 282
Voice IV

Change prerequisite from “MUS 281” to “none” Change advisory from “none” to “MUS 281.” Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course revisions.

Administrator Initiating Item:
Nick Chang, Vice President of Student Learning
BACKGROUND:

Credit courses are recommended for deletion status by the faculty at the discipline level. These deletions are proposed by the academic departments to the Curriculum Committee, a standing committee of the Academic Senate. Deletions are reviewed and approved according to Board policy 2.0001 and 2.000 DP.1.

The following courses are recommended for deletion by the Curriculum Committee from the College of Marin credit curriculum. These courses have not been taught for a period of time or have been replaced by other courses more relevant to student needs.

DELETION

<table>
<thead>
<tr>
<th>ARCH</th>
<th>150A</th>
<th>Green/Sustainable Architecture</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARCH</td>
<td>150B</td>
<td>Green/Sustainable Architecture</td>
</tr>
<tr>
<td>DANC</td>
<td>232</td>
<td>Modern Dance III</td>
</tr>
<tr>
<td>DANC</td>
<td>240</td>
<td>Modern Dance IV</td>
</tr>
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</table>

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course deletions.

Administrator Initiating Item:
Nick Chang, Vice President of Student Learning
**BOARD AGENDA ITEM**

To: Board of Trustees  
Date: October 19, 2010

From: Superintendent/President  
Item & File No. B.8.M.1

Subject: Measure C Contracts

Reason for Board Consideration: CONSENT APPROVAL  
Enclosure(s): None

**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.

<table>
<thead>
<tr>
<th>Contract Description</th>
<th>Firm Name</th>
<th>Project</th>
<th>Original $</th>
<th>No. of Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Contracts – Ratification</td>
<td>Van Bebber Bros., Inc</td>
<td>Transportation Technology Complex (402A)</td>
<td>$901.00</td>
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<td></td>
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</tr>
<tr>
<td>Construction Change Orders – Approval</td>
<td>DiGiorgio Contracting Co., Inc</td>
<td>Utilities IVC (407B)</td>
<td>$2,510,000.00</td>
<td>4</td>
<td>$595.00</td>
<td>$29,422.00</td>
<td>$2,539,422.00</td>
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<tr>
<td></td>
<td>DiGiorgio Contracting Co., Inc</td>
<td>Main Building Project (417A)</td>
<td>$14,097,250.00</td>
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<td>$60,712.00</td>
<td>$1,041,089.00</td>
<td>$15,138,339.00</td>
<td>7.39%</td>
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<tr>
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<td>Lathrop Construction</td>
<td>SMCP Increments 2 &amp; 3 (305A)</td>
<td>$34,182,000.00</td>
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<td>$2,191.00</td>
<td>$2,191.00</td>
<td>$34,184,191.00</td>
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<tr>
<td></td>
<td>Jeff Luchetti Construction, Inc</td>
<td>Fine Arts Project (306C)</td>
<td>$12,514,676.00</td>
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<td>$37,187.00</td>
<td>$299,508.28</td>
<td>$12,814,184.28</td>
<td>2.39%</td>
</tr>
<tr>
<td>Professional Services Amendments – Ratification</td>
<td>Royston, Hanamoto, Alley &amp; Abey</td>
<td>Main Building Complex Project (417A) &amp; Pathways IVC (413A)</td>
<td>$451,875.00</td>
<td>15</td>
<td>$4,000.00</td>
<td>$328,737.00</td>
<td>$780,612.00</td>
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<tr>
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<td>Ballard &amp; Walske Construction Services</td>
<td>Utilities IVC Project (407B)</td>
<td>$452,005.00</td>
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<td>$40,500.00</td>
<td>$116,039.00</td>
<td>$568,044.00</td>
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<tr>
<td></td>
<td>CSW/Stuber-Stroeh Engineering Group, Inc</td>
<td>Utilities IVC-Geothermal &amp; Pathways IVC &amp; Parking Lot-Bioswale (407B, 413A, 401B)</td>
<td>$436,087.00</td>
<td>32</td>
<td>$8,422.00</td>
<td>$1,420,099.00</td>
<td>$1,856,166.00</td>
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<tr>
<td></td>
<td>Consolidated Engineering Laboratories</td>
<td>Fine Arts Project (306C)</td>
<td>$50,000.00</td>
<td>3</td>
<td>$14,221.00</td>
<td>$129,221.00</td>
<td>$179,221.00</td>
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</tr>
<tr>
<td></td>
<td>Nor-Cal Moving Services</td>
<td>Transportation Technology Relocation Project (850H)</td>
<td>$7,972.00</td>
<td>4</td>
<td>$10,623.00</td>
<td>$38,282.00</td>
<td>$46,254.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transitions...managing change in the workplace, Inc</td>
<td>New Fine Arts (306C); New Main Building (417A)</td>
<td>$353,854.00</td>
<td>16</td>
<td>$44,675.00</td>
<td>$312,642.00</td>
<td>$666,496.00</td>
<td></td>
</tr>
<tr>
<td>New Professional Services Agreements – Ratification</td>
<td>HKIT Architects</td>
<td>Child Development Center (303C)</td>
<td>$30,000.00</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$30,000.00</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.

<table>
<thead>
<tr>
<th>Administrator Initiating Item</th>
<th>Administrator Approving Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laura McCarty</td>
<td>Albert J. Harrison II</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Superintendent/President</td>
</tr>
</tbody>
</table>
BACKGROUND

Construction of the New Fine Arts Building on the Kentfield Campus is scheduled for completion in December of 2010. Due to the educational programs that will be housed in the new building and the specialized equipment required by these programs, the District will procure certain items using a “sole-source.”

In areas where specialized equipment is required, the building was designed to accommodate the needs of the specialty equipment. The attached list of items benefits the District financially, in that the purchase of alternative brands of equipment requires unnecessary replacement of existing equipment. These sole source items will work in conjunction with or enhance the existing equipment. Examples include wax injectors, kilns and dust collectors, amongst others.

None of the items on the attached list exceed the District’s goods & services formal bid level of $78,500. The District recommends that the Board authorize procurement of all items on the attached list.

FISCAL IMPACT

The procurement, anticipated at about $67,876, will be paid from Measure C bond funds budgeted for FF&E (Furniture, Fixtures & Equipment) for the New Fine Arts Building Project (306C).

RECOMMENDATION

The Superintendent/President recommends that the Board authorize procurement of the above-listed specialty equipment for the New Fine Arts Building Project (306C) on the Indian Valley Campus.

BACKGROUND:

On May 18, 2010 the Board awarded a contract to Lathrop Construction Associates, Inc. for the Science/Math/Central Plant Complex Increment 2&3 Site Development & Building Project (305A).

Substitutions may be initiated by the General Contractor or subcontractor for various reasons, which are defined in the public contracting code, section 4107. Lathrop Construction Associates, Inc. requested that the following contractor be released from its contract:

- **JR Stephens Company** – Fume hoods and casework for laboratory work subcontractor, will be replaced by ISEC Incorporated. Reason: Unable to reach mutually acceptable terms.

The released party had the right to request a formal hearing by the District within five (5) days of receiving a written notice requesting substitution. The subcontractor did not request a hearing; therefore, it is recommended that the above mentioned subcontractor substitution be approved.

FISCAL IMPACT:

None

RECOMMENDATION:

The Superintendent/President recommends to the Board of Trustees that Lathrop Construction Associates, Inc.’s request for subcontractor substitution be granted.
On April 29, 2008 the Board authorized District staff to approve Measure C construction contract changes and amendments in order to facilitate the design and construction process in a timely manner. The Board re-authorized this pre-approval process in six-month increments on the following dates:

1. November 11, 2008
2. April 21, 2009
3. October 13, 2009
4. April 20, 2010

At this time the Board is asked to approve the next six-month authorization from October 19, 2010 through April 2011 (consulting amendments are as indicated on the attached spreadsheet).

**FISCAL IMPACT:**

The fiscal impact of this procedure is positive, as projects will continue to proceed without delay.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board approve the attached consultant spreadsheet and to continue granting authority to District staff to approve amendments and changes to Measure C contracts through April 2011.
<table>
<thead>
<tr>
<th>Consultant:</th>
<th>Responsibility</th>
<th>Approval Total $ Contract to Date: (through 10/19/10 BOT)</th>
<th>Request ($) Rollover to October 2010 BOT</th>
<th>Additional Request ($) from October 2010 BOT to April 2011 BOT</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>4Leaf, Inc.</td>
<td>DSA Inspector</td>
<td>$1,304,053</td>
<td>$52,875</td>
<td>$500,000</td>
<td>Anticipated additional inspection services due to unforeseen conditions for SMCP Incr 2/3</td>
</tr>
<tr>
<td>Alfa Tech Cambridge Group, Inc.</td>
<td>District MEP</td>
<td>$2,136,332</td>
<td>$79,560</td>
<td>$30,000</td>
<td>Additional design services for County requirements for IVC Geothermal, Main Building A/V drawings and Transportation Technology IVC Install</td>
</tr>
<tr>
<td>Ballard &amp; Watkins Construction</td>
<td>DSA Inspector</td>
<td>$628,844</td>
<td>$58,961</td>
<td>$45,000</td>
<td>Transportation Technology IVC</td>
</tr>
<tr>
<td>Services</td>
<td>Project Specific Architect - SMCP</td>
<td>Project Specific Architect - SMCP Greenhouse</td>
<td>$21,525</td>
<td>$24,190</td>
<td>(2/3) Anticipated additional inspection services due to unforeseen conditions for Main Bldg IVC &amp; Power</td>
</tr>
<tr>
<td>Cohn &amp; Associates</td>
<td>Geotech</td>
<td>$737,209</td>
<td>$118,660</td>
<td>$20,000</td>
<td>Anticipated additional services for DSA closeout requirements and feasibility studies for swing space</td>
</tr>
<tr>
<td>Consolidated Engineering</td>
<td>Testing &amp; Inspection</td>
<td>$1,856,166</td>
<td>$169,378</td>
<td>$70,000</td>
<td>Anticipated testing &amp; inspection and geothermal</td>
</tr>
<tr>
<td>Laboratories</td>
<td></td>
<td>$43,200</td>
<td>$97,300</td>
<td>$50</td>
<td>Testing services for Fine Arts and SMCP Incr 2 &amp; 3</td>
</tr>
<tr>
<td>CSWiStrech</td>
<td>District Civil Engineer</td>
<td>OPR/District-Wide LEED</td>
<td>$42,356</td>
<td>$140,000</td>
<td>Anticipated additional design services due to unforeseen conditions at both KTD &amp; IVC campuses</td>
</tr>
<tr>
<td>Davis Langdon/AECOM</td>
<td>Consultant</td>
<td>$303,850</td>
<td>$45,000</td>
<td>$70,000</td>
<td>Anticipated additional design services for New Academic</td>
</tr>
<tr>
<td>Degenkolb Engineers</td>
<td>District Structural Engineer</td>
<td>Specialty Consultant - Geothermal</td>
<td>$42,356</td>
<td>$140,000</td>
<td>Center and CDC</td>
</tr>
<tr>
<td>Earthbound Energy Resources</td>
<td>Project Specific Architect - SMCP</td>
<td>SMCP</td>
<td>$7,018,242</td>
<td>$283,758</td>
<td>Anticipated additional design services for SMCP Incr 2 &amp; 3</td>
</tr>
<tr>
<td>ED2 International</td>
<td>LEED Displays</td>
<td>$35,474</td>
<td>$56,455</td>
<td>$60</td>
<td>Anticipated LEED displays &amp; studies for various KTD &amp; IVC</td>
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<tr>
<td>EduTracks</td>
<td></td>
<td></td>
<td></td>
<td>$210,000</td>
<td>Anticipated additional services for NAC and CDC CEPA process; feasibility studies for swing space</td>
</tr>
<tr>
<td>Environmental Science Associates</td>
<td>CEQA Consultant - NAC</td>
<td>$41,729</td>
<td>$0</td>
<td>$10,000</td>
<td>Anticipated add services for New Fine Arts Building during various construction projects at KTD &amp; IVC</td>
</tr>
<tr>
<td>Gary Proctor Construction</td>
<td>DSA Inspector</td>
<td>$262,693</td>
<td>$30,000</td>
<td>$50</td>
<td>Anticipated additional design services for HVAC at Trans Tech, space planning for NAC and CDC</td>
</tr>
<tr>
<td>Geotech Utility Locating LLC</td>
<td>Utility locating</td>
<td>$74,990</td>
<td>$137,805</td>
<td>$110,000</td>
<td>Anticipated inspection services for hand rail extension</td>
</tr>
<tr>
<td>Hardison, Komatsu, Ivelich &amp; Tucker</td>
<td>Project Specific Architect - Trans</td>
<td>$1,871,699</td>
<td>$84,417</td>
<td>$50</td>
<td>Anticipated add services for HVAC and hand rail extension</td>
</tr>
<tr>
<td>(HKIT)</td>
<td>Tech</td>
<td></td>
<td></td>
<td>$50</td>
<td>Anticipated add services for design and construction</td>
</tr>
<tr>
<td>Inspection Services, Inc.</td>
<td>Testing &amp; Inspection</td>
<td>$453,371</td>
<td>$71,005</td>
<td>$50</td>
<td>Anticipated additional services for DSA closeout requirements</td>
</tr>
<tr>
<td>Jeff Spasso</td>
<td>DSA Inspector</td>
<td>$295,620</td>
<td>$75,000</td>
<td>$20</td>
<td>Anticipated additional services for DSA closeout requirements</td>
</tr>
<tr>
<td>Kato Keating Associates, Inc.</td>
<td>District Signage Consultant</td>
<td>$417,607</td>
<td>$122,700</td>
<td>$50</td>
<td>Anticipated additional services for DSA closeout requirements</td>
</tr>
<tr>
<td>Kendall Young</td>
<td>Project Specific Architect - Recessed</td>
<td>$118,814</td>
<td>$23,904</td>
<td>$20</td>
<td>Anticipated additional services for DSA closeout requirements</td>
</tr>
<tr>
<td>Kleinfeldler</td>
<td>Testing &amp; Inspection</td>
<td>$323,465</td>
<td>$86,630</td>
<td>$20</td>
<td>Add services for cultural resources monitoring -</td>
</tr>
<tr>
<td>Kwan-Hemm Architecture/ Planning</td>
<td>Project Specific Architect - PE Center</td>
<td>$2,213,010</td>
<td>$17,460</td>
<td>$50</td>
<td>Anticipated add services for HVAC at Trans Tech</td>
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<tr>
<td>LSA Associates, Inc.</td>
<td>District Environmental Monitor</td>
<td>$238,568</td>
<td>$202,717</td>
<td>$50</td>
<td>Anticipated additional services for HVAC at Trans Tech and Geothermal IVC tests</td>
</tr>
<tr>
<td>Marcy Wong Don Lagan</td>
<td>Project Specific Architect - FA &amp; PA</td>
<td>$3,612,590</td>
<td>$147,328</td>
<td>$50</td>
<td>Anticipated additional design services for unforeseen conditions at New FA Building</td>
</tr>
<tr>
<td>Architects (MWDL)</td>
<td></td>
<td></td>
<td></td>
<td>$50</td>
<td>$10,000 Anticipated unforeseen conditions at PA Building</td>
</tr>
<tr>
<td>McGinnis Chen Associates, Inc.</td>
<td>Roofing</td>
<td>$62,561</td>
<td>$50,000</td>
<td>$50</td>
<td>Anticipated additional arboricultural services</td>
</tr>
<tr>
<td>Mighty Tree Movers</td>
<td>Tree Removal</td>
<td>$29,300</td>
<td>$63,300</td>
<td>$50</td>
<td>Anticipated design services for exterior furniture for IVC</td>
</tr>
<tr>
<td>Moritz Arboricultural Consulting</td>
<td>Project Specific &amp; District Arborist</td>
<td>$50,335</td>
<td>$50,000</td>
<td>$50</td>
<td>Anticipated design services for Pathways IVC</td>
</tr>
<tr>
<td>Royston, Hanamoto, Alley &amp; Abey</td>
<td>District Landscape Architect</td>
<td>$760,613</td>
<td>$107,500</td>
<td>$50</td>
<td>Anticipated design services for PA &amp; IVC Utilities</td>
</tr>
<tr>
<td>(RHAAA)</td>
<td>Testing &amp; Inspection</td>
<td>$162,103</td>
<td>$103,380</td>
<td>$30,000</td>
<td>Anticipated design services for program</td>
</tr>
<tr>
<td>Sensible Environmental Solutions</td>
<td>FFAE Consultant</td>
<td>$666,466</td>
<td>$168,667</td>
<td>$25,000</td>
<td>Anticipated additional design services for HVAC at Trans Tech</td>
</tr>
<tr>
<td>Transitions</td>
<td>Space Planning</td>
<td></td>
<td></td>
<td>$20,000</td>
<td>Anticipated additional services for HVAC at Trans Tech and Geothermal IVC tests</td>
</tr>
<tr>
<td>TLC Architecture</td>
<td>Project Specific Architect - NAC</td>
<td>$2,298,220</td>
<td>$50</td>
<td>$17,770</td>
<td>Anticipated additional design services for HVAC at Trans Tech and Geothermal IVC tests</td>
</tr>
<tr>
<td>VBN Architects</td>
<td>Project Specific Architect - Main Building</td>
<td>$2,057,795</td>
<td>$51,536</td>
<td>$25,000</td>
<td>Anticipated additional design services for Main Building IVC</td>
</tr>
</tbody>
</table>
BACKGROUND:

At the September 21, 2010 Board of Trustees meetings, sets of recommended proposals to revise Board Policies in Chapter 4 Academic Affairs and Chapter 5 Student Services 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 4070 Auditing and Auditing Fees
- BP 5052 Open Enrollment

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policies 4070 and 5052.
BP 4070        AUDITING

Reference:
Education Code Section 76370

The District does not permit auditing of credit courses.

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore) if the College of Marin permits auditing. The language in underlined italics is recommended by Student Learning. This policy was reviewed by the Administrative Review Group on 2/25/10.

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)
BP 5052    OPEN ENROLLMENT

References:
Education Code Section 76000;
Labor Code Section 3077;
Title 5 Section 51006, 55003 and 58106

Unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the college and who meets such prerequisites as may be established pursuant to regulations contained in Title 5 commencing with Section 552003.

*Enrollment in specific courses or programs may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning, or legal requirements imposed by statute, regulations or contracts.* The District may use procedures that are consistent with any of the approaches described in Title 5 Section 58106 for determining enrollment when any of the factors for enrollment limitations are present. *Enrollment may also be subject to any enrollment priority system pursuant to language contained in AP 5055 titled Enrollment Priorities.*

Pursuant to Education Code Section 76000 and Labor Code Section 3077, related and supplemental instruction for apprentices may be restricted to registered apprentices.

The Superintendent/President shall establish procedures for students to challenge enrollment limitations that affect them and assure that this policy is published in the District Catalog and Schedule of Classes.

Date Adopted: October 13, 2009
(Replaces College of Marin Policy 4.0002)

Note:
The wording in black ink is from current College of Marin Policy BP 5052 adopted 10/13/09. Language in *underlined italics* is recommended by the Dean of Enrollment Management and District Legal Counsel. The language struck through is recommended for deletion. Approved by Academic Senate 2/11/10. Reviewed as Info. item by BP/AP Task Force 3/4/10.
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>October 19, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. B.9.A.1</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Performing Arts Modernization Project (306A) Authorize Bidding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>ENCLOSURE(S):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACTION – AWARD</td>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BACKGROUND

The Performing Arts Modernization project (306A) is a modernization of the existing theater and support space. The scope includes the renovation of theater and practice spaces, music studios and ADA (accessibility) upgrades. The work also includes abatement of floor tile and other abatement as required; replacement and modernization of mechanical, electrical and plumbing systems. A Dance Studio, Art Gallery, and Lobby will be housed in a new addition at the front of the building.

Approval from DSA is expected imminently and the project is ready for bidding. At this time the Board of Trustees is asked to authorize bidding. The bidding process will begin in November 2010 and the bid results will be brought to the Board for approval with a request for the award of a construction contract to the lowest responsive, responsible bidder.

FISCAL IMPACT

The engineer’s estimate for this project is $13,460,000. The contract will be paid from bond funds budgeted for the Performing Arts Modernization Project (306A).

RECOMMENDATION

The Superintendent/President recommends that the Board authorize bidding for the Performing Arts Modernization Project (306A).

Administrator Initiating Item  
Laura McCarty  
Director of Modernization

Administrator Approving Item  
Albert J. Harrison  
Superintendent / President
To: Board of Trustees                      Date: October 19, 2010
From: Superintendent/President            Item & File No. B.9.B
Subject: Extension of Memorandum of Understanding
         Marin General Hospital and the Marin Simulation Center

Reason for Board Consideration: APPROVAL

Enclosure(s): Memorandum of Understanding

BACKGROUND:

This Memorandum of Understanding (MOU) extension is submitted to the Board for approval. This MOU was developed, reviewed and approved by the District’s legal counsel prior to renewal in September 2009.

This MOU is between the Board of Trustees, College of Marin ("the District") and Marin General Hospital ("MGH"). The MOU is for the purpose of clarifying the role of both parties regarding the educational and community activities undertaken by the District and MGH in the operation of the Marin Simulation Center at the District’s Indian Valley Campus. This Board action is for the purpose of extending the existing contract for one more year. Except for the extension date as set forth in this extension MOU, no other changes are being made to the MOU and the MOU shall remain in full force and effect.

It is anticipated that through this collaboration, the College of Marin will benefit significantly from the participation of all the local schools of nursing and the hospitals in the Marin Simulation Center.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached extension Memorandum of Understanding between the District and Marin General Hospital.

Administrator Initiating Item
Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
MEMORANDUM OF UNDERSTANDING – MARIN SIMULATION CENTER

This Memorandum of Understanding ("MOU") is dated for identification purposes as of September 23, 2009 and is entered into by and between the Marin Community College District (the "District") and Marin General Hospital ("MGH").

RECITALS

A. The National Institute of Medicine has estimated that nearly 100,000 patients die in hospitals each year due to medical errors. (Corrigan J., L. Kohn, M. Donaldson, eds. To Err is Human; Building a Safer Health System. Committee on Quality of Health Care in America, Institute of Medicine, The National Academies Press, 1999.)

B. Recognizing the need to develop a local response to the foregoing figures, the parties to this MOU wish to collaborate to maintain a state-of-the-art emergency simulation facility to provide training opportunities to healthcare students and emergency workers.

C. By means of this MOU, the parties wish to continue the Marin Simulation Center, located at the College of Marin's Indian Valley Campus, and featuring advanced robotic manikins and realistic health emergency simulations to increase the clinical skills of students from the District, Sonoma State University, Dominican University of California, along with regional healthcare professionals and emergency responders in the area.

D. The Marin Simulation Center will be maintained by the District, Dominican University of California, Kaiser Foundation Hospital of San Rafael, Sonoma State University, Sutter Marin doing business as Novato Community Hospital, and MGH (All are collectively referred to as "Partners").

I. OBLIGATIONS OF THE DISTRICT

A. For purposes of conducting clinical simulation activities and other activities reasonably related thereto, for each year during the term of this MOU and any and all extensions hereto, the District shall provide to MGH, and to their respective personnel, invitees and licensees, access to the portion of the District's Indian Valley Campus (1800 Ignacio Blvd., Novato, CA) typically known as "the Pomo Cluster – Rooms 180, 188, 189". Said access shall be provided equally to each of the Partners on a first come, first served basis. The allocation to Partners will be reviewed quarterly by the Partners Coordinating Council, as defined in Section I(E), to assure equitable access. District shall also provide office space in Rooms 101 and 102, Building 6 to be shared with other Marin Simulation Center staff.

B. In connection with the access described in Section I(A), District shall provide all necessary utilities, including water and electricity and all appropriate security.
C. In connection with the access described in Section I(A), District shall identify all building and room locations on the Indian Valley campus maps as “Marin Simulation Center”.

D. District shall post a sign on Building 5, which shall include recognition of all Partners in the “Marin Simulation Center.”

E. District and MGH shall identify a representative from MGH for the Partners Coordinating Council, which shall consist of one representative from each of the Partners. The Partners Coordinating Council will provide input and oversight and participate in all decisions concerning the Marin Simulation Center, including, staffing, budget, scheduling, and the curricular program.

F. District shall assist the Simulation Center Manager, who shall oversee the planning, day to day operations and collaboration with community partners for use of the Marin Simulation Center, in preparing quarterly reports to all Partners. Such assistance shall include complying with all requests of the Simulation Center Manager within fifteen (15) days of the request.

II. OBLIGATIONS OF MGH

A. MGH shall make every effort to donate to the College of Marin Foundation retired medical and/or patient care equipment for use in the Marin Simulation Center. MGH shall continually make best efforts to locate and identify such equipment. The parties agree that such donations shall be at MGH’s sole discretion.

B. MGH shall review this MOU annually and shall make best efforts to provide funding to be used solely in connection with the operation of the Marin Simulation Center, including, but not limited to, faculty recruitment, equipment purchases or other identified personnel or material needs for the Marin Simulation Center. Those efforts may include, but not be limited to, cash donations and or access use fees as mutually agreed upon in advance.

C. The District and MGH shall identify a representative from MGH for the Partners Coordinating Council, which shall consist of one representative from each of the Partners. The Partners Coordinating Council will provide input and oversight and participate in all decisions concerning the Marin Simulation Center, including, staffing, budget, scheduling, and the curricular program.

D. MGH shall assist the Simulation Center Manager in preparing quarterly reports to all Partners. Such assistance shall include complying with all requests of the Simulation Center Manager within fifteen (15) days of the request.

E. In all documents and materials announcing Marin Simulation Center events (including trainings) at the Indian Valley Campus, MGH shall recognize the District by adding language as follows: “In cooperation with the College of Marin...”.
III. GENERAL PROVISIONS

A. Each party shall defend, indemnify and hold the other party, its officers, employees, directors, harmless from and against any and all liability, loss, expenses (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expenses, attorneys' fees, or claims for injury or damages are caused by or result from the negligent, wrongful, or intentional acts or omissions of the indemnifying party. The provisions of this Paragraph shall survive the termination or expiration of the Agreement.

B. During the term of this MOU, MGH and the District shall each provide comprehensive general public liability and property damage coverage, or programs of self-insurance satisfactory to both in their reasonable discretion, with minimum limits of $3 million, combined single limit. Each party shall annually furnish the other with written proof of said coverage. Each party shall be given a copy of the other party’s applicable insurance policy and notice of cancellation thirty (30) days prior to cancellation. No later than fifteen (15) calendar days following the execution of this MOU, each party shall tender to the other for review and written approval, its proposed form of insurance or self-insurance.

C. Use of the Marin Simulation Center by MGH personnel, licensees or invitees of any character will be governed by and are subject to the District's policies and rules of conduct, including those relating to civil rights and non-discrimination while in the Marin Simulation Center or any District owned property.

D. The Marin Simulation Center shall be used only for MGH's educational program. MGH shall not assign any portion of this MOU without the District’s written consent. All other use of the Marin Simulation Center, either by MGH or the District, shall be agreed to in advance by the parties in writing.

E. The term of this MOU shall commence upon the date first set forth herein and, unless terminated in accordance with the terms and conditions of this MOU, shall continue for one (1) year. This MOU may be extended for an additional term but only upon mutual written agreement of the parties.

F. Either party may terminate this agreement at any time, without cause, by providing the other party ninety (90) days advance written notice.

G. A party shall not be in material breach of this MOU unless and until the following shall first occur:

   a. The non-breaching party delivers written notice to the breaching party giving the breaching party thirty (30) days to cure the breach. If the breach cannot be cured within thirty (30) days, the breaching party must commence, with due diligence and reasonable dispatch, to cure the breach and complete the cure within a reasonable time. Thereafter, not to exceed ninety (90) days after delivery of said notice to breach;
b. The notice of breach must specify each of the events or circumstances given rise to the breach and the means whereby the breach(es) may be cured; and,

c. The breaching party fails to cure the breach within the time permitted under this MOU.

H. This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns. Nothing in this MOU, expressed or implied, is intended to confer upon any person other than the parties hereto and their successors and permitted assigns, any rights or remedies under or by reason of this MOU.

I. This MOU may only be amended or modified by written instrument executed by the parties.

J. Each individual executing this MOU, or its counter part, on behalf of the respective party hereto, warrants that he/she is authorized to do so and that this MOU constitutes the legally binding obligation of the party which he/she represents.

K. This MOU contains the entire understanding of the parties and constitutes the sole and only agreement between them concerning the subject matter hereof or the rights and duties of any of them in connection therewith. Any agreements or representations among the parties hereto regarding the Marin Simulation Center not expressly set forth in this MOU are null and void.

L. Each of the parties hereto agrees that it shall act in good faith in an attempt to cause all the conditions precedent to the respective obligations to be satisfied.

M. Any notice required to be given pursuant to this MOU shall be given in writing to the other party either personally or by depositing the same in the United States mail, by first class mail, registered or certified, postage pre-paid, addressed to the party at the addresses set below:

If to District:
Albert Harrison
Vice President of College Operations
Marin Community College District
835 College Avenue
Kentfield, CA 94901
Phone: 415-457-8811
Fax: 415-485-0135

If to MGH:
Marin General Hospital
Attn: Chief Administrative Officer
250 Bon Air Road
Greenbrae, CA 94904
Phone: 415-925-7100
Fax: 415-925-7933

Any notice delivered by mail shall be deemed delivered five (5) days after the date of deposit in the mail. The address at which any notices to be delivered may be changed by either party by compliance with terms of this paragraph.

N. Time is of the essence in this MOU and each of its provisions and failure to comply with this provision shall be a material breach of this MOU.
O. This MOU shall be governed by and interpreted under laws of the State of California, with venue for the judicial resolution of any dispute to be Marin County, California. Should any term, condition or provision be deemed to be invalid or unenforceable, the remaining terms and conditions shall remain in full force and effect.

P. No waiver by a party of any provision of this MOU shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this MOU or at law shall not present the exercised by that party of any other remedy provided in this MOU or at law.
Executed the day, month and year first above written.

MARIN COMMUNITY COLLEGE DISTRICT

By: Frances L. White
Dr. Frances White, Superintendent/President

MARIN COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

By: Philip J. Kranenburg
Philip J. Kranenburg, President of the Board of Trustees

MARIN GENERAL HOSPITAL

By: Charles J. Prosper
Charles J. Prosper, Chief Administrative Officer
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: October 19, 2010
Item & File No. B.9.C

Subject: Extension of Memorandum of Understanding
Novato Community Hospital and the Marin Simulation Center

Reason for Board Consideration: APPROVAL

Enclosure(s): Memorandum of Understanding

BACKGROUND:

This Memorandum of Understanding (MOU) extension is submitted to the Board for approval. This MOU was developed, reviewed and approved by the District’s legal counsel prior to renewal in September 2009.

This MOU is between the Board of Trustees, College of Marin ("the District") and Novato Community Hospital ("NCH"). The MOU is for the purpose of clarifying the role of both parties regarding the educational and community activities undertaken by the District and NCH in the operation of the Marin Simulation Center at the District’s Indian Valley Campus. This Board action is for the purpose of extending the existing contract for one more year. Except for the extension date as set forth in this extension MOU, no other changes are being made to the MOU and the MOU shall remain in full force and effect.

It is anticipated that through this collaboration, the College of Marin will benefit significantly from the participation of all the local schools of nursing and the hospitals in the Marin Simulation Center.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached extension Memorandum of Understanding between the District and Novato Community Hospital.

Administrator Initiating Item

Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
MEMORANDUM OF UNDERSTANDING – MARIN SIMULATION CENTER

This Memorandum of Understanding ("MOU") is dated for identification purposes as of September 23, 2009 and is entered into by and between the Marin Community College District (the "District") and Sutter Marin, dba Novato Community Hospital ("NCH").

RECITALS

A. The National Institute of Medicine has estimated that nearly 100,000 patients die in hospitals each year due to medical errors. (Corrigan J.; L. Kohn, M. Donaldson, eds. *To Err is Human; Building a Safer Health System*. Committee on Quality of Health Care in America, Institute of Medicine, The National Academies Press, 1999.)

B. Recognizing the need to develop a local response to the foregoing figures, the parties to this MOU wish to collaborate to maintain a state-of-the-art emergency simulation facility to provide training opportunities to healthcare students and emergency workers.

C. By means of this MOU, the parties wish to continue the Marin Simulation Center, located at the College of Marin’s Indian Valley Campus, and featuring advanced robotic manikins and realistic health emergency simulations to increase the clinical skills of students from the District, Sonoma State University, Dominican University of California, along with regional healthcare professionals and emergency responders in the area.

D. The Marin Simulation Center will be maintained by the District, Dominican University of California, Kaiser Foundation Hospital of San Rafael, Sonoma State University, Marin General Hospital, and NCH (All are collectively referred to as “Partners”).

I. OBLIGATIONS OF THE DISTRICT

A. For purposes of conducting clinical simulation activities and other activities reasonably related thereto, for each year during the term of this MOU and any and all extensions hereto, the District shall provide to NCH, and to their respective personnel, invitees and licensees, access to the portion of the District’s Indian Valley Campus (1800 Ignacio Blvd., Novato, CA) typically known as “the Pomo Cluster – Rooms 180, 188, 189”. Said access shall be provided equally to each of the Partners on a first come, first served basis. The allocation to Partners will be reviewed quarterly by the Partners Coordinating Council, as defined in Section I(E), to assure equitable access. District shall also provide office space in Rooms 101 and 102, Building 6 to be shared with other Marin Simulation Center staff.

B. In connection with the access described in Section I(A), District shall provide all necessary utilities, including water and electricity and all appropriate security.

C. In connection with the access described in Section I(A), District shall identify all building and room locations on the Indian Valley campus maps as “Marin Simulation Center”.

COPY

NCH Sim Center MOU renewal 091509
D. District shall post a sign on Building 5, which shall include recognition of all Partners in the "Marin Simulation Center."

E. District and NCH shall identify a representative from NCH for the Partners Coordinating Council, which shall consist of one representative from each of the Partners. The Partners Coordinating Council will provide input and oversight and participate in all decisions concerning the Marin Simulation Center, including, staffing, budget, scheduling, and the curricular program.

F. District shall assist the Simulation Center Manager, who shall oversee the planning, day to day operations and collaboration with community partners for use of the Marin Simulation Center, in preparing quarterly reports to all Partners. Such assistance shall include complying with all requests of the Simulation Center Manager within fifteen (15) days of the request.

II. OBLIGATIONS OF NCH

A. NCH shall make every effort to donate to the College of Marin Foundation retired medical and/or patient care equipment for use in the Marin Simulation Center. NCH shall continually make best efforts to locate and identify such equipment. The parties agree that such donations shall be at NCH’s sole discretion.

B. NCH shall review this MOU annually and shall make best efforts to provide funding to be used solely in connection with the operation of the Marin Simulation Center, including, but not limited to, faculty recruitment, equipment purchases or other identified personnel or material needs for the Marin Simulation Center. Those efforts may include, but not be limited to, cash donations and or access use fees as mutually agreed upon in advance.

C. The District and NCH shall identify a representative from NCH for the Partners Coordinating Council, which shall consist of one representative from each of the Partners. The Partners Coordinating Council will provide input and oversight and participate in all decisions concerning the Marin Simulation Center, including, staffing, budget, scheduling, and the curricular program.

D. NCH shall assist the Simulation Center Manager in preparing quarterly reports to all Partners. Such assistance shall include complying with all requests of the Simulation Center Manager within fifteen (15) days of the request.

E. In all documents and materials announcing Marin Simulation Center events (including trainings) at the Indian Valley Campus, NCH shall recognize the District by adding language as follows: “In cooperation with the College of Marin...”.

III. GENERAL PROVISIONS

A. Each party shall defend, indemnify and hold the other party, its officers, employees, directors,
harmless from and against any and all liability, loss, expenses (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expenses, attorneys' fees, or claims for injury or damages are caused by or result from the negligent, wrongful, or intentional acts or omissions of the indemnifying party. The provisions of this Paragraph shall survive the termination or expiration of the Agreement.

B. During the term of this MOU, NCH and the District shall each provide comprehensive general public liability and property damage coverage, or programs of self-insurance satisfactory to both in their reasonable discretion, with minimum limits of $3 million, combined single limit. Each party shall annually furnish the other with written proof of said coverage. Each party shall be given a copy of the other party's applicable insurance policy and notice of cancellation thirty (30) days prior to cancellation. No later than fifteen (15) calendar days following the execution of this MOU, each party shall tender to the other for review and written approval, its proposed form of insurance or self-insurance.

C. Use of the Marin Simulation Center by NCH personnel, licensees or invitees of any character will be governed by and are subject to the District's policies and rules of conduct, including those relating to civil rights and non-discrimination while in the Marin Simulation Center or any District owned property.

D. The Marin Simulation Center shall be used only for NCH's educational program. NCH shall not assign any portion of this MOU without the District's written consent. All other use of the Marin Simulation Center, either by NCH or the District, shall be agreed to in advance by the parties in writing.

E. The term of this MOU shall commence upon the date first set forth herein and, unless terminated in accordance with the terms and conditions of this MOU, shall continue for one (1) year. This MOU may be extended for an additional term but only upon mutual written agreement of the parties.

F. Either party may terminate this agreement at any time, without cause, by providing the other party thirty (30) days advance written notice.

G. A party shall not be in material breach of this MOU unless and until the following shall first occur:

a. The non-breaching party delivers written notice to the breaching party giving the breaching party thirty (30) days to cure the breach. If the breach cannot be cured within thirty (30) days, the breaching party must commence, with due diligence and reasonable dispatch, to cure the breach and complete the cure within a reasonable time. Thereafter, not to exceed ninety (90) days after delivery of said notice to breach;

b. The notice of breach must specify each of the events or circumstances given rise to the breach and the means whereby the breach(es) may be cured; and,
c. The breaching party fails to cure the breach within the time permitted under this MOU.

H. This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns. Nothing in this MOU, expressed or implied, is intended to confer upon any person other than the parties hereto and their successors and permitted assigns, any rights or remedies under or by reason of this MOU.

I. This MOU may only be amended or modified by written instrument executed by the parties.

J. Each individual executing this MOU, or its counter part, on behalf of the respective party thereto, warrants that he/she is authorized to do so and that this MOU constitutes the legally binding obligation of the party which he/she represents.

K. This MOU contains the entire understanding of the parties and constitutes the sole and only agreement between them concerning the subject matter hereof or the rights and duties of any of them in connection therewith. Any agreements or representations among the parties hereto regarding the Marin Simulation Center not expressly set forth in this MOU are null and void.

L. Each of the parties hereto agrees that it shall act in good faith in an attempt to cause all the conditions precedent to the respective obligations to be satisfied.

M. Any notice required to be given pursuant to this MOU shall be given in writing to the other party either personally or by depositing the same in the United States mail, by first class mail, registered or certified, postage pre-paid, addressed to the party at the addresses set below:

If to District:
Albert Harrison
Vice President of College Operations
Marin Community College District
835 College Avenue
Kentfield, CA 94901
Phone: 415-457-8811
Fax: 415-485-0135

If to NCH:
Sutter Marin
Dba Novato Community Hospital
Attn: Assistant Administrator
180 Rowland Way
Novato, CA 94945
Phone: 415-209-1326
Fax: 415-209-1321

Any notice delivered by mail shall be deemed delivered five (5) days after the date of deposit in the mail. The address at which any notices to be delivered may be changed by either party by compliance with terms of this paragraph.

N. Time is of the essence in this MOU and each of its provisions and failure to comply with this provision shall be a material breach of this MOU.

O. This MOU shall be governed by and interpreted under laws of the State of California, with venue for the judicial resolution of any dispute to be Marin County, California. Should any term, condition or provision be deemed to be invalid or unenforceable, the remaining terms and conditions shall remain in full force and effect.
P. No waiver by a party of any provision of this MOU shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this MOU or at law shall not present the exercised by that party of any other remedy provided in this MOU or at law.

Executed the day, month and year first above written.

MARIN COMMUNITY COLLEGE DISTRICT

By: Frances L. White
Dr. Frances White, Superintendent/President

MARIN COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

By: Philip J. Kranenburg, President of the Board of Trustees

SUTTER MARIN, DBA NOVATO COMMUNITY HOSPITAL

By: Vicki White, Assistant Administrator
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Hospital Experience Agreement with Alta Bates Summit Medical Center

Date: October 19, 2010
Item & File No. B.9.D

Reason for Board Consideration: APPROVAL

Enclosure(s): Agreement

BACKGROUND:

The College of Marin has a number of agreements for Registered Nursing student experience at hospitals and other medical facilities. These agreements are vital to the college’s nursing program.

The College has used Alta Bates Summit Medical Center for Registered Nursing Student hospital experience for over ten years. The previous agreement has expired and Alta Bates has provided the attached renewal agreement. This agreement is effective November 1, 2010 and will remain in effect for one year.

The agreement was reviewed for the College of Marin by School & College Legal Services, the property and liability administrator Keenan & Associates, and Bickmore Risk Services for Worker’s Compensation.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to enter into the attached renewal agreement with Alta Bates Summit Medical Center to facilitate the required hospital experience for the College’s Registered Nursing students.

Administrator Initiating Item

Peggy Isozaki, Vice President, College Operations
AGREEMENT FOR TRAINING FOR ACADEMIC PURPOSES

This Agreement is between Alta Bates Summit Medical Center, a California nonprofit public benefit corporation (hereafter “FACILITY”) and College of Marin (hereinafter “SCHOOL”) and is effective as of November 1, 2010.

RECITALS

A. FACILITY is a general acute care hospital and is an affiliate of Sutter Health.

B. SCHOOL has a nursing program (“Program”) for its student(s), and this Program requires training at FACILITY so that the student(s) can fulfill an academic requirement.

C. It is to the mutual benefit of the parties to this Agreement that student(s)/instructor(s) participating in SCHOOL’s Program may use the FACILITY for academic purposes.

NOW, THEREFORE, the parties agree as follows:

1. GENERAL INFORMATION

   A. Primary Contacts. Both parties shall designate primary contacts ("Primary Contact") respectively, who shall coordinate with each other in the planning, implementation and coordination of the Program to be provided to the student(s). There will be ongoing communications and periodic evaluation between the parties relating to changes or issues involving staff, curriculum, policies and/or procedures.

   B. Preliminary Information. Both parties, before the beginning of the training, shall agree upon the location(s), the number and identity of the student(s) participating under this Agreement, and the period of time for each student’s training.

   C. Supervision. SCHOOL shall maintain responsibility for student activities and conduct while in the FACILITY, and shall maintain supervision over the Program (including all grading). However, FACILITY shall provide appropriate training, and shall retain all professional and administrative responsibility for the services rendered pursuant to this Agreement to the extent required to comply with Title 22 of the California Code of Regulations.

   D. Faculty/Clinical Preceptors. SCHOOL shall provide instructor(s) to supervise all instruction and student activities for the Program in FACILITY except for any particular course(s) that use clinical preceptors. FACILITY shall provide qualified staff to supervise any particular course(s) requiring clinical preceptor(s).

   E. Orientation. Student(s) and instructor(s) participating in the Program at FACILITY must attend an orientation performed by FACILITY prior to student and instructor assignment (or at least annually). The location and time for such orientation shall be mutually agreed upon by the Primary Contacts.
F. Status of Students/Instructors. It is expressly agreed and understood by SCHOOL and FACILITY that student(s) and instructor(s) under this Program are in attendance for educational purposes, and such student(s) and instructor(s) are not considered employees of FACILITY for any purpose, including, but not limited to, compensation for services, employee welfare and pension benefits, or workers’ compensation insurance.

G. Non-Discrimination. The parties agree that student(s) participating in the Program at FACILITY pursuant to this Agreement shall be selected without discrimination on account of race, color, religion, national origin, ancestry, disability, marital status, age, gender, sexual orientation, veteran status, medical condition (cancer related or genetic characteristic) as defined in section 12926 of the California Government Code, citizenship, or any other protected status.

2. SCHOOL’S RESPONSIBILITIES

A. Student/Instructor Contact Information. SCHOOL shall complete and send to FACILITY information for each student and instructor enrolled in the Program, which shall include the student’s/instructor’s name, address and telephone number prior to the beginning of the planned training. FACILITY shall regard this information as confidential.

B. Schedule of Assignments. SCHOOL shall notify the FACILITY of its planned schedule of student assignments and/or any changes in student assignments, including the name of the student, level of academic preparation, and length and dates of training not less than five (5) working days prior to the planned training.

C. Records. SCHOOL shall maintain all attendance and academic records of the student(s) participating in the Program, and personnel records for its instructor(s), in accordance with all legal requirements.

D. Rules and Regulations. SCHOOL shall enforce rules and regulations governing the student(s) as mutually agreed upon by SCHOOL and FACILITY.

E. Health Policy. SCHOOL shall provide FACILITY, prior to a student’s arrival at the FACILITY, with proof of immunity consistent with FACILITY employee health policy (attached hereto as Exhibit A) and notify the FACILITY if student is a known carrier of an infectious or communicable disease. If such information indicates that patient(s) of FACILITY would be placed at risk by the presence of a particular student, FACILITY reserves the right to refuse to allow such student to participate in the Program at FACILITY. Immunity documentation shall include at a minimum a TB screening, and vaccinations or titers for rubeola, rubella, varicella, Hepatitis B and influenza. TB screening (two step process) requires that each student has a negative PPD skin test, or, if known to be PPD positive, a negative chest x-ray, and no symptoms of TB. FACILITY is not financially responsible for providing these tests for student(s). FACILITY has the same requirements for any SCHOOL instructor(s) participating under this Agreement.

F. Student/Instructor Responsibilities. SCHOOL shall notify each student and instructor that he/she is responsible for:
1) Following the policies, procedures, rules and regulations of FACILITY, including the dress code of the FACILITY and the FACILITY's Identity Theft Prevention Program.

2) Arranging for his/her own transportation and living arrangements when not provided by SCHOOL.

3) Arranging for and assuming the cost of his/her own health insurance.

4) Assuming responsibility for care for his/her personal illness, necessary immunizations, tuberculin test, and initial drug screening.

5) Maintaining confidentiality of patient information. No student or instructor shall have access to or have the right to receive any medical record, except when necessary in the regular course of the experience. The discussion, transmission or narration in any form by student(s) or instructor(s) of any patient information of a personal nature, medical or otherwise, obtained in the regular course of the Program is forbidden except as a necessary part of the practical experience. Student(s) and instructor(s) shall use de-identified information only in any discussions with SCHOOL (or SCHOOL's employees or agents not participating as on-site instructors), unless the patient has first given express authorization using a form approved by FACILITY that complies with applicable state and federal law, including the Health Insurance Portability and Accountability Act ("HIPAA") and regulations thereunder. To preserve patient confidentiality, student(s) and instructor(s) shall not be permitted to use any cameras or camera cell phones in FACILITY.

6) Wearing photo ID name badges identifying him/herself as a student/instructor of the SCHOOL.

7) Notifying FACILITY management immediately of any perceived or suspected violation of federal or State law at the FACILITY.

8) Participating in ward rounds, clinics, staff meetings and/or in-house educational programs as determined by SCHOOL and FACILITY.

G. Background Checks. FACILITY requires a lawful background check for each student and instructor before the planned training. FACILITY is not financially responsible for the background check. Details of the requirements for the background check are set forth in Exhibit B attached hereto. If any information obtained through the background check may indicate that patient(s) of FACILITY would be placed at risk by the presence of a particular student and/or instructor, FACILITY reserves the right to refuse to allow such student and/or instructor to participate in the Program at FACILITY.
3. FACILITY'S RESPONSIBILITIES

A. Access to Facility. FACILITY shall allow student(s) and instructor(s) in the Program to access FACILITY as appropriate and necessary for the Program, provided that the student(s) or instructor(s) shall not interfere with FACILITY activities. FACILITY shall also provide space for conferences, as available, and access to FACILITY's Medical Resource Library during normal Library hours.

B. Emergency Health Care/First Aid. FACILITY shall provide to any student or instructor any necessary emergency health care or first aid for accidents or conditions arising out of or in the course of said student’s or instructor’s participation in the Program. Except as provided regarding such emergencies, FACILITY shall have no obligation to furnish medical or surgical care to any student or instructor. Student(s) and instructor(s) will be financially responsible for all such care rendered in the same manner as any other patient.

4. CLINICAL TRAINING (IF APPLICABLE)

A. Training Capacity. If student(s) is participating in clinical training, student(s) shall perform in a training capacity only and shall not be used to treat patients in lieu of trained professionals employed by FACILITY. Student(s) shall perform services for patients only when under the supervision of a qualified FACILITY professional. FACILITY and SCHOOL shall coordinate all appropriate supervision.

B. Accreditation. FACILITY shall conform to the requirements of any appropriate accreditation agency overseeing the Program. Upon request, FACILITY shall permit the appropriate accreditation agency to make site visits to FACILITY to verify the instructional and academic experience of the SCHOOL's student(s).

5. INDEMNIFICATION

A. SCHOOL shall defend, indemnify and hold harmless FACILITY and its affiliates, parents and subsidiaries, and any of their respective directors, trustees, officers, agents, employees and volunteers from any and all liability, loss, expense (including reasonable attorneys’ fees) or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys’ fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the SCHOOL, its officers, employees, agents, instructors or students.

B. FACILITY shall defend, indemnify and hold harmless SCHOOL, its officers, employees, agents and trainees from any and all liability, loss, expense (including reasonable attorneys’ fees) or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense,
attorneys’ fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the FACILITY, its officers, employees, or agents.

6. INSURANCE

A. SCHOOL shall procure and maintain during the term of this Agreement, at its sole cost and expense, commercial general liability insurance from an insurance company acceptable to FACILITY in an amount not less than One Million Dollars ($1,000,000) for each occurrence and One Million Dollars ($1,000,000) aggregate that protects it and FACILITY against liability arising from or incident to the use and operation of the FACILITY by the SCHOOL’s student(s) or instructor(s).

B. If a student is participating in clinical training with direct patient care, SCHOOL shall procure and maintain during the term of this Agreement, at its sole cost and expense, professional liability insurance from an insurance company acceptable to FACILITY in an amount not less than One Million Dollars ($1,000,000) for each occurrence and Three Million Dollars ($3,000,000) aggregate that protects it and FACILITY against liability arising from or incident to the use and operation of the FACILITY by the SCHOOL’s student(s) or instructor(s).

C. If any of the above-referenced insurance is made on a “claims-made” basis, and such coverage is later terminated or converted to an “occurrence” coverage (or vice versa), SCHOOL shall also acquire “prior acts” or “tail” coverage in the above amounts, covering all periods that this Agreement is or has been in effect, and for a period of three (3) years following termination of this Agreement.

D. The SCHOOL shall also maintain and provide evidence of workers’ compensation for all of its employees (including instructors), and shall provide evidence of student accident insurance or health insurance for each student with benefits that are no less than $10,000.

E. SCHOOL shall provide FACILITY, upon FACILITY’s request, with proof of insurance evidencing the insurance coverage required under this section. SCHOOL shall also notify FACILITY within ten (10) days of any cancellation, reduction, or other material change in the amount or scope of any coverage required under this section.

7. TERM AND TERMINATION

A. Term/Renewal. This Agreement shall be effective as of the date first written above, and shall remain in effect for one (1) year. This Agreement may be renewed upon mutual written agreement of the parties.

B. Termination.

1) Mutual Agreement. This Agreement may be terminated at any time upon the written concurrence of the parties.
2) **Without Cause.** This Agreement may be terminated without cause with thirty (30) days' advance written notice by either party to the other party. Such termination shall not take effect, however, with regard to student(s) already enrolled until the student(s) has/have completed training for the SCHOOL semester during which such termination notice is given, unless such completion would cause an undue financial hardship on the FACILITY or the unit in which student is assigned ceases to operate.

C. **Withdrawal of Student(s)/Instructor(s).** FACILITY may request SCHOOL to withdraw from the Program any student or instructor whom FACILITY determines is not performing satisfactorily, or who refuses to follow FACILITY's policies, procedures, rules and/or regulations, or violates federal or State laws. FACILITY may also deny participation in the Program to any student in accordance with the provisions of California Labor Code sections 432.7 and 432.8. FACILITY reserves the right to suspend from participation immediately any student or instructor who poses an imminent danger of harm to patients or others. SCHOOL shall comply with any such request by FACILITY within twenty-four (24) hours, unless FACILITY agrees to a longer period of time.

8. **CONFIDENTIALITY**

   A. **General Confidentiality.** This Section 8 is in addition to Section 2.F.5 of this Agreement. All parties shall protect the confidentiality of each other's records and information, and shall not disclose confidential information without the prior written consent of the other party. All patient records, reports and information obtained, generated or encountered relating to the training shall at all times be and remain the property of FACILITY.

   B. **Confidentiality Training.** SCHOOL shall warrant to FACILITY that each student and instructor has received appropriate training in the student's/instructor's duty to maintain the confidentiality of patient and FACILITY proprietary information at all times, and to comply with all federal and California laws relating to the privacy of individually identifiable health information. Such laws and regulations include, without limitation, the Health Insurance Portability and Accountability Act of 1996, and its attendant regulations, as amended from time to time ("HIPAA"), the California Confidentiality of Medical Information Act, and the Federal Trade Commission's Red Flag Rules on Identity Theft Prevention. FACILITY reserves the right to provide appropriate confidentiality training to the student(s)/instructor(s), and to designate the student(s)/instructor(s) as members of FACILITY's workforce, as defined by HIPAA. Any student(s)/instructor(s) participating in the Program under this Agreement must execute a Confidentiality Agreement (a copy of the template is attached hereto as Exhibit C).

   C. **Patient Authorization.** No FACILITY patient information may be disclosed to or shared with SCHOOL (or SCHOOL's employees or agents not participating as on-site instructors) during the course of the Program unless FACILITY has received express written
patient authorization. FACILITY shall reasonably assist SCHOOL in obtaining such authorization in appropriate circumstances. In the absence of such authorization, Students shall only use de-identified information (as defined by HIPAA) in any discussion with SCHOOL (or SCHOOL’s employees or agents not participating as on-site instructors).

9. GENERAL PROVISIONS

A. Entire Agreement/Amendment. This Agreement constitutes the entire understanding and agreement between the parties as to those matters contained in it, and supersedes any and all prior or contemporaneous agreements, representations and understandings of the parties regarding SCHOOL’s Program and use of FACILITY. This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, and signed by the parties.

B. Assignment/Binding on Successors. Neither party may assign its rights or delegate its duties without the express written approval of the other party, which shall not be unreasonably withheld. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto, their successors and assigns, except as otherwise provided in this Agreement.

C. Dispute Resolution. If the parties cannot resolve a dispute between them relating to this Agreement after using good faith efforts to resolve the dispute informally, the parties shall submit the dispute to binding arbitration in accordance with the then prevailing Rules of JAMS or such other organization as the parties mutually agree. The parties shall bear the arbitrator’s fees and expenses equally. The arbitration shall take place in the county where FACILITY is located. Judgment upon the award may be entered and enforced in the appropriate state or federal court sitting in that same county.

D. Attorney’s Fees. In the event that any action, including arbitration, is brought by either party to enforce or interpret the terms of this Agreement, the prevailing party in such action shall be entitled to its costs and reasonable attorney’s fees in accordance with California Civil Code §1717, in addition to such other relief as the court or arbitrator may deem appropriate.

E. Headings. The headings of sections in this Agreement are for reference only and are not to be construed in any way as part of this Agreement.

F. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all such counterparts together shall constitute one and the same instrument. A photocopy of the executed Agreement may be used as if it were the original Agreement.

G. Force Majeure. Neither party shall be liable nor deemed to be in default for any delay or failure in performance under this Agreement or other interruption of service or employment deemed resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, accidents, fires, explosions, earthquakes, floods, failure of transportation, machinery or supplies, vandalism, strikes or other work
interruptions beyond the reasonable control or either party. However, both parties shall make good faith efforts to perform under this Agreement in the event of any such circumstances.

H. **Governing Law.** The validity, interpretation and performance of this Agreement shall be governed by and construed in accordance with the laws of the State of California.

I. **Notices.** All written notices to be given in connection with this Agreement shall be sufficient if sent by (a) facsimile (together with proof of transmission and provided a hard copy is mailed within one business day), (b) certified or registered mail, postage prepaid, or (c) national overnight delivery service addressed to the party entitled to receive such notice at the address specified by such party below:

**ALTA BATES SUMMIT MEDICAL CENTER**  
Starla Dianda, RN  
Director of Education  
2450 Ashby Ave  
Berkeley, CA 94705

**COLLEGE OF MARIN**  
Marin Community College District  
Attn: Al Harrison  
Vice President College Operations  
835 College Avenue  
Kentfield, CA 94904

J. **Severability.** In the event any portion of this Agreement is declared invalid or void by a court or arbitrator, such portion shall be severed from this Agreement, and the remaining provisions shall remain in effect, unless the effect of such severance would be to alter substantially the agreement or the obligations of the parties, in which case this Agreement may be immediately terminated.

K. **Waiver of Provisions.** Any failure of a party to insist upon strict compliance with any term, undertaking or condition of this Agreement shall not be deemed to be a waiver of such term, undertaking or condition. To be effective, a waiver must be in writing, signed and dated by the parties to this Agreement. A waiver of any term or condition hereof shall not be construed as a future waiver of the same or any other term or condition hereof.

L. **Recitals and Exhibits.** Any recital and/or exhibit attached hereto is hereby incorporated into this Agreement by this reference.

M. **Compliance with Law and Regulatory Agencies.** FACILITY and SCHOOL shall comply with all applicable provisions of law and other valid rules and regulations of all governmental agencies having jurisdiction over: (i) the operation of the FACILITY; (ii) the licensing of health care practitioners; and (iii) the delivery of services to patients of governmentally regulated third party payors whose members/beneficiaries receive care from FACILITY. This shall specifically include compliance with applicable provisions of Title 22 of the California Code of Regulations. SCHOOL shall also comply, and shall ensure its student(s) and instructor(s) comply, with all applicable standards and recommendations of The Joint Commission; the bylaws, policies and procedures of FACILITY; and the laws and regulations regarding services provided to patients covered by Medicare and/or Medi-Cal.
N. **No Referrals.** Nothing in this Agreement is intended to obligate and shall not
obligate any party to this Agreement to refer patients to any other party.

O. **No Third Party Beneficiaries.** Unless otherwise set forth herein, nothing contained
herein is intended nor shall be construed to create rights running to the benefit of third
parties.

11. **EXECUTION**

By their signatures below, each of the following represent that they have authority to
execute this Agreement and to bind the party on whose behalf their execution is made.

**FACILITY**
Alta Bates Summit Medical Center

By: ________________________________________
Warren Kirk
Title: President and CEO
Alta Bates Summit Medical Center
Date: ________________________________________

**SCHOOL**
College of Marin

By: ________________________________________
Title: ________________________________________
Date: ________________________________________
EXHIBIT A

FACILITY EMPLOYEE HEALTH POLICY

Documentation for Infectious Disease Baseline Surveillance.

Please provide documentation of the following;

**Immunity to:**

- **Measles**
  - Born before 1957 consider immune; or
  - Documentation of (2) Measles vaccine (MMR) (+) titer

- **Mumps**
  - Born before 1957 consider immune; or
  - Documentation of (2) Mumps vaccine (MMR) (+) titer

- **Rubella**
  - Born before 1957 consider immune or
  - (1) MMR vaccine or Rubella vaccine

- **Chickenpox (Varicella)**
  - (+) titer or
  - Documentation of (2) Varivax vaccines

**TB surveillance - (2-step) baseline**

- PPD (-) within the last year and
- PPD (-) within the last three (3) months

*If* history of a (+) PPD, please provide documentation of chest x-ray report within last 12 months and a negative symptom review.

**TB surveillance – annual**

- TST (PPD) within the last twelve (12) months

*If* history of a (+) PPD, please provide documentation of a negative symptom review.

**If there is job risk for Blood Borne Pathogen exposure:**

Provide documentation of Hepatitis B vaccine and immunity (+) titer// Hepatitis C (within the last 3 months) baseline.

**If there is risk of Airborne or Droplet exposure (ATD- OSHA 5199)-** must enter AI room to care for patients- Baseline Med Eval/Clearance/Fit for ABSMC approved Respirator (N95) - 3M 1870 or Kimberly Clark - small/regular

**Annual (within 12 months) eval/fit test**
EXHIBIT B

BACKGROUND CHECK

Background Screening Requirements
SCHOOL is required to provide proof of a lawful background check for each student and instructor at least fifteen (15) days prior to the start of the training. FACILITY is not financially responsible for the background check. The background check shall include at a minimum:

- a drug and alcohol screening in accordance with FACILITY policy
- a social security number trace (used to identify additional names and or locations of residence)
- a county criminal background search in each county where the student has resided in the seven (7) years prior to the clinical experience
- a national registry search of violent sexual offenders and predators
- a sanction search of the Department of Health and Human Services, Office of Inspector General and General Services Administration, for listing as debarred, excluded or otherwise ineligible for federal program participation.

Proof of the health screen and an attestation of the satisfactory completion of the background checks shall be provided to the FACILITY Primary Contact, electronically or via facsimile, no less than fifteen (15) days prior to student/instructor participation in the Program.

Drug Screening will search for, at a minimum:

- Cocaine
- Barbiturates
- Amphetamines
- Cannabinoids
- Opiates
- Benzodiazepines
- Phencyclidine

Preferred Background Check Vendor:

EXHIBIT C

CONFIDENTIALITY AGREEMENT

As part of my participation in an educational program ("Program") at a facility affiliated with Sutter Health ("Facility"), I may have access to protected health information ("PHI"), personnel information, and proprietary business information (collectively referred to as "Confidential Information") that may not be disclosed except as permitted or required by law and by Facility policies and procedures. I understand that I am committed to protect and safeguard from disclosure all Confidential Information regardless of the type of media on which it is stored (e.g. paper, micro-fiche, voice tape, computer system). I agree that I will not disclose any Confidential Information from any record or information system to any unauthorized person.

I understand that:

- I am obligated to hold Confidential Information in the strictest confidence and not to disclose such information to any person or in any manner which is inconsistent with applicable law or the policies and procedures of Facility.
- I acknowledge that I may not review any Confidential Information of a friend, relative, staff member, volunteer or any other person unless I am required to do so as part of my official duties. I will not discuss or allow to be displayed Confidential Information of any type in the proximity of any individual who does not have the right to know. This includes conversations in public places, allowing computer screens to be inappropriately visible, and leaving printed material where it may be openly viewed.
- All Confidential Information obtained from Facility systems remains the property of Facility regardless of physical location or method of storage unless otherwise specified by Facility in writing.
- If I believe that information confidentiality or security may be compromised in any way, either intentional or accidental, I shall contact my direct supervisor and/or the Facility Privacy Officer or Compliance Officer.
- My confidentiality obligation continues indefinitely, including after my participation in the Program at Facility has ended.

Access, attempted access, or release of Confidential Information without the right and need to know for successful completion of Program duties will be considered a breach of confidentiality. I understand that if I breach the confidentiality of information to which I have access, I may be committing an illegal and/or unprofessional act. This may be grounds for immediate disciplinary action up to and including termination of my participation in the Program at Facility, and/or legal action.

My signature below acknowledges that I agree to abide by the terms of this agreement.

Printed Name: __________________________ Date: __________________________

Signature: __________________________

SHI/HIPAA/Agr/Model BAA/2009
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Hospital Experience Agreement with Marin General Hospital Corporation
Reason for Board Consideration: APPROVAL
Enclosure(s): Agreement
Date: October 19, 2010
Item & File No. B.9.E

BACKGROUND:

The College of Marin has a number of agreements for Registered Nursing student experience at hospitals and other medical facilities. These agreements are vital to the college’s nursing program.

The College has used Marin General Hospital for Registered Nursing Student hospital experience since 1981. The previous agreement expires in October 2010 and Marin General has provided the attached renewal agreement. This agreement is effective October 15, 2010 and will remain in effect for three years.

The agreement was reviewed for the College of Marin by School & College Legal Services, the property and liability administrator Keenan & Associates, and Bickmore Risk Services for Worker’s Compensation.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to enter into the attached renewal agreement with Marin General Hospital Corporation to facilitate the required hospital experience for the College’s Registered Nursing students.

Administrator Initiating Item

Peggy Isozaki, Vice President, College Operations
AGREEMENT FOR TRAINING FOR ACADEMIC PURPOSES

This Agreement is between MARIN GENERAL HOSPITAL CORPORATION, a California nonprofit public benefit corporation doing business as Marin General Hospital (hereafter “FACILITY”) and MARIN COMMUNITY COLLEGE DISTRICT (hereinafter “SCHOOL”) and is effective as of October 15, 2010.

RECITALS

A. FACILITY is a general acute care hospital located at 250 Bon Air Road, Greenbrae, CA 94904.

B. SCHOOL has a Nursing Program (“Program”) for its student(s), and this Program requires training at FACILITY so that the student(s) can fulfill an academic requirement.

C. It is to the mutual benefit of the parties to this Agreement that student(s)/instructor(s) participating in SCHOOL’s Program may use the FACILITY for academic purposes.

NOW, THEREFORE, the parties agree as follows:

1. GENERAL INFORMATION

   A. **Primary Contacts.** Both parties shall designate primary contacts (“Primary Contact”) respectively, who shall coordinate with each other in the planning, implementation and coordination of the Program to be provided to the student(s). There will be ongoing communications and periodic evaluation between the parties relating to changes or issues involving staff, curriculum, policies and/or procedures.

   B. **Preliminary Information.** Both parties, before the beginning of the training, shall agree upon the location(s), the number and identity of the student(s) participating under this Agreement, and the period of time for each student’s training.

   C. **Supervision.** SCHOOL shall maintain responsibility for student activities and conduct while in the FACILITY, and shall maintain supervision over the Program (including all grading). However, FACILITY shall provide appropriate training, and shall retain all professional and administrative responsibility for the patient care services rendered pursuant to this Agreement to the extent required to comply with Title 22 of the California Code of Regulations and the Federal Conditions of Participation.

   D. **Faculty/Clinical Preceptors.** SCHOOL shall provide instructor(s) to supervise all instruction and student activities for the Program in FACILITY except for any particular course(s) that use clinical preceptors. FACILITY shall provide qualified staff to supervise any particular course(s) requiring clinical preceptor(s).

   E. **Orientation.** Student(s) and instructor(s) participating in the Program at FACILITY must attend an orientation performed by FACILITY prior to student and instructor assignment.
(or at least annually). The location and time for such orientation shall be mutually agreed upon by the Primary Contacts.

F. Status of Students/Instructors. It is expressly agreed and understood by SCHOOL and FACILITY that student(s) and instructor(s) under this Program are in attendance for educational purposes, and such student(s) and instructor(s) are not considered employees of FACILITY for any purpose, including, but not limited to, compensation for services, employee welfare and pension benefits, or workers’ compensation insurance.

G. Non-Discrimination. The parties agree that student(s) participating in the Program at FACILITY pursuant to this Agreement shall be selected without discrimination on account of race, color, religion, national origin, ancestry, disability, marital status, age, gender, sexual orientation, veteran status, medical condition (cancer related or genetic characteristic), ethnic group identification as defined in section 12926 of the California Government Code, citizenship, or any other protected status. No discrimination is allowed in whole or in part based on the foregoing actual or perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics.

2. SCHOOL’S RESPONSIBILITIES

A. Student/Instructor Contact Information. SCHOOL shall complete and send to FACILITY information for each student and instructor enrolled in the Program, which shall include the student’s/instructor’s name, address and telephone number prior to the beginning of the planned training. FACILITY shall regard this information as confidential.

B. Schedule of Assignments. SCHOOL shall notify the FACILITY of its planned schedule of student assignments and/or any changes in student assignments, including the name of the student, level of academic preparation, and length and dates of training not less than five (5) working days prior to the planned training.

C. Records. SCHOOL shall maintain all attendance and academic records of the student(s) participating in the Program, and personnel records for its instructor(s), in accordance with all legal requirements.

D. Rules and Regulations. SCHOOL shall enforce rules and regulations governing the student(s) as mutually agreed upon by SCHOOL and FACILITY.

E. Health Policy. SCHOOL shall provide FACILITY, prior to a student’s arrival at the FACILITY, with proof of immunity consistent with FACILITY employee health policy (attached hereto as Exhibit A) and notify the FACILITY if student is a known carrier of an infectious or communicable disease. If such information indicates that patient(s) of FACILITY would be placed at risk by the presence of a particular student, FACILITY reserves the right to refuse to allow such student to participate in the Program at FACILITY. Immunity documentation shall include at a minimum a TB screening, and vaccinations or titers for rubella, rubella, varicella, Hepatitis B and influenza. TB screening (two step process) requires that each student has a negative PPD skin test, or, if known to be PPD positive, a negative chest x-ray, and no symptoms of TB. FACILITY is not financially responsible for providing these tests for
student(s). FACILITY has the same requirements for any SCHOOL instructor(s) participating under this Agreement.

F. **Student/Instructor Responsibilities.** SCHOOL shall notify each student and instructor that he/she is responsible for:

1) Following the policies, procedures, rules and regulations of FACILITY, including the dress code of the FACILITY and the FACILITY’s Identity Theft Prevention Program.

2) Arranging for his/her own transportation and living arrangements when not provided by SCHOOL.

3) Arranging for and assuming the cost of his/her own health insurance.

4) Assuming responsibility for care for his/her personal illness, necessary immunizations, tuberculin test, and initial drug screening.

5) Maintaining confidentiality of patient information. No student or instructor shall have access to or have the right to receive any medical record, except when necessary in the regular course of the experience. The discussion, transmission or narration in any form by student(s) or instructor(s) of any patient information of a personal nature, medical or otherwise, obtained in the regular course of the Program is forbidden except as a necessary part of the practical experience. Student(s) and instructor(s) shall use de-identified information only in any discussions with SCHOOL (or SCHOOL’s employees or agents not participating as on-site instructors), unless the patient has first given express authorization using a form approved by FACILITY that complies with applicable state and federal law, including the Health Insurance Portability and Accountability Act (“HIPAA”) and regulations thereunder. To preserve patient confidentiality, student(s) and instructor(s) shall not be permitted to use any cameras or camera cell phones in FACILITY.

6) Wearing photo ID name badges identifying him/herself as a student/instructor of the SCHOOL.

7) Notifying FACILITY management immediately of any perceived or suspected violation of federal or State law at the FACILITY.

8) Participating in ward rounds, clinics, staff meetings and/or in-house educational programs as determined by SCHOOL and FACILITY.

G. **Background Checks.** FACILITY requires a lawful background check for each student and instructor before the planned training. FACILITY is not financially responsible for the background check. Details of the requirements for the background check are set forth in Exhibit B attached hereto. If any information obtained through the background check may indicate that patient(s) of FACILITY would be placed at risk by the presence of a particular student and/or instructor, FACILITY reserves the right to refuse to allow such student and/or instructor to participate in the Program at FACILITY.
3. FACILITY’S RESPONSIBILITIES

A. Access to Facility. FACILITY shall allow student(s) and instructor(s) in the Program to access FACILITY as appropriate and necessary for the Program, provided that the student(s) or instructor(s) shall not interfere with FACILITY activities. FACILITY shall also provide space for conferences, as available, and access to FACILITY’s Medical Resource Library during normal Library hours.

B. Emergency Health Care/First Aid. FACILITY shall provide to any student or instructor any necessary emergency health care or first aid for accidents or conditions arising out of or in the course of said student’s or instructor’s participation in the Program. Except as provided regarding such emergencies, FACILITY shall have no obligation to furnish medical or surgical care to any student or instructor. Student(s) and instructor(s) will be financially responsible for all such care rendered in the same manner as any other patient.

4. CLINICAL TRAINING (IF APPLICABLE)

A. Training Capacity. If student(s) is participating in clinical training, student(s) shall perform in a training capacity only and shall not be used to treat patients in lieu of trained professionals employed by FACILITY. Student(s) shall perform services for patients only when under the supervision of an instructor from the SCHOOL or under the supervision of a qualified FACILITY professional. FACILITY and SCHOOL shall coordinate all appropriate supervision. Hospital shall provide staff of adequate number and quality so as to insure the safe and continuous health care services of patients.

B. Accreditation. FACILITY shall conform to the requirements of any appropriate accreditation agency overseeing the Program. Upon request, FACILITY shall permit the appropriate accreditation agency to make site visits to FACILITY to verify the instructional and academic experience of the SCHOOL’s student(s).

5. INDEMNIFICATION

A. SCHOOL shall defend, indemnify and hold harmless FACILITY and its affiliates, parents and subsidiaries, and any of their respective directors, trustees, officers, agents, employees and volunteers from any and all liability, loss, expense (including reasonable attorneys’ fees) or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys’ fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the SCHOOL, its officers, employees, agents, instructors or students.
B. FACILITY shall defend, indemnify and hold harmless SCHOOL, its officers, employees, agents and trainees from any and all liability, loss, expense (including reasonable attorneys' fees) or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the FACILITY, its officers, employees, or agents.

6. INSURANCE

A. SCHOOL shall procure and maintain during the term of this Agreement, at its sole cost and expense, commercial general liability insurance from an insurance company acceptable to FACILITY in an amount not less than One Million Dollars ($1,000,000) for each occurrence and Three Million Dollars ($3,000,000) aggregate that protects it and FACILITY against liability arising from or incident to the use and operation of the FACILITY by the SCHOOL's student(s) or instructor(s).

B. If a student is participating in clinical training with direct patient care, SCHOOL shall procure and maintain during the term of this Agreement, at its sole cost and expense, professional liability insurance from an insurance company acceptable to FACILITY in an amount not less than One Million Dollars ($1,000,000) for each occurrence and Three Million Dollars ($3,000,000) aggregate that protects it and FACILITY against liability arising from or incident to the use and operation of the FACILITY by the SCHOOL's student(s) or instructor(s).

C. If any of the above-referenced insurance is made on a "claims-made" basis, and such coverage is later terminated or converted to an "occurrence" coverage (or vice versa), SCHOOL shall also acquire "prior acts" or "tail" coverage in the above amounts, covering all periods that this Agreement is or has been in effect, and for a period of three (3) years following termination of this Agreement.

D. The SCHOOL shall also maintain and provide evidence of workers' compensation for all of its employees (including instructors). SCHOOL shall provide Student and Athletic Insurance where benefits are payable at 80% up to a total of $25,000 of covered expenses.

E. SCHOOL shall provide FACILITY, upon FACILITY's request, with proof of insurance evidencing the insurance coverage required under this section. SCHOOL shall also notify FACILITY within Thirty (30) days of any cancellation, reduction, or other material change in the amount or scope of any coverage required under this section.

7. TERM AND TERMINATION

A. Term/Renewal. This Agreement shall be effective as of the date first written above, and shall remain in effect for three (3) years. This Agreement may be renewed upon mutual written agreement of the parties.

B. Termination.
1) **Mutual Agreement.** This Agreement may be terminated at any time upon the written concurrence of the parties.

2) **Without Cause.** This Agreement may be terminated without cause with ninety (90) days' advance written notice by either party to the other party. Such termination shall not take effect, however, with regard to student(s) already enrolled until the student(s) has/have completed training for the SCHOOL semester during which such termination notice is given, unless such completion would cause an undue financial hardship on the FACILITY or the unit in which student is assigned ceases to operate.

C. **Withdrawal of Student(s)/Instructor(s).** FACILITY may request SCHOOL to withdraw from the Program any student or instructor whom FACILITY determines is not performing satisfactorily, or who refuses to follow FACILITY's policies, procedures, rules and/or regulations, or violates federal or State laws. FACILITY may also deny participation in the Program to any student at the FACILITY's sole discretion subject to applicable laws. FACILITY reserves the right to suspend from participation immediately any student or instructor who poses an imminent danger of harm to patients or others. SCHOOL shall comply with any such request by FACILITY within twenty-four (24) hours, unless FACILITY agrees to a longer period of time in writing.

8. **CONFIDENTIALITY**

A. **General Confidentiality.** This Section 8 is in addition to Section 2.F.5 of this Agreement. All parties shall protect the confidentiality of each other's records and information, and shall not disclose confidential information without the prior written consent of the other party or if required by law to make disclosures. All patient records, reports and information obtained, generated or encountered relating to the training shall at all times be and remain the property of FACILITY.

B. **Confidentiality Training.** SCHOOL shall warrant to FACILITY that each student and instructor has received appropriate training in the student's/instructor's duty to maintain the confidentiality of patient and FACILITY proprietary information at all times, and to comply with all federal and California laws relating to the privacy of individually identifiable health information. Such laws and regulations include, without limitation, the Health Insurance Portability and Accountability Act of 1996, and its attendant regulations, as amended from time to time ("HIPAA"), the California Confidentiality of Medical Information Act, and the Federal Trade Commission's Red Flag Rules on Identity Theft Prevention. FACILITY reserves the right to provide appropriate confidentiality training to the student(s)/instructor(s), and to designate the student(s)/instructor(s) as members of FACILITY's workforce, as defined by HIPAA. Any student(s)/instructor(s) participating in the Program under this Agreement must execute a Confidentiality Agreement (a copy of the template is attached hereto as Exhibit C).

C. **Patient Authorization.** No FACILITY patient information may be disclosed to or shared with SCHOOL (or SCHOOL's employees or agents not participating as on-site instructors) during the course of the Program unless FACILITY has received express written patient authorization. FACILITY shall reasonably assist SCHOOL in obtaining such authorization in appropriate circumstances. In the absence of such authorization, Students shall
only use de-identified information (as defined by HIPAA) in any discussion with SCHOOL (or SCHOOL's employees or agents not participating as on-site instructors).

9. GENERAL PROVISIONS

A. Entire Agreement/Amendment. This Agreement constitutes the entire understanding and agreement between the parties as to those matters contained in it, and supersedes any and all prior or contemporaneous agreements, representations and understandings of the parties regarding SCHOOL's Program and use of FACILITY. This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, and signed by the parties.

B. Assignment/Binding on Successors. Neither party may assign its rights or delegate its duties without the express written approval of the other party, which shall not be unreasonably withheld. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto, their successors and assigns, except as otherwise provided in this Agreement.

C. Dispute Resolution. If the parties cannot resolve a dispute between them relating to this Agreement after using good faith efforts to resolve the dispute informally, the parties shall submit the dispute to binding arbitration in accordance with the then prevailing Rules of JAMS or such other organization as the parties mutually agree. The parties shall bear the arbitrator’s fees and expenses equally. The arbitration shall take place in the county where FACILITY is located. Judgment upon the award may be entered and enforced in the appropriate state or federal court sitting in that same county.

D. Attorney’s Fees. In the event that any action, including arbitration, is brought by either party to enforce or interpret the terms of this Agreement, the prevailing party in such action shall be entitled to its costs and reasonable attorney’s fees in accordance with California Civil Code §1717, in addition to such other relief as the court or arbitrator may deem appropriate.

E. Headings. The headings of sections in this Agreement are for reference only and are not to be construed in any way as part of this Agreement.

F. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all such counterparts together shall constitute one and the same instrument. A photocopy of the executed Agreement may be used as if it were the original Agreement.

G. Force Majeure. Neither party shall be liable nor deemed to be in default for any delay or failure in performance under this Agreement or other interruption of service or employment deemed resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, accidents, fires, explosions, earthquakes, floods, failure of transportation, machinery or supplies, vandalism, strikes or other work interruptions beyond the reasonable control or either party. However, both parties shall make good faith efforts to perform under this Agreement in the event of any such circumstances.

H. Governing Law. The validity, interpretation and performance of this Agreement shall be governed by and construed in accordance with the laws of the State of California.
I. Notices. All written notices to be given in connection with this Agreement shall be sufficient if sent by (a) facsimile (together with proof of transmission and provided a hard copy is mailed within one business day), (b) certified or registered mail, postage prepaid, or (c) national overnight delivery service addressed to the party entitled to receive such notice at the address specified by such party below:

Marin General Hospital Corporation, a California nonprofit, public benefit corporation doing business as Marin General Hospital  
Marin Community College District  
Marin General Hospital  
Education Department  
250 Bon Air Road, Greenbrae  
P.O. Box 8010  
San Rafael, CA 94912-8012  
Al Harrison  
Vice President, College Operations  
835 College Avenue  
Kentfield, CA 94904

J. Severability. In the event any portion of this Agreement is declared invalid or void by a court or arbitrator, such portion shall be severed from this Agreement, and the remaining provisions shall remain in effect, unless the effect of such severance would be to alter substantially the agreement or the obligations of the parties, in which case this Agreement may be immediately terminated.

K. Waiver of Provisions. Any failure of a party to insist upon strict compliance with any term, undertaking or condition of this Agreement shall not be deemed to be a waiver of such term, undertaking or condition. To be effective, a waiver must be in writing, signed and dated by the parties to this Agreement. A waiver of any term or condition hereof shall not be construed as a future waiver of the same or any other term or condition hereof.

L. Recitals and Exhibits. Any recital and/or exhibit attached hereto is hereby incorporated into this Agreement by this reference.

M. Compliance with Law and Regulatory Agencies. FACILITY and SCHOOL shall comply with all applicable provisions of law and other valid rules and regulations of all governmental agencies having jurisdiction over: (i) the operation of the FACILITY; (ii) the licensing of health care practitioners; and (iii) the delivery of services to patients of governmentaly regulated third party payors whose members/beneies receive care from FACILITY. This shall specifically include compliance with applicable provisions of Title 22 of the California Code of Regulations. SCHOOL shall also comply, and shall ensure its student(s) and instructor(s) comply, with all applicable standards and recommendations of The Joint Commission; the bylaws, policies and procedures of FACILITY; and the laws and regulations regarding services provided to patients covered by Medicare and/or Medi-Cal.
N. **No Referrals.** Nothing in this Agreement is intended to obligate and shall not obligate any party to this Agreement to refer patients to any other party.

O. **No Third Party Beneficiaries.** Unless otherwise set forth herein, nothing contained herein is intended nor shall be construed to create rights running to the benefit of third parties.

11. **EXECUTION**

By their signatures below, each of the following represent that they have authority to execute this Agreement and to bind the party on whose behalf their execution is made.

**MARIN GENERAL HOSPITAL CORPORATION,** a California nonprofit, public benefit corporation doing business as **Marin General Hospital**

By: 
Name: David W. Cox
Title: Chief Financial Officer
Date: 

**MARIN COMMUNITY COLLEGE DISTRICT**

By: 
Name: 
Title: 
Date: 

{00021166 v.1} 9
EXHIBIT A

FACILITY EMPLOYEE HEALTH POLICY

Immunization Requirements

- TB Two negative tests within the last 12 months, second one within the last three months,
- Rubella, Rubeola and Mumps two doses and Varicella immunity.
- Hepatitis B vaccine if student will have patient contact.
- Documentation of Influenza vaccination/declination form
EXHIBIT B

BACKGROUND CHECK

Background Screening Requirements
SCHOOL is required to provide proof of a lawful background check for each student and instructor at least fifteen (15) days prior to the start of the training. FACILITY is not financially responsible for the background check. The background check shall include at a minimum:

- a drug and alcohol screening in accordance with FACILITY policy
- a social security number trace (used to identify additional names and or locations of residence)
- a county criminal background search in each county where the student has resided in the seven (7) years prior to the clinical experience
- a national registry search of violent sexual offenders and predators
- a sanction search of the Department of Health and Human Services, Office of Inspector General and General Services Administration, for listing as debarred, excluded or otherwise ineligible for federal program participation.

Proof of the health screen and an attestation of the satisfactory completion of the background checks shall be provided to the FACILITY Primary Contact, electronically or via facsimile, no less than fifteen (15) days prior to student/instructor participation in the Program.

Drug Screening will search for, at a minimum:

- Cocaine
- Barbiturates
- Amphetamines
- Cannabinoids
- Opiates
- Bezodiazepines
- Phencyclidine

Preferred Background Check Vendor:

EXHIBIT C

CONFIDENTIALITY AGREEMENT

As part of my participation in an educational program ("Program") at the FACILITY, I may have access to protected health information ("PHI"), personnel information, and proprietary business information (collectively referred to as "Confidential Information") that may not be disclosed except as permitted or required by law and by Facility policies and procedures. I understand that I am committed to protect and safeguard from disclosure all Confidential Information regardless of the type of media on which it is stored (e.g. paper, micro-fiche, voice tape, computer system). I agree that I will not disclose any Confidential Information from any record or information system to any unauthorized person.

I understand that:

- I am obligated to hold Confidential Information in the strictest confidence and not to disclose such information to any person or in any manner which is inconsistent with applicable law or the policies and procedures of Facility.
- I acknowledge that I may not review any Confidential Information of a friend, relative, staff member, volunteer or any other person unless I am required to do so as part of my official duties. I will not discuss or allow to be displayed Confidential Information of any type in the proximity of any individual who does not have the right to know. This includes conversations in public places, allowing computer screens to be inappropriately visible, and leaving printed material where it may be openly viewed.
- All Confidential Information obtained from Facility systems remains the property of Facility regardless of physical location or method of storage unless otherwise specified by Facility in writing.
- If I believe that information confidentiality or security may be compromised in any way, either intentional or accidental, I shall contact my direct supervisor and/or the Facility Privacy Officer or Compliance Officer.
- My confidentiality obligation continues indefinitely, including after my participation in the Program at Facility has ended.

Access, attempted access, or release of Confidential Information without the right and need to know for successful completion of Program duties will be considered a breach of confidentiality. I understand that if I breach the confidentiality of information to which I have access, I may be committing an illegal and/or unprofessional act. This may be grounds for immediate disciplinary action up to and including termination of my participation in the Program at Facility, and/or legal action.

My signature below acknowledges that I agree to abide by the terms of this agreement.

Printed Name: _______________________________ Date: _______________________________

Signature: _______________________________
BOARD AGENDA ITEM

To:       Board of Trustees

From:    Superintendent/President

Date:     October 19, 2010

Subject:  Marin Emergency Radio Authority Appointment Resolution

Reason for Board Consideration: APPROVAL

Enclosure(s): Resolution

BACKGROUND:

The College is part of a Joint Powers Agreement that established the Marin Emergency Radio Authority (MERA), which includes the County of Marin, all cities and towns and numerous special districts.

As part of this agreement, the College is entitled to appoint a representative and up to two alternate representatives. With the retirement of Chief Lacy, it is necessary to revise these appointments.

The attached Resolution designates the College of Marin Chief of Police/Director of Safety as the representative and Police & Security Sergeant as the alternate.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees adopt the attached Resolution designating the Chief of Police/Director of Safety as the representative and Police & Security Sergeant as the alternate representative for the College as part of the Marin Emergency Radio Authority.

Administrator Initiating Item

Peggy Isozaki, Vice President, College Operations
Marin Community College District  
RESOLUTION NO. 10/19/10 B.9.F  

A RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE(S) TO THE MARIN EMERGENCY RADIO AUTHORITY BOARD OF DIRECTORS  

WHEREAS, the Federal Government has made certain radio frequencies available to local agencies in Marin County for the operation of a public safety and emergency radio system;  

WHEREAS, numerous local agencies within Marin County have entered into a Joint Powers Agreement establishing the Marin Emergency Radio Authority, including the County, all cities and towns, and numerous special districts;  

WHEREAS, pursuant to the Joint Powers Agreement, each member entity of the Radio Authority is entitled to appoint one representative and up to two alternates to the Board of Directors of the Authority;  

NOW, THEREFORE, BE IT RESOLVED by the Marin Community College District Board of Trustees as follows:  

Section 1. The following individual is hereby designated as the representative to the Marin Emergency Radio Authority, and authorized to take all actions necessary to meet the duties and obligations of the Joint Powers Agreement:  

College of Marin Chief of Police/Director of Safety  

Section 2. The following individual is hereby designated as the alternate representative to the Marin Emergency Radio Authority, and authorized to take all actions necessary to meet the duties and obligations of the Joint Powers Agreement in the absence of the designated representative:  

College of Marin Police and Security Sergeant  

PASSED, APPROVED AND ADOPTED by the Board of Trustees of the Marin Community College District at a regular meeting on this 19th day of October 2010 by the following vote:  

AYES:  

NOES:  

ABSENT:  

ABSTENTIONS:
State of California 
County of Marin  

I, Albert J. Harrison II, Secretary to the Board of Trustees of the Marin Community College District of Marin County, California, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by said Board at a regular meeting thereof, held at its regular place of meeting at the time and by the vote above stated.

______________________________
Albert J. Harrison II, Superintendent/President
Secretary to the Board
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

Nathaniel Parker, Student Member
**MARIN COMMUNITY COLLEGE DISTRICT**
Kentfield, CA 94904

**BOARD AGENDA ITEM**

<table>
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<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>October 19, 2010</th>
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<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>B.S.G</td>
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<tr>
<td>Subject:</td>
<td>Authorization to Bid for Purchase/Install of High Efficiency Hot Water Heaters – IVC Locker/Shower Building</td>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
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</tbody>
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**BACKGROUND:**
A one thousand-gallon water tank that supports the boiler system in the women’s locker/shower area at Indian Valley Campus pool failed in early June of this year. This tank, and the tank that supports the men’s locker/shower area, are at least thirty-three years old. They are extremely large at approximately eight feet high and six feet in diameter. The cost to replace the tank in kind was estimated to be between $15,000 - $18,000 to purchase a new tank, have it delivered and installed. The failed tank has been removed and the maintenance department has installed a temporary water line from the men’s to the women’s locker shower area so there is currently hot water in both areas. This is not a long-term solution, as the heated water is shared by both areas, and the failure of the remaining tank is likely.

Rather than replace the failed water tank with a similar tank, staff are working with HKIT Architects and their consultants Mechanical Design Studio and BWF Electrical Engineers to design new high-efficiency hot water heaters in both locker/showers, similar to those recently installed in the PE Locker/Shower building at the Kentfield Campus. The more efficient heating system will support thirteen showerheads in each locker/shower. Currently there are thirty-one showerheads in each locker/shower. The Director of Athletics and Physical Education has been consulted and has confirmed that reducing the showerheads in each locker/shower area from thirty-one to thirteen will not present a problem.

**BUDGET IMPLICATIONS:**
Installation of the more efficient heaters will result in energy savings of at least 20%. The IVC Pool Complex Renovation project currently underway with Page Construction does not include replacing the hot water heaters. The approximate cost to complete this work is approximately $120,000. Staff are working with Page Construction on a deductive change order to reduce the number of showerheads in each locker/shower from thirty-one to thirteen. The cost savings from the deductive change order will be used to offset the cost of this project with the remaining funds coming from the general fund.

**RECOMMENDATION:**
The Superintendent/President recommends that the Board of Trustees authorize staff to go out to bid for the purchase and installation of high efficiency water heating systems for the Men’s and Women’s Locker Showers at the IVC Pool.
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 A.J. Harrison. 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 A.J. Harrison. 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 Policy 5030 is 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 Policy 5030 for first reading and discussion.
BP 5030 FEEs

References:
Education Code Sections 76141, 76142, and 76300 et seq.

The Board of Trustees authorizes the following fees. The Superintendent/President shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the catalog and schedules of classes.

_The Board of Trustees authorizes the deferral of payment of certain fees._

**Community Service Fee** (Education Code Section 78300): The District shall charge each student enrolled in community service classes a fee not to exceed the cost of maintaining community service classes.

**Credit by Examination Fee** (Title 5 Section 55753): The District shall charge a reasonable fee for credit by examination which shall be the per unit enrollment fee established by Education Code Section 76300.

**Enrollment Fee** (Education Code Section 76300): Each student shall be charged a fee for enrolling in credit courses as required by law. Special part-time students who are concurrently enrolled in grade 12 or lower as described in Education Code Sections 76001 and 48800 et seq. are exempt from paying enrollment fees.

**Fee Refunds** (Title 5 Section 58509; Education Code Section 66700): The refunding of various fees shall be in accordance with the law and AP 5030 titled Fees.

**General Education Diploma (GED) Administrative Testing/Retesting Fee**: The District shall charge a GED Testing/Retesting Fee not to exceed the cost of administering the GED Exam.

**Health Fee** (Education Code Section 76355): All students shall be charged the health fee equally, including full and part-time students, provided for in law and as approved by the Board of Trustees. Students who depend exclusively upon prayer for healing in accordance with the teachings of bona fide religious sect shall be considered for an exemption of this fee.

**International Student Application Processing Fee** (Education Code Section 76142): The District shall charge students who are both citizens and residents of a foreign country a fee to process their application for admissions.

**International Students/Resident Capital Outlay Fee** (Education Code Section 76141): The District may charge non-resident students who are both citizens and residents of a foreign country a capital outlay fee. The amount of the fee may not exceed the amount that was expended for capital outlay in the preceding fiscal year divided by the actual full-time equivalent students in the preceding fiscal year. Additionally, the fee cannot be more than 50 percent of the non-resident tuition fee.

**Instructional Materials Fee** (Education Code Section 76365; Title 5 Sections 59400 et seq.): Students may be required to pay a fee for instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.
Parking Fee (Education Code Section 76360): Each student purchasing a parking permit shall be charged a Board approved fee. At the Board’s discretion, parking fees for non-students parking on District property may be assessed.

Physical Education Facilities (Education Code Section 76395): Where the District incurs additional expenses because a physical education course requires the use of non-District facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student’s calculated share of the additional expenses incurred by the District.

Refund Processing Fee (Title 5 Section 58508): The District shall retain the maximum amount as prescribed in Title 5 Section 58508 for the processing of refunds.

Returned Check and/or Declined Credit Card Fee: The District shall charge a fee not to exceed the cost for processing and administering a returned check and/or declined Visa or Master Card.

Student Representation Fee (Education Code Section 76060.5): Students may be charged a fee per semester to be used to provide support for student government affairs representation. Students may refuse to pay the fee for religious, political, financial, or moral reasons and shall submit such refusals in writing to the Director of Student Affairs.

Student Activities Fee (California Community College Chancellor’s Office (CCCO) Student Fee Handbook)
Students may pay an optional student activities fee to support campus clubs, organizations, and intercollegiate athletics and to sponsor educational and social events for the campus community.

Transcript Fee/Verification of Enrollment (Education Code Section 76223): The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Superintendent/President is authorized to establish a fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of student records or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

Also see BP 5020 titled Non-resident Tuition and BP 4400 titled Community Service Programs

Date Adopted:
(Replaces College of Marin Policies 6.0011, 3.0041, and 3.0045)

NOTE: The language highlighted in underlined italics reflects recommended revision from the Office of Student Learning to add language re. the optional student activities fee that was voted on by students in spring 2010. Reviewed by College Council as an Information Item 9/16/10. Sent to Academic Senate for approval. Only highlighted sections are new. Approved by Academic Senate 9/23/10
A. Closed Session

The Board of Trustees of the Marin Community College District met in AC108 on the Kentfield campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 8:05 a.m. All publicly elected Trustees were present except Trustee Namnath, who arrived at 8:10 a.m., and Trustee Dolan.

M/s (Kranenburg/Conti) to adopt the agenda. The motion passed by a unanimous vote of 5-0.

There was no one present who wished to address the Board on the items listed to be discussed in closed session and the Board went into closed session at 8:06 a.m.

The Board recessed to open session at 9:45 a.m.

B. Special Meeting

Board President Long reconvened the meeting in open session at 9:46 a.m. All publicly elected Trustees were present except Trustee Dolan.

Report of Closed Session for September 18, 2010
Board Clerk Conti reported that no action was taken.

Board President Long adjourned the Special Meeting at 9:50 a.m.
A. Closed Session

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

The Board of Trustees of the Marin Community College District met in the SS A&B conference room on the Kentfield campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 5:34 p.m. All publicly elected Trustees were present except Trustee Dolan, who arrived at 5:40 p.m., Trustee Namnath, who arrived at 5:51 p.m., and Trustee Kranenburg.

M/s (Hayashino/Treanor) to adopt the agenda. The motion passed by a vote of 4-0.

There was no one present who wished to address the Board on the items listed to be discussed in closed session, and the Board went into closed session at 5:36 p.m.

The closed session recessed at 6:40 p.m.

B. Regular Meeting

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

The Board of Trustees of the Marin Community College District reconvened in regular session at 6:55 p.m. All publicly elected Trustees were present except Trustee Kranenburg, who arrived at 7:45 p.m. Student Trustee Parker was also in attendance.

M/s (Namnath/Dolan) to approve the agenda with this change:
Item B.8, Report on College of Marin Athletic Field/Track, was moved up on the agenda to follow B.4, Showcase for the Month. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker.

Board President Long announced that the meeting was being recorded to facilitate the preparation of minutes.

2. **Report of Closed Session for September 21, 2010**
   Board Clerk Conti reported that the following two actions were taken in closed session:
   - M/s (Nammath/Hayashino) to appoint Dr. David Wain Coon to be the Superintendent/President of College of Marin effective 12/1/10. The motion passed by a unanimous vote of 6-0.
   - M/s (Nammath/Hayashino) to authorize Board President Long to sign the contract with Dr. David Wain Coon. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote.

3. **Citizens’ Requests to Address the Board on Non-Agenda Items**
   Dina Zvenko and Jeanette Davison spoke on the subject of COM’s Adapted PE program, urging the Board to reinstate all the Adapted PE classes and faculty that have been cut. They also objected to the front-page article in the September 20 edition of the Marin IJ which contained a statement by COM’s Director of Communications and Community Relations that COM has not had to eliminate courses or reduce faculty and asked that the President’s Office contact the IJ and issue a correction. Copies of Ms. Zvenko’s and Ms. Davison’s statements are attached to the minutes as part of the official record.

   Student Joseph Ferreira expressed dissatisfaction with a final grade he received in a class he took in the Spring 2010 semester and the results of a petition to change the grade which was reviewed and evaluated by our College Petitions Committee. He asked the Board to review his file and make the correct decision.

   Beverly Munyon, chair of the emeritus grants committee, reported that the number of partial grants being requested by emeritus students is going up. She expressed appreciation for the lower cost emeritus classes that are being offered and the partial grants provided by the Foundation. Gerald Weisman and Jim Moore advocated for more free or lower fee classes for the seniors in our community. Copies of their statements are attached to the minutes as part of the official record.

4. **Showcase for the Month**
   a. **Child Development Program**
   Lyda Beardsley; parents Steve Gutierrez, Indie Mari and Maribel Magana; Peggy Dodge; Roz Hartman; and Kay Wernert of Marin Head Start gave a presentation on College of Marin’s
Child Development Program. Board members expressed appreciation for the outstanding presentation and the excellent work of our Child Development Program staff and students.

8. **Report on College of Marin Athletic Field/Track**

Superintendent/President Harrison reviewed his report in the Board packets on issues surrounding the COM athletic field/track. In order to clear up some misunderstandings he explained that our insurance consultant inspected the bleachers, football field and track and declared the track unsafe to use and the football field unsafe to use if wet or soaked. President White instructed staff not to use the track for athletic or academic purposes. The public was also not supposed to use the track but the “honor system” has not been working. Mr. Harrison commented that due to liability issues we need to put the track out of commission so that no one can use it.

Mr. Harrison stated that although the Ross Valley Lacrosse Club and Branson group have talked about a proposal to develop COM’s athletic field into two fields designed primarily for soccer and lacrosse surrounded by a walking track, and the Friends of COM Track have advocated for a single multi-use field and a regulation track, at no time has the Board made a decision about what they want to do with the athletic field or track. He stated that the Board needs to make a decision about this and presented three possible alternatives:
1. Do nothing
2. Renovate the track and/or athletic field
3. Enter into agreements with others to modify either the track, field or both.
   a. Under this option the Board must issue a resolution soliciting proposals
   b. Evaluate any proposals submitted
   c. Determine if they wish to attempt to enter into a contract for any proposal

Board members discussed this issue and generally agreed to find a way to reopen and restore the track. As a short-term course of action the Board agreed to direct staff to close the two inside lanes (the most damaged lanes) to the public so that the outer two lanes can be used.

Trustee Long asked to have letters from the following individuals entered into the record: Mario Ghilotti who advocated for the current field/track configuration, Charles Kennard of Friends of Corte Madera Creek Watershed who urged the college not to use synthetic turf on the athletic field, Carl Cox who urged the Board to protect the academic use of public land and to discuss ways to raise money or write grants to help restore our track and multi-use field, Michael Lateef and Paul Herzog who asserted that attempts to remodel the existing field and track without Branson’s approval and consent might result in costly litigation, and Mimi Willard and Tim O’Rourke on behalf of Friends of the COM Track who advocated for renovation of a multi-use field and regulation track. Copies of these letters are attached to the minutes as part of the official record.

**Public Comment**

The following individuals addressed the Board in support of maintaining and renovating one multi-use field and a regulation track: Tim O’Rourke, Pam Scoggins, Scott Peoples,
Hugh Van Ness, Ken Grebenstein, Jenny Fung, Walter Underhill, Mimi Willard, Robyn Berry, Bob Knox, Emmanuelle Orleans, Randy Hixon, and George Adams. Copies of the statements of Tim O’Rourke, Jenny Fung, and Mimi Willard are attached to the minutes as part of the official record. A letter submitted by Michelle Wilcox, who had to leave the meeting, is also attached. Sara McKinnon read a statement from the Academic Senate, on behalf of the Physical Education and Athletics Department, urging the Board to only accept proposals for the renovation of the current track and field that include a regulation size track. A copy of her statement is attached to the minutes as part of the official record.

Michael Lateef of the Ross Valley Lacrosse Club commented that the Board hasn’t given direction as to what they want done with the athletic field/track, that they were pointedly told to work with Branson School, and that he would like to come back with another proposal that would be part of the solution.

Sandy Guldman of Friends of Corte Madera Creek Watershed asked the Board to make sure any proposal does not include synthetic turf in a low lying area subject to flooding.

**Trustee Discussion and Requests for Information**

The Trustees expressed general agreement on finding a way to make the track available temporarily for public use as soon as possible and also expressed support for maintaining and renovating the athletic field and track in the current configuration: a single multi-use field and a regulation track. There was no consensus on how to fund the renovations as several sources of funding were suggested: Measure C funds, operational funds, COM’s reserves, joint use partnerships, community fundraising, or a combination of these sources. Trustee Hayashino asked for legal counsel’s opinion on the use of Measure C funds for athletic fields and clarification of College of Marin’s agreement with Branson. Trustee Conti asked if the Academic Senate has a position on use of the field for lacrosse. Trustee Trenor asked for information on renovation and maintenance costs, lifespan and warranties. Trustees Namnath and Conti asked to have the agenda for the next Board meeting structured so that options for a long-term solution for renovation of the facility can be deliberated.

Board President Long recessed the meeting at 9:35 p.m. and reconvened it at 9:50 p.m.

Board President Long asked staff to canvass the Board regarding their availability for these proposed Board workshop dates:

December 3, 4, 10 & 11 for ½ day
January 21, 22, 28 & 29 for a full day

6. **Commendation & Other Resolutions**
   a. **Resolution in Recognition of Yolanda Bellisimo’s Service as Academic Senate President**

   Yolanda Bellisimo was asked to stand while Board Clerk Conti read the resolution recognizing Ms. Bellisimo’s service as Academic Senate President.
M/s (Treonor/Hayashino) to Approve Resolution in Recognition of Yolanda Bellisimo’s Service as Academic Senate President. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

b. M/s (Conti/Nammath) to waive reading and Approve Resolution in Support of Hispanic Heritage Month. The motion passed by a unanimous vote of 7-0 (plus an advisory vote by Student Trustee Parker).

7. Chief Executive Officer’s Report
Mr. Harrison called the Board’s attention to his written report in the Board packets.

a. Staff Reports

1. Enrollment Update
   (Report in packet)
2. Accreditation Self-Study Update
   Board President Long asked the Trustees to read the report in their Board packets specifying the accreditation standards which we only partially meet.
3. Follow-Up Report
   Board members were referred to the Follow-Up Report in their Board packets.

9. Academic Senate Report
Sara McKinnon, Academic Senate President, updated the Board on tasks the Senate has already accomplished in the areas of Student Learning Outcomes, Distance Education, Program Review, and Equivalence. She announced that she and Yolanda Bellisimo, Dr. Chialin Hsieh and Anne Gearhart will be presenting at a conference on student assessment put on by the RP Group in early October. Ms. McKinnon congratulated Yolanda Bellisimo, on behalf of the Academic Senate, for being appointed to the State Academic Senate’s Accreditation and SLO Committee. A copy of Ms. McKinnon’s statement is attached to the minutes as part of the official record.

10. Classified Senate Report
Kathleen Kirkpatrick, outgoing Classified Senate President, introduced the new Classified Senate Officers: Nicole Cruz, Treasurer (who was unable to attend the meeting); Kathy Joyner, Secretary; Xenia Zarrehparvar, Vice President; and Andrea Hunter, President. Newly elected President Andrea Hunter thanked the outgoing Classified Senate officers for their service: Kathleen Kirkpatrick, Becky Reetz and Barb St. John. She commented that the Classified Senate looks forward to keeping the classified staff involved and up-to-date on college issues and to continuing the well-established lines of communication between the Board of Trustees and the Classified Senate.

11. Student Senate and Student Association Report
Student Trustee Parker reported that Dr. Patricia Sullivan spoke on the civil rights movement at the Constitution Day program on September 20. He reported that topics of
discussion at the last Student Senate meeting included: parking, discounted public transportation fares, the President’s Climate Commitment, and electronic textbooks. Campuswide Wi-Fi will be discussed at the next meeting.

12. Consent Calendar Items (Roll Call Vote)

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

A. Calendar of Upcoming Meetings

   Location Change – the December 14 Organizational and Regular Board Meetings will be held in Miwok 181 on the IVC Campus as the ribbon cutting and opening of the new facility will take place on that date

B. Approve Classified Personnel Recommendations

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

C. Approve Short-Term Hourly Positions

D. Budget Transfers – Month of August – FY 2010/11

E. Warrant Approval

F. Declaration of Surplus Property – Miscellaneous Equipment

G. Destruction of Records – Fiscal Services

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

   1. Ratify/Approve Modernization Contracts, Changes and Amendments ($33,643)
   2. Approve Subcontractor Substitution Requests (Mobile Storage Shelving)
      Science/Math/Central Plant Complex Increment 2 & 3 Site Development & Building Project (305A)
      Lathrop Construction Associates, Inc. - ($0) (Mobile storage shelving)

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

   1. BP 2220 Committees of the Board
   2. BP 2717 Personal Use of Public Resources

J. Approve New Credit Courses

K. Approve Credit Course Revisions
L. Approve Credit Course Deletion

M. Approve Revision to Associate Degrees in Court Reporting

17. Approval of Minutes
M/s (Conti/Namnath) to approve the minutes of the August 23, 24, 30, 31 and September 1, 2 and 3, 2010 Board minutes. The motion passed by a unanimous vote of 7-0. Student Trustee Parker abstained.

- Minutes of August 23, 2010 Special Board Meeting
- Minutes of August 24, 2010 Board Meeting
- Minutes of August 30, 2010 Special Board Meeting
- Minutes of August 31, 2010 Special Board Meeting
- Minutes of September 1, 2010 Special Board Meeting
- Minutes of September 2, 2010 Special Board Meeting
- Minutes of September 3, 2010 Special Board Meeting

13. Other Action Items
A. Modernization (Measure C) — BP3.1 (Keep modernization program on track)

1. Authorize New Professional Services Agreement
   Space Planning Design Services for LRC & Austin Science Center Buildings New Academic Center Project (303B).
   No action was taken on this agenda item.

2. M/s (Treasnor/Conti) to Authorize Bidding and Pre-Authorize Award of Construction Contract
   New Fine Arts Building Project (306C) – Audio Visual Equipment & Installation.
   The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

   Trustee Namnath left the meeting at 10:20 p.m.

3. M/s (Treasnor/Parker) to Authorize Award of Construction Contract
   Public Comment:
   Brian O’Connor commented that people who attended the July 13 community meeting where signage was discussed thought that their input would be important and are disappointed that there is no change to the sign from Phase 1 on College Avenue in this Board packet. He stated that the Board needs to get community input.
   The motion passed by a vote of 4-0-2 with Trustees Dolan and Conti abstaining.
Student Trustee Parker cast an advisory aye vote.

4. M/s (Treenor/Conti) to Approve Notice of Completion.
   SMCP Increment No. 1 – Site Development & Utilities Project (305C).
   The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by
   Student Trustee Parker).

B. M/s (Treenor/Kranenburg) to Approve Unfunded Liability Funding
   Resolution. The motion passed by a unanimous roll call vote of 6-0 (plus an advisory
   aye vote by Student Trustee Parker).

5. Board Study Session on Measure C Items (Background on Action Items)
   a. New Academic Center
   b. Child Development Center
   c. Swinerton Management & Consulting Contract
   d. Bond Spending Plan
   e. Site Signage

   Erik Dunmire reviewed his report in the Board packets on Kentfield Classrooms. Board
   members expressed concern about not having enough classrooms in the New Academic
   Center and on the Kentfield campus as a whole. Trustee Kranenburg asked about the
   possibility of using IVC for additional classroom space. Trustee Hayashino asked if a lot of
   the space problems could be a scheduling issue. When the possibility of renovating the
   Austin Science Center to provide more classroom space was mentioned, Trustee Conti
   asked why we would spend money on fixing it if it is not a viable building and people have
   been told it needs to be demolished. Trustee Long asked if anyone is doing enrollment
   projections and expressed concern about having enough space for our students in the
   future.

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

   Architect Mark Cavagnero commented that space needs can be met if we use some of the
   space in the Austin Science Center. He urged the Board to move forward with approval of
   the Program Document for the New Academic Center while we are in a favorable bid
   climate.

   Architects Brian Wright of TLCD Architects and John Fung of Mark Cavagnero Associates
   reviewed the programming information on the New Academic Center in the Board
   packets.

   Due to the lateness of the hour the Trustees decided to schedule a Special Board Meeting
   sometime before the regularly scheduled October 19 Board meeting to complete
   discussion of the Measure C Study Session topics and to receive additional data. Trustees
   were asked to send their questions to Superintendent/President Harrison ahead of time so
   that staff would have time to prepare responses.
Public Comment:

Brian O’Connor of Friends of Kentfield commented that his group only gets to talk to the Board once a month and needs to have a conversation with the Board. He stated that we are building to a schedule and if classes need to be moved to other times or locations that is what needs to be done. He mentioned that Redwood High School has empty classrooms that could perhaps be used. Mr. O’Connor also commented that they were told that the Austin Science Center would be demolished and are now hearing that it may be used and that we’re still keeping temporary buildings. He submitted a list of questions (copy attached) which he would like to have answered.

Scott Peoples commented that the IVC campus is underutilized and suggested scheduling classes on Fridays. He stated that there is a communication disconnect between the administration and the community. Mr. Peoples stated that the July 13 community meeting was a non-meeting and he doesn’t want any more meetings like that. He questioned the use of Measure C bond money for administrative space and suggested that we use the first floor of Harlan Center for administrative offices. Mr. Peoples doesn’t think the Board needs to make an expeditious decision as there are still outstanding issues and information needs. He suggested that the Board appoint an advisory committee from the community.

Anne Petersen from the Kentfield Planning Advisory Board urged the Board to do their homework, ask for information if they need it before the Board meetings, and move forward with the New Academic Center.

Sara McKinnon, Academic Senate President, stated that Dr. Erik Dunmire’s data on college-wide classroom needs on the Kentfield campus shows that we can meet out campus classroom needs as long as the Austin Science Center remains as well as the Portable Village and TB building (at least for a time for swing space). She urged the Board to make sure a space analysis of the LRC and Austin Science Center happens as soon as possible so that the New Academic Center can remain on schedule. A copy of Ms. McKinnon’s statement is attached to the minutes as part of the official record in addition to a petition signed by 45 faculty members in support of the New Academic Center project.

14. Action Items (1st Reading) – (These items will come back to the Board for action at the October 19, 2010 Board Meeting)

   A. Modernization (Measure C) – BP3.1 (Keep modernization program on track)
      1. Approve Updated Bond Spending Plan
      2. Approve Building Program Document
3. Ratify Contract and Approve Amendment 1 to Short Form Professional Services Agreement
   Child Development Center Project (303C) – ECE Program
   HKIT Architects ($80,000)
4. Approve New Professional Services Agreement
   Child Development Center Project (303C) – ECE Program
   ESA (Environmental Science Associates) ($25,000)
5. Approve Contract Amendment
   Measure C Program Management Services
   Swinerton Management & Consulting ($1,704,000)

15. 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 4070 Auditing and Auditing Fees
   • BP 5052 Open Enrollment

Board members were asked to submit any feedback to the Board Policy Subcommittee.

16. Board Reports and/or Requests
   a. Legislative Report
      None
   b. Committee Chair Reports
      None
   c. Individual Reports and/or Requests
      None

18. Information Items (see written reports)

A. Contracts and Agreement for Services Report – August, 2010 – BP1 (Fiscal Accountability)
B. 4th Quarter Financial Report CCSF 311Q - BP1 (Fiscal Accountability)
C. Modernization Update – BP3.1 (Keep modernization program on track)
   1. Director’s Report – BP3.1 (Keep modernization program on track)
   2. Contract Milestones Report through August, 2010 – BP3.1 (Keep modernization program on track)
   3. Schedule – BP3.1 (Keep modernization program on track)
D. Revised Administrative Procedures
   None
E. Calendar of Special Events
October 26-28, 2010 Accreditation Visit
November 18-20, 2010 – CCLC Annual Convention and Partner Conferences, Pasadena Convention Center
December 14, 2010 – Ribbon Cutting for New Main Building at IVC, Assembly Room 118/116 (time tbd)
April 29-May 1, 2011 – CCLC Annual Trustees Conference
Hyatt Regency Monterey

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

20. Board Meeting Evaluation
    No comments

21. Adjournment
    M/s (Parker/Kranenburg) to adjourn the meeting. The motion passed by a unanimous vote of 5-0 (plus an advisory aye vote by Student Trustee Parker). Board President Long adjourned the meeting at 12:05 a.m.
## PROGRESS REPORT ON GOALS AND PRIORITIES

<table>
<thead>
<tr>
<th>SP/BP PRIORITIES</th>
<th>BOARD ACTIONS TAKEN</th>
<th>DATE</th>
<th>VOTES AYES/NOES</th>
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<tbody>
<tr>
<td><strong>BP3: Facilities</strong>&lt;br&gt;3.1: Keep modernization program on track</td>
<td>Ratify/Approve Modernization Contracts, Changes and Amendments</td>
<td>September 21, 2010</td>
<td>6-1 (plus an advisory aye vote by the Student Trustee)</td>
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<td></td>
<td>Approve Subcontractor Substitution Requests S/M/CP Complex Increment 2 &amp; 3 (Mobile Storage Shelving)</td>
<td>September 21, 2010</td>
<td>6-1 (plus an advisory aye vote by the Student Trustee)</td>
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<td></td>
<td>Authorize Bidding and Pre-Authorize Award of Construction Contract – New Fine Arts Building Project – AV Equipment</td>
<td>September 21, 2010</td>
<td>7-0 (plus an advisory aye vote by the Student Trustee)</td>
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<td></td>
<td>Authorize Award of Construction Contract – Site Signage Phase 2 (IVC) &amp; Phase 3 (KTD)</td>
<td>September 21, 2010</td>
<td>4-0-2 (plus an advisory aye vote by the Student Trustee)</td>
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<td></td>
<td>Approve Notice of Completion – S/M/C/P Increment No. 1 – Site Development &amp; Utilities Project</td>
<td>September 21, 2010</td>
<td>6-0 (plus an advisory aye vote by the Student Trustee)</td>
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<tr>
<td><strong>BP1: Fiscal Accountability</strong></td>
<td>Approve Unfunded Liability Funding Resolution</td>
<td>September 21, 2010</td>
<td>6-0 (plus an advisory aye vote by the Student Trustee)</td>
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<td>SP/BP PRIORITIES</td>
<td>BOARD ACTIONS TAKEN</td>
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<tr>
<td>BP1.4a: Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning Review, and the Strategic Plan and the Educational Master Plan</td>
<td>Approve Revised Board Policies 2220 Committees of the Board and 2717 Personal Use of Public Resources</td>
<td>6-1 (plus an advisory aye vote by the Student Trustee)</td>
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DATE

September 21, 2010

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<tr>
<th>SP/BP PRIORITIES</th>
<th>BOARD STUDY SESSIONS/STAFF REPORTS</th>
<th>DATE</th>
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<tr>
<td><em>BP3: Facilities</em></td>
<td>College of Marin Athletic Field/Track</td>
<td>September 21, 2010</td>
<td>Al Harrison</td>
</tr>
<tr>
<td><em>BP3: Facilities</em></td>
<td>Measure C Items</td>
<td>September 21, 2010</td>
<td>Erik Dunmire, Leigh Sata, Mark Cavagnero, Brian Wright, John Fung</td>
</tr>
</tbody>
</table>
My name is Dina Zvenko. I appreciate the opportunity to speak tonight.

On behalf of Adapted PE students and supporters, I’m responding to the front-page article that appeared in yesterday’s IJ. In the article, Cathy Summa-Wolfe is quoted as saying, "...while the College of Marin is struggling with its own $1.2 million budget deficit, it has not had to eliminate courses or reduce faculty." This statement is not just misleading. It’s inaccurate.

The college has cut both classes and faculty for the Adapted PE program. In January, the program was cut by 47%. Throughout the spring semester, Adapted PE students and supporters were vocal in raising their concerns to the Board.

At the April Board meeting, a report was read outlining steps the college would be taking to support the Adapted PE program that included contacting community agencies as well as developing grants and outside funding sources. At the May Board Meeting, we were asked to stop our letter and e-mail writing efforts because we had been "heard". The DSPS coordinator came to Adapted PE classes assuring students and faculty that there would be no more cuts; and the classes that had been cut in January were to be reinstated through the Community Ed program.

So over the summer, we stopped our efforts. However, at the start of this semester, we learned that 3 more catalog classes, 1 non-catalog class and additional faculty hours had been cut. And now we’re learning that even more cuts are planned for January 2011. This means Adapted PE will be cut almost 75% from Dec. 2009.

As our governance, you are our representatives and our advocates. We want you to be honest with us and honest with the public about the cuts that you have made and are considering for the future.

Having a representative from the President’s office make misleading statements is unacceptable. We want the Board to ask the President’s office to contact the IJ and issue a correction.

We also want to hear about progress made in contacting community agencies and medical facilities as well as developing grants and outside funding sources.

And most important, we want the college to make good on the statement in yesterday’s IJ that no classes have been eliminated and no faculty reduced. Don’t let this terrific program, which has served our community so well for over 35 years, die a slow death of a thousand cuts. We want all the Adapted PE classes and faculty that have been cut to be reinstated.

Thank you.
We want all the Adapted PE classes and faculty that have been cut to be reinstated.

1. Nicholas
2. David Rose
3. 
4. Welton Abler
5. Cynthia Thompson-Smith
6. Anne J. Harnett
7. Marie Price
8. Jane Wiberg
9. Miriam L. Burdick
10. Ray F. Schweiter
11. Jon McCormick
12. 
13. Stewie D. Manning
14. 


We want all the Adapted PE classes and faculty that have been cut to be reinstated.

Bobby Bradford
Diana Acosta
Cheri H. Robertson

Theresa W. Merrick
Deborah Perluff
Lucia G. Spencer
David Fitzgerald
Professor Scott L. Merrick

Kerry Bug
Vivette Green
Camille Standgard
Cara L. Reyes
We want all the Adapted PE classes and faculty that have been cut to be reinstated.

Nancy Hidenfeld
Kathie Howard
Carl a. Baumsteiger
Kathryn Matthews, Francine Jenglesh
Laura Contini
Kathleen Neville
Kathy Ernest
Eric Hug
Robin J. March
Diane Baumsteiger
Edward Brad
Susan Bruenot
Joe Moore
Don Birk
My name is Jeanette Davison. I am here tonight in front of you because I am very insulted by the recent front-page I-J article. The president’s spokeswoman stated that the college had not made any faculty or class cuts to the college. This statement is not true.

I have worked for the Adapted Physical Education Program as an Instructional Assistant for 7 years, and I have 25 years of experience as a PE instructor. My colleagues and I all have Bachelor’s or Master’s degrees in Physical Education, general education, Humanities or in the health care professions. I work with a dedicated, compassionate group of highly-qualified co-workers and faculty. That is why I know we have one of the best Adapted PE Programs in the state, if not in the nation.

In the past 7 years, I have not received a raise or any cost of living adjustments to my meager wage, nor have my hourly co-workers. In fact, this semester, I had two hours cut from my weekly schedule, and three faculty were totally cut.

I have been asked to do more work and assume more responsibilities this semester, to cover the staff cuts and larger class sizes. I do this with a smile on my face and a positive attitude. I’ve never complained about this, and I wouldn’t tonight if it weren’t for the current conditions.

You may ask why I still work here, when I could make more money cleaning toilets. It is because of the people in our classes. I have had the privilege and honor of helping and instructing people from teenagers to ninety-year-olds, doctors, district attorneys, FBI detectives, recording artists, firemen, decorated veterans, notable painters, corporate presidents and board members, not to
mention educators. The majority of them are homeowners who pay property
taxes.

I have learned so much from this special population: to persevere, to have
humility and integrity, and to give truly from my heart without expecting
anything in return. However, I do believe that I have earned the right to expect
the College of Marin Board of Trustees to be forthright and honest.

In all my years teaching in public school districts, College of Marin’s Board is
the most out of touch with the community at large and with the students. In my
7 years here, I have yet to see a president or board member observe and/or
participate in our classes, let alone take up our invitation recently to do so,
except for one time last semester when a single board member came down to
the gym to speak to our students. The only time I saw the president in the PE
complex was when she and some board members interrupted our chair aerobics
class to pose for pictures taken in the main gym for PR purposes.

Do you even know what we do? Who we are?

I am saddened to see you lying to the public via your spokeswoman in the I-J.
Are you ashamed to admit that you are only cutting funding to the Adapted PE
Program, or trying to eliminate it altogether? What’s going on?

Thank you for listening to me.
The subject of my remarks today is the Escom classes eliminated by the college.

We at Escom consider these classes important to succeeding in our mission.

We at Escom seek not to focus on this problem but to pursue a solution.

In my professional life I was a consultant to business on the budgeting of revenue and costs.

The Escom classes in question were sacrificed for college budgetary reasons.

Escom's proposed compromise of 20 classes having a $20 tuition would, in a worst case scenario, result in a per semester cash cost of $2800 out of a 44 million dollar budget.

In pursuit of my desire to be of assistance to Escom and the college I would appreciate receiving the following financial information not contained in the proposed budget which we believe would justify the formulation of our compromise.

The information, not included in the proposed budget, which I request is:

1] a financial breakout of the Indian Valley Campus containing the following, direct and indirect costs, the number of enrolled students and total tuition fees received.

2] a list of the classes at each campus with 15 or less students. For each class list the number of students, the direct cost for each instructor and the indirect cost allocated to these classes as a group.

3] the amount allocated to Escom from the additional revenue realized by the college as a Basic Aid District and the amount allocated to Escom from total tax revenues.

The taxpayers of Marin are the source of revenue for this institution. The taxpayers of Marin elect this Board of Trustees to monitor the use of this revenue. The taxpayers of Marin expect transparency. The taxpayers of Marin are not going to go away. They are rightfully concerned about their physical and mental health. They expect the issue of re-instatement of these Escom classes be given priority.

I would appreciate a time frame for receiving the requested information in order to resolve this issue before the print date of the next catalog. Whom do you suggest I contact? Please have the appropriate person contact me promptly.
September 21, 2010

Presented to the College of Marin Trustees meeting on September 21, 2010

Madam President and ladies and Gentlemen:

My name is Jim Moore and I live in Larkspur, I’m speaking for ESCOM.

I’ve been a member of Emeritus for 15 years, on the council for 5 of those years and currently serve on the Curriculum Committee. My wife and I fully participate in the Emeritus program and its various activities.

On April 21st of this year the Curriculum Committee received a report from Karen Van Kreidt in regards to Community Education for Spring 2010. Briefly, Community Services, fee based courses had 33 classes with 699 attendees, Non Credit “free” courses numbered 22 with 753 attendees.

Since Spring 2010, the Administration has eliminated the “free” classes at a time when everyone, including older adults are under significant economic stress.

We came back to the Administration to negotiate in good faith with Vice President Chang who we expected to respond in good faith. We requested 11 free classes, half of what we had. We felt an agreement was reached since Vice President Chang had blessed the concept and indicated that “the cabinet” had agreed.

That was five (5) months ago! Since than we have been ignored and the administration has reneged on what we understood was an agreement.

**We refuse to be discounted, disenfranchised, disregarded, disrespected and dismissed.**

Therefore, let me cite some issues and realities to be considered:

* The District is a “Basic Aid” district - Receives almost 90% of its general fund revenues from Marin County property and parcel taxpayers.

  The Basic Aid increment is 13+ million

  2010 - 2011 budget has approximately 11% reserves or 4 to 5 million in the General Fund
* The Position Paper: CALIFORNIA COMMUNITY COLLEGE OLDER ADULT PROGRAMS cites:

People today are healthier and living longer i.e.: Their brains require, “intellectual, social and physical activities”.

27 California Community Colleges have supported the above position.

* The voters of Marin County approved Measure C. Emeritus was a significant positive influence in that approval.

And I could go on & on.....

We are not going away; we are not rolling over; we are asking the Trustees to solve our problem! NOW

Our recourse is taking the issue to the next level including going to the media, engaging other elected officials in and/or the County of Marin and calling out our membership with wheel chairs, walkers, canes and crutches (including well controlled companion animals).

Thank you for your attention.

Let’s together put the “Community” back into Community College!
California Community College Older Adult Programs: Position Paper on Repeatability

By California Community College Educators of Older Adults (CCCEOA)
2008

Introduction

Noncredit Community College Older Adult Education serves the full continuum of seniors in the state of California with programs designed to stimulate, challenge, maintain and improve the minds and bodies of students 50 years of age and older. Classes focus on meeting the needs of the aging population by incorporating positive aging skills and senior resources.

Mission and Focus

The Legislative intent of community college noncredit instruction is to be a "benefit to the state" in ways that credit instruction does not address. Lifelong learning, the process of keeping mind and body engaged at any age by actively pursuing knowledge and experience, is embedded in the mission of the California Community College (CCC) System and is a primary goal of the Older Adult Programs (OAP). Research on physical and mental health confirms that lifelong learning and physical fitness add productive and quality years to the lives of senior students, allowing them to thrive as productive citizens.1

Given the respect for life-long learning in American society and for the long tradition of education serving as a mechanism for economic advancement, personal growth, and increased social status, older adult education can be highly emancipatory and empowering. The demand for continued education in midlife and beyond will grow dramatically over the coming decades. Community colleges that seek to meet that demand will need to develop sound plans to ensure long-term growth, continued access and stability.
Geragogy

The distinction between geragogy and andragogy is delineated by theorists who view later life as a unique developmental stage, rather than as an extension of middle age. Learning in later life is predisposed by what is learned across the lifespan. This includes formal and informal learning and events that have happened throughout a lifetime.²

The teaching theories of children (pedagogy) and younger adults (andragogy) are different from the teaching theories of older persons (geragogy). For teaching to be effective, geragogy accommodates the normal physical, cognitive, and psychosocial changes that occur at this growth and developmental stage of life. Age changes, which begin in young and middle adulthood, significantly progress at the older adult stage of life. These changes often create barriers to learning. Unless educators adapt and tailor appropriate curriculum, the older person's ability to learn may be affected by methods and theories applied to teaching a different population. It is important to understand the specific tasks associated with each developmental stage in order to individualize the approach to education in meeting the needs of the target audience. Life-span development and educational theories provide the framework for understanding the dynamics and importance of achieving student learning outcomes.³

The focus of OAP classes is to teach the students skills that can be incorporated into their daily lives. Built into the OAP curricula are educational objectives to challenge, stimulate and engage 50-plus learners mentally, physically and socially - the "golden triangle" of positive aging. The desirable outcome is that students practice the learned analytical processes that enable them to create, review, describe, appreciate, relate, engage and/or respond. Older Adult classes lend themselves to much more than the academic subject matter at hand. They teach living skills, advocacy, empathy, cultural awareness and caring. Seniors who continue to learn tend to be healthier and more self-reliant. Improved independence benefits those they interact with daily, as well as the state and the community in which they live.

Golden triangle of positive aging
History

Beginning in the mid-1990s through 2003, the State of California initiated and funded a joint effort between the Department of Education (CDE) and community college non-credit programs to write model and content program standards for the mandated areas within the educational system. Five standards were drafted; one of which was the State Model and Content Program Standards for Older Adults. The CDE system implemented the standards. However, because of funding constraints, the community college system did not formally implement the documents. In the model program standards, Standard 7 was included to address how the CDE would handle the issue of repetition. Repeatability limits for OAP are not recommended as they are counter productive to student learning outcomes.

The standards for these programs were drafted by older adult program and education experts. They are designed to address the issues at hand for this population to produce best practices and foster partnerships that discourage misappropriations and replication of services within individual communities. The field (both the CCC and the CDE) continues to utilize the valuable information found in the model standards to administer their programs, establish partnerships and develop curriculum. This highly respected and recognized document provides clearly defined guidelines for the complex older adult discipline.

Older Adult Program coordinators and managers had the foresight to form a group that supported and focused on these programs. Since the 1980's the group known as the California Community College Educators of Older Adults (CCCEOA) has remained active, meeting a minimum of three times per year. Members discuss and develop creative solutions to programming issues, share best practices and curriculum, and support and mentor new program coordinators/managers. The Model and Content Program Standards for Older Adults has served as a foundation for this group. Most recently the group assisted the CCC System Office in developing the Older Adults Program definition. Other areas of focus are the current repetition limits being considered for Title V, Chapter 6, implementing evidence-based classes recommended in the California Strategic Plan for an Aging Population (SB910), and collaborating to address student learning outcomes.

Program Success

Maintenance and improvement of mental, physical and social abilities for senior students is evidence of the success of the Older Adult Programs, especially when compared to seniors who do not continue to care for their bodies and minds. The study by Michael Merzenich, Ph.D., a neuroscientist and co-creator of the Posis Science Brain Fitness Program, believes that there may never be a successful drug for Alzheimer's disease, because in his opinion "you can't really
fix this kind of multivariate problem with a chemical tweak; YOU HAVE TO LEARN YOUR WAY OUT OF IT.” Current gerontology research is recommending the inclusion of lifelong learning classes as a preference to medication and other therapies to combat many mental and physical problems in seniors.  

Positive externalities generated by OA Programs include healthcare cost savings, delayed retirement age and greater productivity. Plato said that, “gaining knowledge is the function of being.” Researchers and scientists are proving that “gaining knowledge, throughout life,” is the key to being. Students in older adult classes proclaim, “I am learning new things every week.” There is now widespread consensus among neuroscientists that, with proper instruction and carefully designed activities, the brain can retain its ability to change and improve throughout life. Seniors who do not learn and practice positive aging skills are more likely to end up prematurely dependent on state support. Educational training classes are significantly less expensive than the cost of health care.  

Attending a weekly physical fitness class can significantly impact the health of a person as well as our state budget.

- If one or two out of every twenty sedentary and/or overweight Californians were to become more physically active and reduce their BMI to a leaner category, then California could take in a significant saving of about $1.3 billion per year, or almost $6.4 billion in five years.

- Physical activity can lead to improvements in body composition, diminished falls, increased strength, improved longevity, reduced depression, and reduced risk for diabetes and coronary artery disease.

Juanita Woodson, age 102, attends community college OA classes in San Diego. She says, “I never expected to live to 102 years old, but I think staying interested in the world and being active has kept me healthy. The OA classes give me a reason to get up every morning.” Juanita survived downsizing to a residential living community, the loss of her husband, the loss of her driver’s license at age 97, and other significant losses that come with age. She acknowledges the educational support system for its part in her ability to continue to live alone and actively attend classes.

The OA programs and classes produce numerous outcomes which not only benefit the students, but their communities and society in general. OA students state they attend continuing education programs to maintain their mental and physical fitness, engage in their community, and develop essential support systems. These three goals are constant whether the student is active or frail. Many students live alone or independent of their families. OA classes provide a support network that allows them to live independently in their communities, a goal of the California Strategic Plan for an Aging Population (SB910). Research also indicates that educational and social activity group interventions that target specific groups can alleviate social isolation and loneliness among older people.

From their inception, most OA Programs have focused on building long-term partnerships within their districts and worked in concert to mobilize the experience, talents, and skills of the older adults in ways that benefit and give back to the communities where they live. In the majority of cases, OA Programs and local community agencies have many years of experience developing partnerships that work efficiently. They effectively leverage funds so partners can offer the best possible programming, a Best Practice Model.
Fiscal Fitness of Older Adult Programs

The majority of OA classes are located off-campus at selected venues to best serve seniors. These community partnerships provide numerous benefits. Sharing assets allows the parties to leverage and pool limited resources for greater output, increased public service and community recognition. Partners share ideas, offer senior services, support joint efforts, and provide access to facility resources and amenities at little or no costs to the districts.

Community partners collaborate to: identify and expand classes for civic engagements of older adults; change public perceptions of older adults by recognizing the value their experience and perspectives can bring to communities; identify the barriers seniors encounter; and make classes more accessible. Partnerships also support and encourage other services (such as transportation, and/or meal and health programs) to join forces in an effort to enhance the quality of life and general experiences of seniors and to encourage and develop leaders and advocates in the field. These concepts are key to keeping seniors active, engaged, healthy, and in improving their overall quality of life.

Position on Repetition

Older Adult Programs offer the aging population comprehensive academic classes in the fine arts, decorative arts, personal growth and development, physical and mental fitness, and vocational education within an interactive, participatory, learning environment. Classes build on the students' lifetime experiences and wisdom, tap into the “multigenerational phenomena” of 50 plus, and encourage students to mentor and assist peers. Students learn from each other in a unique synergistic way about the subject at hand and about each new developmental stage of aging.

Unlike traditional students, senior students enter classes with different levels of real world experience, a multitude of educational levels, age variances, and life skills. Courses are designed to address multiplicity within the same class setting; students benefit from the knowledge and experience of one another. Each time a class is repeated, students learn new skills. It would be counterproductive to the state and students should repetition limits be imposed on OA courses, as OA Programs may be required to rewrite curriculum and course outlines to generate multiple levels of each subject to satisfy prescribed repetition requirements. It would require more time, funding, and additional work for CCC System Office to process, approve and monitor additional curriculum.

Besides the obvious negative fiscal implications for such a change, the geragogical soundness of the change would also be in question. Senior students learn best when motivated by factors that result from positive relationships with peers, instructors, subject matter and venue. Sustained attendance increases the prospect of positive aging and success for older learners. Forcing students to leave successful educational experiences could result in dissatisfied CCC students and increased human services and healthcare costs.
California Community College Continuing Education has the ability to offer the skills needed to stay current with the changing times, especially in the area of aging. Unlike vocational or college prep classes that lead to predetermined and fixed goals, positive aging is not only a goal, but a lifelong learning process that requires constant skill enhancement, much like technology or medicine. OA Program curriculum is designed to change and adapt in content as the needs of students change in various life stages. The classes, by design, are continuously teaching new skills needed to help students remain engaged and productive citizens. Classes like Computer Literacy, Health and Safety, Current Events, Law and the Retiree, Retirement Living, Physical Fitness for OA, etc. are ever-changing disciplines that are rarely repetitive even when the student repeats the class. Whether the course is designed for physical or mental stimulation, continuous lifelong learning is vital to student success. “Remember tip-top cognition is not too useful if you can’t get out of bed or your chair and enjoy the world. Likewise, tip-top physical fitness is useless if you can’t remember why you want to get out of that chair,” Dr. Michael Merzenich, Professor of Integrative Neurosciences, University of California, San Francisco.\textsuperscript{12}

Additional research recommends that older adults should choose to participate in multiple educational activities daily and regularly for the duration of their lives.\textsuperscript{13} With this in mind, older adults need to have access to multiple sections of classes in order to maximize the benefits provided by OAP classes. Eliminating this possibility denies older adults an essential benefit provided by the classes.

Repetition and concurrent enrollment in OAP classes is essential in the retention of the older adult learner and vital in the maintenance of their health. Regular participation can improve mental and physical health by improving function, and delaying disease progression and its subsequent disabilities. Older adults who participate in a variety of OAP classes on a consistent and frequent basis remain healthier and are more likely to contribute positive benefits to the community at large. It is the position of the California Community College Educators of Older Adults (CCCEOA) that repetition limits are not appropriate for older adult classes.

Long Beach City College  
1305 E. Pacific Coast Hwy.  
Long Beach, CA 90806  
Newsletter – http://seniorcenter.lbcc.edu  
Mary Thoits  
(562) 938-3047    (562) 983-3912 FAX  
thoils@lbcc.edu

North Orange County Community College School of Education  
School of Continuing Education - Wilshire Continuing Education Center  
315 E. Wilshire  
Fullerton, CA 92835  
Newsletter – http://sce.cc.ca.us/programs/oap/newsletter  

Lorraine Wicks, Manager OAP  
(714) 808-4902  
lwicks@sce.cc.ca.us

Lynda Gunderson, FT Faculty OAP  
(714) 808-4905  
gunderson@sce.cc.ca.us

Vaniethia Hubbard, Program Assistant OAP  
(714) 808-4904  
vhubbard@sce.cc.ca.us

South Orange County Community College District  
Saddleback College  
28000 Marguerite Parkway  
Mission Viejo, CA 92692  
(949) 582-4313 (Sandra)  

Sandra Marzilli  
smarzilli@saddleback.edu

Irvine Valley College  
5500 Irvine Center Dr., A-121  
Irvine, CA 92618  
Phone: (949) 451-5226    Fax: (949) 451-5270  

David E. Anderson, Jr.  
danderson@ivc.edu

Pierce College Encore Program  
6201 Winnetka Ave.  
Woodland Hills, CA 91371  
(818) 710-2573  

Ida Blaine  
blaineik@pierce.edu

Rancho Santiago Community College District  
Rancho Santiago College – Santa Ana  
2900 West Edinger Ave.  
Santa Ana, CA 92704  
Chris Murphy  
Murphy_Chris@sac.edu

Laura Franklin  
Franklin_laura@sac.edu

Santiago Canyon College/Orange Education Center  
1465 N Batavia Street  
Orange, CA 92867  
(714) 628-5938  

Ethel Jordan  
Jordan_ethel@scccollege.edu

James Kennedy, Dean  
Kennedy_james@scccollege.edu

Riverside Community College  
4800 Magnolia Ave.  
Riverside, CA 92506  
(951) 222-8909 or (951) 222-8090 general office  

Cyndi Pardee  
Cyndi.Pardee@rcc.edu

Sandy Noll  
Sandy.noll@rcc.edu

Mt San Antonio College  
1100 N. Grand Ave.  
Walnut, CA 91789  
(909) 594-5611 X 5117  

Mary Sue Lange  
mslange@mtsac.edu

Mt San Jacinto College  
1400 N. State Street  
San Jacinto, CA 92583  
(951) 487-3710  

Rhonda Dixon, Coordinator, Community and Continuing Education  
rdixon@msjc.edu
Cerritos College
1110 E. Alondra Blvd.
Norwalk, CA 90650
(562) 860-2451 ext. 2517

Maggie Cordero
Director of Adult Education and Diversity Programs
mcordero@cerritos.edu

Sally Greer
sgreer@cerritos.edu

Santa Barbara Continuing Education Division
310 W. Padre Street
Santa Barbara, CA 93105

Ben Partee
805-898-8138
partee@sbcc.edu

Anne Wiley
805-683-8228
a.wiley@sbcc.edu

Rio Hondo Community College
3600 Workman Mill Road, H.S. Lot 3
Whittier, CA 90601
(562) 908-3465

San Diego Community College
Center for Education & Technology
3375 Camino Del Rio South
San Diego, CA 92108

Leslie Shimazaki, Dean
lshimaza@sdccd.edu

Pat Mosteller, FT Faculty
619-388-4944
pmostelli@sdccd.edu

Charlene Schade, FT Faculty
cschade@sdccd.edu

Claudia Tornsafer, FT Faculty
cltorrsa@sdccd.edu

Santa Monica CCC
1227 Second Street
Santa Monica, CA 90401
(310) 434-4370

Maggie Hall, Associate Dean, Emeritus
hall_maggie@smc.edu

Palomar College
1140 W. Mission Rd.
San Marcos, CA 92069
(760) 744-1150 Ext. 2286 FAX (760) 591-9108

Mollie R. Smith
Director, Occupational & Noncredit Programs
msmith@palomar.edu

Cuesta College, San Luis Obispo CCD
Community Education & Emeritus College
Cuesta College Community Programs
P.O. Box 8106, San Luis Obispo, CA 93403-8106
(805) 546-3131, extension 2103
(805) 546-3107 FAX
www.communityprograms.net

Matthew Green
P.O. Box 8106
San Luis Obispo, CA 93403-8106
mgreen@cuesta.edu

Karen S. Linn, Coordinator
klinn@cuesta.edu

Coastline College
11460 Warner Avenue
Huntington Beach, CA
(714) 241-6115

Betty Disney, Emeritus Dean
Bdisney@coastline.edu
Connie Boehler, Emeritus Chair
cboehler@coastline.edu
Beth Crane
bcrane@coastline.edu
Debbie Secord
dsecord@coastline.edu

Allan Hancock College
Noncredit Education & Community Programs
800 S. College Dr.
Santa Maria CA 93454-6399
FAX 805-352-1046
805-922-6966, ext. 3325

Ardis Nielsen, Dean
aneilsen@hancockcollege.edu
Grossmont-Cuyamaca Community College District
Cuyamaca Community College  
Office of Instruction/Community Learning  
900 Rancho San Diego Pkwy  
El Cajon, CA 92019

Cristina Chiriboga, VP Instruction  
Cristina-chiriboga@gcccd.edu  
619-660-4226

Donna Lee-Cristaldi, CL Operations Coordinator  
Donna.lee-cristaldi@gcccd.edu  
619-660-4673

Gini Gomez, Noncredit Specialist  
gini.gomez@gcccd.edu  
619-660-4354

Sonoma County Junior College District  
Santa Rosa Junior College  
1501 Mendocino Avenue  
Santa Rosa, CA 95401

Betsy Roberts  
Director, Adult and Continuing Education  
(707) 527-4811  
eroberts@santarosca.edu

Kerry Campbell-Price  
Dean, Continuing Education & Strategic Program Development  
(707) 524-1546  
Kcampbell-price@santarosa.edu

College of the Canyons  
26455 Rockwell Canyon Rd  
Santa Clarita, CA 91355

Jennifer Brezina  
Interim Dean, Noncredit and Community Education  
661-362-5422  
Jennifer.brezina@canyons.edu

Pasadena City College  
Community Education Center  
3035 E. Foothill Blvd.  
Pasadena, CA 91107

Ann Reynolds  
Coordinator, Off-Campus Classes  
626-359-1967  
NIFRANCO@pasadena.edu

Citrus College  
Wanda Cunningham, Dean

Mission College  
Community Education  
3000 Mission College Blvd., MS#13  
Santa Clara, CA 95054-1897

Danny Nguyen, Pharm. D.  
408-855-5417  
Danny_nguyen@wvm.edu

Jeanette Brunzt  
408-379-4280  
jeanettebrunzt@yahoo.com

West Valley College  
Community Education  
14000 Fruitvale Avenue  
Saratoga, CA 95070

Jeanette Brunzt  
408-379-4280  
jeanettebrunzt@yahoo.com

West Los Angeles College  
Continuing Education  
9000 Overland Ave  
Culver City, CA 90230-3519

Carl Hildebrandt  
310-287-4541  
hildebc@wlac.edu

El Camino College  
Community Education  
16007 Crenshaw Blvd.  
Torrance, CA 90506

Betty L. Sedor  
Interim Assistant Director of Community Education  
310-650-6466  
bsedor@elcamino.edu  
www.eccommunityed.com

Imperial Valley College  
Imperial Valley College  
301 N. Imperial Ave. Ste. A  
El Centro CA 92243

Rosanna Lugo  
760-353-2180  
Rosanna.lugo@imperial.edu
Community Partners

California Department of Aging
1300 National Drive, Suite 200
Sacramento, CA 95834
916-928-46411
Lynn Daucher, Director

County of San Diego
Health & Human Services Agency
Aging & Independence Services
P.O. Box 23217
San Diego, CA 92193-3217
858-495-5858
Pamela Smith, Director

Partners in Care Foundation
732 Mott Street, Suite 150
San Fernando, CA 91340
818-837-3775
W. June Simmons, President/CEO

Arthritis Foundation
Southern California Chapter
800 West Sixth Street, Suite 1250
Los Angeles, CA 90017
323-954-5750
Vickie Fung, MPH, Sr. VP Public Health & Research

Rehabilitation Institute of Southern California (RIQ)
1800 E. La Veta Avenue
Orange, CA 92866
Richard C. Grau man, Director

Janet Goeske Foundation
5257 Sierra Street
Riverside, CA 92504
951-8801
Judith Vails, Executive Director

Eddie Dee Smith Senior Center
5888 Mission Blvd.
Riverside, CA 92509
951-275-9975
Robert & Lynne Craig, Directors

WECARE/AMERICORPS
Working to Enhance Care and Resources for our Elders
California State University, Fullerton
Institute of Gerontology
800 N. State College Blvd., LH-209
Fullerton, CA 92831
714-278-3827
Adrienne Stokols, Program Director

Buena Park Senior Center
8150 S. Knott Ave.
Buena Park, CA 90620
714-236-3870
Kim Garber, Director

Yorba Linda Senior Center
4501 Casa Loma Drive
Yorba Linda, CA 92886
714-961-7181
Jeff Ruth, Director

Culver City Senior Center
4095 Overland Ave
Culver City, CA 90232
310-253-6700
Debbie Cahill,
Senior & Social Services Specialist

AARP
10883 Pinot Noir Circle
San Diego, CA 92131
858-549-9118
Maxine Fischer, Associate State Director

California Department of Public Health
Health and Human Services Agency
Division of Chronic Disease and Injury Control
P.O. Box 997377
Sacramento, CA 95899-7377
916-552-9892
Donald O. Lyman, M.D., D.T.P.H., Chief

Anaheim Crown Plaza Retirement Facility
641 S. Beach Blvd.
Anaheim, CA 92804
Sandi Maline, Activities Director

California Commission on Aging (CCoA)
Celia J. Esquivel, Chair
References


3 Bastable, S.B., Dart, M.A. 2006, Developmental Stages of the Learner, www.jbpub.com/samples/0763751375/46436_CH05_000_0(0).pdf

4 http://www.ccoa.ca.gov/pdf/population.pdf


8 http://www.silverbook.org


13 AARP. “The State of 50+ American” and the “AARP Survey on Lifelong Learning.”
September 18, 2010

College of Marin Board of Trustees
835 College Avenue
Kentfield, California 94904
Attn: Eva Long, Ph.D., President

Re: Football Field and Track Facilities

Dear Dr. Long,

I understand that the College of Marin is considering options for the renovation of the football/track facility and that there has been a proposal which includes the replacement of the current regulation track and interior football field with two side-by-side playing fields for lacrosse and soccer designed for use by private outside groups to suit their particular needs. It is also my understanding that this proposed design includes a narrow and oddly shaped pathway around the fields designated as a "walking/jogging track" that is to be a supposed substitute for the regulation track.

In my opinion the College should maintain the football field and regulation track facilities. The College has a long history of fine athletic teams to include both football and track and field. Once the football and track and field facilities are eliminated it will be difficult to ever restore them. I was fortunate enough to participate in the College of Marin Football Program after World War II and was named to the All Northern California Junior College All Star Team in 1947. I would like to think that future students of the College of Marin would have the opportunity for a similar experience. Once you remove the Football Field and the Track it is doubtful that future students will ever have these opportunities.

I suggest that the college look toward a solution for the renovation of the football/track facility that includes a running track and I strongly recommend that the college only solicit proposals that retain the existing configuration with one playing field interior to a regulation track. As I see it the proposed walking/jogging track, as designed, would be entirely unsuitable for the purposes normally served by a standard running track. In addition, the chances that the pathway would be installed with the attributes of a first-class running track (precise distance, stable support bed, appropriate running surface) is highly unlikely. It appears as if the consulting landscape architect for the private groups has had no experience with the installation of standard running tracks and that the pathway was a design afterthought meant to overcome the objection to the absence of a running track altogether in an initial design proposal.

In my opinion the college should look towards a solution for renovation of the football/track facility that includes a running track and I strongly recommend that the college only solicit proposals that retain the existing configuration with one playing field interior to a regulation track. This course of action will best serve to make the engineering challenges involved in the restoration manageable and is most likely to lead to a satisfactory outcome and a safe and functional facility.

Respectfully yours,

Mario Ghilotti
Minutes from some of your 2010 board meetings (e.g., March and April 2010) have identified Kenfield Lacrosse/Soccer Proposal as an item for a future agenda. Before this project becomes fully developed, Friends of Corte Madera Creek Watershed would like to express our concerns about the tentative project described in Independent Journal articles by Rob Rogers (Marin J January 29 and June 23, 2010). According to the more recent article, the preliminary design “envisions two synthetic turf fields…” at the location of the closed track and football field.

This area, once a tidal marsh, was filled with dredge spoils when Unit 2 of the Corte Madera Creek Flood Control Project was constructed in the late 1960s. As sea level continues to rise, this area is likely to be increasingly vulnerable to flooding. We believe the best use for the no-longer needed football field is to restore it to a tidal wetland—the long-term, sustainable solution. However, we recognize that until the flooding becomes so frequent that maintenance of any field becomes prohibitively expensive, the demand for playing fields may make restoring the site to tidal wetlands politically infeasible.

If the decision is to continue using the area as an athletic field, then we have some strong recommendations regarding the use of synthetic turf:

1. Synthetic turf should not be used because it contributes to flooding. The COM playing field is in a flood plain where it should be able to store water, by allowing it to slowly infiltrate. Artificial turf is designed to drain quickly, which precludes the use of such a field as an ephemeral floodwater detention basin.

2. Synthetic turf should not be used because it is an ecological dead zone, devoid of habitat value. Although natural grass is low-quality habitat, it does provide some habitat, especially for birds.

3. Synthetic turf should not be used because it is more abrasive than natural grass and athletes playing on it are more likely to suffer abrasions that can be infected. Higher rates of infection by methicillin-resistant Staphylococcus aureus (MRSA) have been documented in users of synthetic turf fields. MRSA is a virulent strain of drug-resistant staph bacteria affecting humans that has plagued hospitals for decades and migrated into the general population in recent years. In response to this hazard, some field managers regularly disinfect artificial turf; however, this is not acceptable in locations where the disinfectant drains quickly to a nearby stream or wetland.

4. Synthetic turf should not be used because it can reach high surface temperatures in sunny conditions. Because it is ecologically dead, synthetic turf creates an urban heat island. During a study conducted at Brigham Young University, average high surface temperature on synthetic turf was 156-157 degrees Fahrenheit. By comparison, average concrete temperatures were only 94 degrees and natural grass averaged 78 degrees [Williams and Pulley 2002 (aces.nmsu.edu/programs/turf/documents/brigham-young-study.pdf)]. This is just one of many similar observations and does not pertain only to that single.

1 For articles describing MRSA and synthetic turf, see:
http://www.dallascow.com/shared-content/dws/dw/latestnews/stories/122207/dtopfootbal.staph.135w94.html
http://sportsinjuries.suite101.com/article.cfm/artificial_field_turf_vs_natural_grass_safety
location. Such elevated temperatures are unhealthy to players and also affect neighboring ecosystems. To decrease temperatures, some proponents of artificial turf suggest irrigating it in sunny weather, thereby reducing the water savings of artificial turf. During warmer months the temperature of these surfaces must be monitored to protect people using the fields from heat exhaustion and heat stroke. Synthetic fields do not provide a year-round playing surface. Instead they trade the inconvenient problem of games cancelled due to rain for a new problem: games cancelled due to excessive heat.

5. Tire crumbs used to provide shock absorbency and reduce injuries are often "leaked" from the field itself. These small fragments can be found in drainage from fields and on the shoes and clothing of people that use the field.

6. Runoff from synthetic fields may contain zinc, copper, other metals, some organic compounds, and polycyclic aromatic hydrocarbons (PAHs). Although the concentrations are low and do not appear to pose a health risk, the verdict is still out. The EPA is conducting studies now. We urge caution to reduce the amount of these chemicals that aquatic organisms are exposed to.

To avoid the problems of synthetic turf, we recommend the following measures:

   a) Natural grass playing fields should be employed, and designed to reduce peak flood flows and maximize infiltration of rainwater. In no case should modifications to a field contribute more to peak flood flows or otherwise increase surface runoff.

   b) Impacts to water quality should be minimized by using little to no fertilizers or pesticides. If fertilizers or pesticides must be used, they should be organic. Also, irrigation should be strictly minimized to help prevent the runoff of any fertilizers or pesticides, organic or otherwise.

   c) Irrigated areas should be limited to those necessary for a particular activity. For instance, for a baseball field, only the infield and outfield should be irrigated; for a football or soccer field, only the field itself should be irrigated. Areas adjacent to the playing fields should not be irrigated if not necessary for the activity.

   d) Irrigation technologies that adjust watering periods according to daily weather conditions, and turf that survives with the minimum water requirements, should be used wherever possible.

   e) Reclaimed water that meets government health standards and requirements for use on playing field should be used wherever possible.

   f) Playing fields should not harm adjacent creeks and wetlands and their associated vegetation. Wherever possible, playing field projects should incorporate the enhancement or restoration of natural systems, including historic creeks and wetlands. All drainage associated with playing fields should be above ground and designed and vegetated in a way to improve water quality and fish and wildlife habitat.

We urge you to consider the long-term uses of the field and benefits no only to the College but to the entire community when you make decisions about the future of the football field.

Sincerely,

Charles Kennard, Vice-president

We urge copies to Trustees
From: "Michael Y. Lateef"<mlateef@hansonbridgett.com>
Subject: Field Restoration Project:
Date: September 21, 2010 2:55:37 PM PDT
To: "longeva@comcast.net" <longeva@comcast.net>, "caroleh@csus.edu" <caroleh@csus.edu>, "djrames@gmail.com" <djrames@gmail.com>, "phil@kranenburgcpas.com" <phil@kranenburgcpas.com>, "conticonsulting@yahoo.com" <conticonsulting@yahoo.com>, "wanden@treatorlaw.com" <wanden@treatorlaw.com>, 'Al Harrison' <Al.Harrison@marin.edu>
Cc: 'Christopher Dean' <christopher_dean@comcast.net>, Bill Cummings <bill.cummings@yahoo.com>, John Clarke <john@jcarchs.com>, Mark Blake <mark@blakemail.com>, 'Paul Herzog' <paul.hertzog@kelleher.com>, andy pauley <aenaas@lmi.net>, 'Marita Daly' <maritadaly@yahoo.com>, "bruce.a.reeves@jpmorgan.com" <bruce.a.reeves@jpmorgan.com>, 'Mary Lateef' <mglateef@comcast.net>

Re: Joint Branson/RVLC/RVYS Proposal

Dear Board of Trustees:

We have now had the opportunity to review the Agenda package for tonight's board meeting and the included correspondence from the local running group (the "Friends of the College of Marin Track"). We have considered their objections and issues raised regarding our current proposal to the Board of Trustees and other proposed agenda items, and are prepared to discuss these with you at tonight's Board Meeting. Please be aware that prior to the posting of the Agenda, no one from Branson, RVLC or RVYS were contacted by Friends of the College of Marin Track to discuss or attempt to work out any alternative solutions or address concerns.

As you may recall, RVLC and RVYS originally requested permission to refurbish the existing field and to a limited extent, the track. We were subsequently informed by Branson and Staff that Branson had been granted an extension to develop the track and were politely told by Staff that any future project would require Branson's cooperation. After significant cost, time and effort, we have worked out a two field option- a compromise which would allow all three programs to justify the $4 million dollar expenditure associated with the field refurbishment by allowing sufficient access to the newly designed playing surfaces for all parties. As I am sure you are aware from COM's prior experience with Branson, they have turned out to be an excellent and accommodating partner. In my opinion, the new, joint design would be a true, state of the art facility and will become a local point of community activity for both youth and adult sports.

We are confident that we can adequately address any safety issue which you may have and which have been raised by the Friends of the College of Marin Track. We do not feel that those concerns are prohibitive to our planned project. While we acknowledge that the planned track will have a different functionality than a regulation track, we believe that the proposal is significantly better than no track at all and, on whole, likely to benefit the greater community. Since the current track has been condemned, both the school and the greater public have been prohibited (though unauthorized use continues) from using the premises. We are advised that COM has mitigated the current loss of facilities through the low cost rental option at Marin Catholic. While not ideal for everyone since Marin Catholic apparently charges a fee for access, there may be similar options or alternatives available to the Friends of the College of Marin Track.

While we are confident that our proposal represents the best possible use of premises, we are very concerned to learn that COM Staff intends to recommend that the refurbishment project be put to bid. Should the Board accept this recommendation it is implicitly changing its prior position with regards to Branson (and through extension, RVLC and RVYS) and suggests that, from COM's perspective, the Branson Option is (a) either unenforceable or (b) will not be honored. We believe that it is a real possibility that any attempts to remodel the existing field and track, absent Branson's approval and consent, would be met with costly and time consuming litigation. Since resources are at a premium for both our youth clubs, even the threat of litigation will be prohibitive.

As such, we have two principal questions that we would like the Board to respond to: (i) To the extent that COM desires to solicit a one field bid and agreement that does not include Branson will COM represent and warrant that COM has the unilateral rights to authorize any such project (notwithstanding the Branson Option), and agree to defend and indemnify the successful bidder if litigation and liability ensues? and, (ii) Is the Staff report based upon a review by outside legal counsel?

RVLC and RVYS have from the beginning been motivated solely by the desire to increase youth sports access in our community be developing a safe, accessible all weather playing surface. Absent clarity from COM regarding the Branson Option and a commitment from COM to stand by that decision, we do not see ANY clear opportunity to use private funds to repair the existing field space without the consent of Branson. However, the Board can avoid the cost and delay associated with a plan that attempts to bypass Branson, by making the difficult, but ultimately correct decision, to reject the Staff recommendation to put the development of the field to bid and approve the joint Branson/RVLC/RVYS development plan as currently presented.

Yours truly,

Michael Lateef Paul Herzog
September 16, 2010

Dear College of Marin Board of Trustees President Eva Long:

This correspondence is intended to provide some perspective and input on a recommendation we understand COM’s interim President Al Harrison will make to the Board of Trustees at its September 21, 2010 meeting.

On August 25, 2010, Mr. Harrison very graciously afforded us the opportunity to meet at his offices to engage in a conversation about the future of the current football/track facility. Near the conclusion of that discussion, he suggested we write a letter to him giving our views on resolving the issue of the needed renovation of the facility.

On September 7, 2010, we submitted our letter to Mr. Harrison. In that communication, we stated our concern that the initial approach to COM by the Ross Valley Lacrosse Club in January 2010 regarding the football/track facility may not have been properly handled. At that time, the RVLC described a proposal that, in return for use rights, would have provided revenue to COM along with a renovated playing field interior to a renovated regulation track.

However, rather than being encouraged by COM to proceed with its proposal on an independent basis, the RVLC was told that it must deal with the Branson School and come back with a proposal to which Branson was agreeable. We stated in our September 7 letter that, upon the available facts, we doubted that there was a legal, contractual basis compelling the college to give this instruction.

The instruction given to the RVLC deprived COM of the potential benefits of the RVLC’s independent proposal and the potential competition between the RVLC and Branson for the extremely valuable field rights the college has to offer. It set in motion a chain of events leading to a “two field, no regulation track” design proposal by the combined RVLC/Branson entity.
This proposal would, as addressed in our letter, fail to serve the needs of COM’s students and athletic programs, and moreover, violate the intent of the May 2010 memo from the Academic Senate affirming that a track is essential for the support of the college’s physical education and competitive athletic programs. It is our understanding that, in behind the scenes discussions surrounding the public presentation of the design at the June board hearing, RVLC and Branson have adopted a “take it or leave it” attitude with respect to their proposal, which, from their perspective, would allow each to have use of a playing field it need not share with the other.

On September 10, 2010, two days after receiving our letter, Mr. Harrison placed a phone call to us stating he would recommend at the next board meeting that a request for proposal be adopted seeking renovation of the football/track facility by the highest bidder for use rights to the facility. It strikes us that, if the development and use rights to the football/track facility are now (legally, contractually) open to the entire world, then such rights were, indisputably, also open to the world when the RVLC made its first approach to COM in January of this year. This conclusion is confirmed by our review of the college’s 2001 agreement with Branson and pertinent events in the factual record. Nothing obligated the college to decline consideration of the RVLC’s independent proposal for the football/track facility and to compel the RVLC to gain Branson’s consent to a combined proposal.

If the college is to regain the position of being able to benefit from independent, competitive proposals that serve the college’s own needs, rather than be faced with a “take it or leave it” response, a good deal of care will have to be exercised in the framing of the RFP and clarifying communications to likely interested parties, the RVLC and Branson included. Conference by the Board with the Academic Senate on the appropriate parameters to be specified in the RFP should take place before the RFP is formally adopted at a public meeting.
We expect that the Senate, if conferred with by the Board, will reaffirm its perspective on the importance of retaining a running track that serves the needs of the college’s student body and athletic programs. The time is now to confirm that this means a regulation running track as conventionally understood.

One related consideration we would respectfully urge the Board take into account before an RFP may issue is: safety. The great advantage of soliciting only renovation proposals that retain the existing imprint of one playing field interior to an oval regulation running track is that the design is tried and true. When it comes to a multipurpose athletic facility involving young people, sports with flying projectiles and a running track (mandated by the Senate), there should be great hesitation to issue a vaguely worded RFP that will invite dangerously misplaced design creativity. There is nothing in the college’s own needs that requires taking such a step.

Should the Board decide to issue an RFP, we strongly urge that the Board protect the safety of the students and the integrity of the college’s physical education programs by requiring that bidders conform to the design specification of one oval regulation track surrounding one traditionally oriented multi-purpose playing field. The RVLC’s initial approach to the college in January of this year seeking use rights to one playing field interior to a renovated regulation track demonstrates that there will be a “market” for an RFP directed towards such a standard, proven design, if the college makes clear that is the result it desires and will accept. At that time, the RVLC also expressly acknowledged willingness to make the renovated facility accessible to the community and affirmation of that principle as required by statute (including the Community College Civic Center Act) should be clearly stated in any RFP the Board may adopt.

We mentioned at the outset that Mr. Harrison was very gracious in making time for us on his schedule and keeping us
informed of subsequent developments. We wish to close by reiterating our thanks to him for that opportunity,

Respectfully,

Mimi Willard and Tim O’Rourke
On behalf of The Friends of the College of Marin Track

cc: COM Trustees Conti, Dolan, Hayashino, Kranenburg, Namnath, Treanor, Parker
cc: COM Interim President Harrison
Good evening, my name is Tim O’Rourke; I reside in Fairfax, I’m associated with the Friends of the College of Marin Track and I will address the issue of the renovation of the track/football facility on the Kentfield campus.

On August 25, the day after the Board’s August meeting, President Harrison graciously allowed us to meet with him at his offices. Near the close of that meeting he invited us to write a letter setting forth our views on the proper resolution of this issue. That letter is included in the published packet of materials for tonight’s meeting.

In researching the timeline of events of this matter to prepare the letter to Mr. Harrison, we were struck by the fact that the Ross Valley Lacrosse Club, in its initial approach to the college at the time of the January Board meeting, had proposed to renovate the football field and the regulation track in return for use rights to the renovated playing field. This proposal was not further entertained because Ross Valley was told at the board meeting, by former President White: go away and come back with a proposal acceptable to the Branson School. The suggestion was made that this step was required by an existing agreement with Branson involving the college’s athletic fields, but no specifics were given in this regard.

Now, coming back to our August 25 meeting with President Harrison, during that meeting he spelled out the college’s options for dealing with the football/track facility pretty much the same way that he does in the memo on this issue in the packet for tonight’s meeting. And the gist of that list of options is that the college is free to do whatever it wants. There is no mention that the college’s hands are tied by some contractual agreement with Branson specific to the football/track facility.

Something doesn’t fit in this picture. As we have further researched the background facts, including status reports in Board minutes on the Branson agreement and the Branson contract itself (which is in the public domain) we are left with the conclusion that, from a contractual perspective, nothing obligated the college to refuse to consider Ross Valley’s independent proposal and to require Ross Valley to bring Branson into the deal.

This is a critical point because it was the instruction to Ross Valley and Branson to get together that allowed this process to get off track, so to speak. At that point in time, the college, the Board, in consultation with the faculty, had not engaged in a reasoned forward-looking decision process to determine what the college and the student body needed from any proposal to renovate the football/track facility. As a result, Branson and Ross Valley, operating without that guide, came up with a design for two playing fields and a wipeout of the regulation track to suit their desires for each to have a playing field that it would not have to share with the other.

Two things now have to happen. The college, the Board, in consultation with the faculty, need to engage in that determination of the needs of the college and the students with respect to the renovation of the football/track facility. Once that determination is made, and if the college chooses to raise funds for the renovation of the entire facility by requesting bids for use rights to that very valuable playing field, the message needs to be
conveyed to the world in no uncertain terms that anyone is welcome to respond to that request, independently and without obligation to the Branson School. If those two steps are taken, we have great confidence that this process can resolve in a manner serving the interests of the college, its students and the greater community.

Thank you for your time,

Tim O’Rourke
Frisco, CA
My name is Jenny Fong. I am a disabled student at COM. I live in Novato.

I use the track for training for Special Olympics events. Also, my tennis class uses the track for fitness and to warm up before practice.

I am also a member of the Accessibility Rights Club. The Accessibility Rights Club and I support saving the COM track as disabled-friendly.

Thank you for your attention.
Good evening. My name is Mimi Willard and I live in Kentfield.

I represent the Friends of the College of Marin Track, a broad based coalition committed to preserving and renovating a regulation track and interior field at COM for the use first by our community’s students and secondarily the broad base of community members.

A fascinating thing has happened in the past 6 weeks. The issue at hand has morphed from a parochial concern about the proper disposition of the track and field into a movement of citizens concerned about the more fundamental issue of preserving their community’s college and control of their taxpayer-funded assets. They want to ensure good governance of the college, fiduciary responsibility, and responsiveness to them as motivated voters.

There are 77,102 people who voted thumbs up for Measure C. This is a testimony to the community’s commitment to the college and willingness to support it financially. They want to see that commitment reciprocated through responsible decision-making.

The extent to which these voters care about such matters is evidenced by just how many of them you see before you tonight in the audience, wearing their Save the COM Track tee-shirts, which are fittingly printed in the college’s fighting colors. We have also collected several hundred petitions, and the signature rate is escalating daily as more people learn of our cause. Some of our supporters have never set foot on this or any other track. But they see this as an issue of basic fairness to the students of our community and them as the taxpayer electorate.

Looking forward, our group believes the Board must, in the best interests of the college and community, commit to four principles.

1. **A 400-meter regulation track with one interior field** is what the college requires. A well-articulated endorsement of that approach is contained in a recent letter to the Board from COM Hall of Famer and current community leader, Mario Ghilotti (letter appended hereafter for the record).
2. **Safety and utility are paramount.** The facility must be safely designed for simultaneous use of the track and interior field. A renovated track and field must be designed in accordance with prevailing standards issued by bodies such as the Construction Specifications Institute and U.S.A Track and Field; the preliminary design submitted jointly by Branson/Ross Valley Lacrosse Club was highly unconventional, violated all prevailing safety standards, and posed a significant threat of serious injury or death.
3. **Community access** must be stipulated. The college’s students come first. The local community should be next in line for use of these facilities, and should not be excluded by any transaction that favors an outside private interest. Keep in mind that California Education Code Section 82537-8248 prohibits agreements in which the educational institution grants a monopoly benefitting any person or private group.

   Proposals from outside parties to renovate the track and field should not be evaluated solely/primarily on who bids the highest. These are our assets. We already put up many many
millions of dollars to construct and maintain them. It is wrong to award long-term use rights simply based on which private party will pay the most.

These principles should be endorsed by the college and, should it decide to issue a request for proposals from outside parties to renovate the track, clearly articulated therein. We DO understand that these are challenging times. **If the college commits to the above four principles, we will in turn commit to helping the college (and partnering with any other community groups) to tap the vast array of available resources so as to ensure that future generations of COM students will have a track and field facility that serves their needs, benefits the broad community, and of which we can all be rightly proud.**

Thank you COM Trustees for your attention, consideration, and dedicated service.
September 16, 2010

Dear College of Marin Board of Trustees President Eva Long:

This correspondence is intended to provide some perspective and input on a recommendation we understand COM’s interim President Al Harrison will make to the Board of Trustees at its September 21, 2010 meeting.

On August 25, 2010, Mr. Harrison very graciously afforded us the opportunity to meet at his offices to engage in a conversation about the future of the current football/track facility. Near the conclusion of that discussion, he suggested we write a letter to him giving our views on resolving the issue of the needed renovation of the facility.

On September 7, 2010, we submitted our letter to Mr. Harrison. In that communication, we stated our concern that the initial approach to COM by the Ross Valley Lacrosse Club in January 2010 regarding the football/track facility may not have been properly handled. At that time, the RVLC described a proposal that, in return for use rights, would have provided revenue to COM along with a renovated playing field interior to a renovated regulation track.

However, rather than being encouraged by COM to proceed with its proposal on an independent basis, the RVLC was told that it must deal with the Branson School and come back with a proposal to which Branson was agreeable. We stated in our September 7 letter that, upon the available facts, we doubted that there was a legal, contractual basis compelling the college to give this instruction.

The instruction given to the RVLC deprived COM of the potential benefits of the RVLC’s independent proposal and the potential competition between the RVLC and Branson for the extremely valuable field rights the college has to offer. It set in motion a chain of events leading to a “two field, no regulation track” design proposal by the combined RVLC/Branson entity. This proposal would, as addressed in our letter, fail to serve the needs of COM’s students and athletic programs, and moreover, violate the intent of the May 2010 memo from the Academic Senate affirming that a track is essential for the support of the college’s physical education and competitive athletic programs. It is our understanding that, in behind the scenes discussions surrounding the public presentation of the design at the June board hearing, RVLC and Branson have adopted a “take it or leave it” attitude with respect to their proposal, which, from their perspective, would allow each to have use of a playing field it need not share with the other.

On September 10, 2010, two days after receiving our letter, Mr. Harrison placed a phone call to us stating he would recommend at the next board meeting that a request for proposal be adopted seeking renovation of the football/track facility by the highest bidder for use rights to the facility. It strikes us that, if the development and use rights to the football/track facility are now (legally, contractually) open to the entire world, then such rights were, indisputably, also open to the world when the RVLC made its first approach to COM in January of this year. This conclusion is confirmed by our review of the college’s 2001 agreement with Branson and pertinent events in the factual record. Nothing obligated the college to decline consideration of the RVLC’s independent
proposal for the football/track facility and to compel the RVLC to gain Branson’s consent to a combined proposal.

If the college is to regain the position of being able to benefit from independent, competitive proposals that serve the college’s own needs, rather than be faced with a “take it or leave it” response, a good deal of care will have to be exercised in the framing of the RFP and clarifying communications to likely interested parties. The RVLC and Branson included. Conference by the Board with the Academic Senate on the appropriate parameters to be specified in the RFP should take place before the RFP is formally adopted at a public meeting.

We expect that the Senate, if conferred with by the Board, will reaffirm its perspective on the importance of retaining a running track that serves the needs of the college’s student body and athletic programs. The time is now to confirm that this means a regulation running track as conventionally understood.

One related consideration we would respectfully urge the Board take into account before an RFP may issue is: safety. The great advantage of soliciting only renovation proposals that retain the existing imprint of one playing field interior to an oval regulation running track is that the design is tried and true. When it comes to a multipurpose athletic facility involving young people, sports with flying projectiles and a running track (mandated by the Senate), there should be great hesitation to issue a vaguely worded RFP that will invite dangerously misplaced design creativity. There is nothing in the college’s own needs that requires taking such a step.

Should the Board decide to issue an RFP, we strongly urge that the Board protect the safety of the students and the integrity of the college’s physical education programs by requiring that bidders conform to the design specification of one oval regulation track surrounding one traditionally oriented multi-purpose playing field. The RVLC’s initial approach to the college in January of this year seeking use rights to one playing field interior to a renovated regulation track demonstrates that there will be a “market” for an RFP directed towards such a standard, proven design. If the college makes clear that is the result it desires and will accept. At that time, the RVLC also expressly acknowledged willingness to make the renovated facility accessible to the community and affirmation of that principle as required by statute (including the Community College Civic Center Act) should be clearly stated in any RFP the Board may adopt.

We mentioned at the outset that Mr. Harrison was very gracious in making time for us on his schedule and keeping us informed of subsequent developments. We wish to close by reiterating our thanks to him for that opportunity.

Respectfully,

Mimi Willard and Tim O’Rourke
On behalf of The Friends of the College of Marin Track

cc: COM Trustees Conti, Dolan, Hayashino, Kranenburg, Namnath, Treanor, Parker
cc: COM Interim President Harrison
The Friends of the College of Marin Track
Preliminary Draft Proposal
Regarding Renovation of the College of Marin Kentfield Campus’
400 Meter Regulation Track and Interior Playing Field

The following is a preliminary proposal from the Friends of the College of Marin Track for resolution of the issue of renovating the deteriorated Kentfield Campus track and field facility, restoring it for safe long-term use by the college’s academic and athletic programs, and secondarily, the recreational needs of the broad community.

The Friends of the College of Marin Track (FCOMT) is a sizable and diverse coalition committed to preserving a regulation 400 meter track and one or more multi-sport playing fields for the use of the college and the broad community. We believe that a good decision about the future of this facility is vitally important to the college, which is an important public resource that faces significant challenges. Our group consists of a dedicated cadre of energetic volunteers backed by a large supporter base; we have the endorsement of the 750 member Tamalpa Runners Inc., Marin Race Walkers, numerous Kentfield residents and neighbors of College of Marin (COM), several prominent local coaches and educators, the organizers of key Marin community events and members of the local community concerned with good stewardship of public assets. Moreover, we expect that our approach will benefit the vast majority of COM students. We would like to work with the college and any other interested parties toward a cooperative, amicable solution that best serves the college and the community.

Our proposal is premised on the governing statutes, liability considerations, and the facts in place that both facilitate and limit the college’s options as to how to solve the challenges presented by its deteriorated track and field facility.

**Serious Design and Safety Shortcomings of the Branson/RVLC Design Mean that COM will be Deprived of a Track that its Academic Senate has Deemed Essential**

A primary consideration for the college is that any resolution must be guided by the Academic Senate’s stated position that 1) the fate of the current regulation track is an “academic” issue under law and regulation and 2) a track is essential for the physical education needs of the COM student body and the training needs of the college’s athletic teams. A plan put forth jointly by Branson School and Ross Valley Lacrosse Club (RVLC) to convert the present regulation track and interior football field into two side-by-side lacrosse/soccer fields that could also double as a baseball field was rejected by the Academic Senate on the grounds that it did not include a track and therefore failed to support the needs of the college for facilities essential for physical education and intercollegiate competitive programs. The Branson/RVLC proposal was then modified to include a “track” and receive the Academic Senate’s backing. However, close examination of the modified plan (see attached exhibit) shows it includes an ersatz track.
that would be completely unsuitable for the above-stated needs of COM’s students (or those, secondarily, of the broader community); we believe that the close timing of submission of the modified Branson/RVLC proposal and the summer recess did not afford close scrutiny of the “track” that was added into the proposal in the eleventh hour.

Specifically, the latest Branson/RVLC proposal simply penciled in a path conforming to the modest space left at the perimeter of that group’s previously designed two side-by-side lacrosse/soccer fields. This “track” is in reality no more than a walking path, as it is a mere twelve feet wide (permitting only three lanes, as compared with eight or more on a standard track), approximately 600 yards around (as opposed to the 400 meter regulation distance), and takes some sharp turns that are unsuitable for any serious fast running. Most damning is the fact that the space constraints implicit in Branson/RVLC’s demands for two lacrosse/soccer fields oriented perpendicular to the current football field (rather than one oriented in the same direction) force an extremely poorly conceived and highly dangerous design that places said path immediately behind the four lacrosse goals, meaning that people on the walking path would be at risk of serious and possibly fatal injury from the force of hard, high-speed lacrosse balls. Soccer safety guidelines also caution that passersby and spectators should not be allowed in the area directly behind the goals during play. The notion of baseball being played on the interior fields, an advertised feature of the Branson/RVLC design, would be so hazardous in its proximity to the walking path as to be absurd.

One cannot emphasize this last point enough. There is no way in the space occupied by the current track and field to safely accommodate two lacrosse/soccer fields serving swing duty for baseball, plus a regulation track, plus stadium seating. Were the project to be built as most recently designed by Branson/RVLC, we see two possibilities. One is that the college would attempt to close the walking path during all time periods that the interior fields are in use and to police the fields so that no play takes place during periods when use of the path is authorized. In this scenario, given the projected heavy use of the interior fields, the periods of walking path closure would be considerable. The encircling path would have to be closed during a large portion of daytime hours. This should be of great concern to the Academic Senate, which has already weighed in that having a track is essential to the needs of its physical education and athletic programs. The second possibility is that the college would have to recognize the impracticality of closing the path for such long periods and the difficulty of consistently policing both the interior fields and the track. This task would be made all the more difficult given that, as a practical matter, space is so constrained in the Branson/RVLC design that the area now designated as the "track" is the only way for pedestrians (spectators, officials, and players) to get from one place to the other in the proposed "two field" facility. In the scenario in which the college would leave the walking path open during play on the interior fields, the college would, from a safety and liability perspective, overtly be playing with fire.

Closing the proposed path during all of the hours that the interior fields are in use for lacrosse/soccer/baseball as a safety solution would be entirely impractical both because of the duration of such hypothetical closure and because the college could not pin the safety of its students and its own liability exposure on effective policing of the
closure. Further, as a practical matter, space is so constrained in the Branson/RVLC design that the area now designated as the "track" is the only way for pedestrians (spectators, officials, and players) to get from one place to the other in the proposed "two field" facility.

Encircling two lacrosse fields with a fence to separate it from the walking path is also not a viable solution to the safety problem. A rigid fence sufficient to absorb the huge force of flying objects would pose a serious safety risk for the players on the interior field, who, owing to the absence of a run out space behind the goals, would repeatedly crash into said fence. The need for such "run out" space is another reason that the path will be unsafe and unusable for serious training: players from the interior fields will be regularly spilling onto the narrow pathway, leaving "track" users nowhere to go to avoid collisions. A similar disregard for safety and liability considerations accompany the Branson/RVLC's plan to allow the two lacrosse fields to serve swing duty as a baseball field. For safety reasons, baseball fields are *never* placed interior to tracks.

The current 400 meter regulation track was condemned owing to purported liability considerations resulting from a loosening of the topmost surface in lanes one and two, which in the worst case scenario might trip a runner or walker in those two lanes (which in any event, could have been simply closed off). The liability emanating from a runner with a skinned knee pales by comparison to the risk associated with a potentially fatal traumatic injury resulting from a facility design that completely disregards all reasonable safety precedent. Marin County has recently witnessed the dreadful trauma induced by a baseball striking a young athlete.

Certainly the college should not choose to install and operate a facility that places students and community members at risk of similar grievous harm -- particularly when the college had previously received a proposal from RVLC for a completely safe alternative. A resolution that installs one new playing field, oriented in the direction of the current football field, within an oval regulation track would ameliorate all of the safety hazards discussed above.

The Significance of the Existing Joint Use Agreement with Branson for Development of the Football/Track Facility Warrants Clarification

Lack of clarity regarding the college's joint use agreement with the Branson School has hampered the presentation and development of an appropriate resolution that would best serve the needs of the college's student body and, secondarily, the broader community. Certain events, particularly those surrounding the manner in which RVLC was told that it was required to deal with Branson, have led some to conclude – wrongly, we believe – that Branson holds the exclusive right to determine the use, or non-use, to which the football field facility can be put. This in turn leads some to perceive the false choice (or threat) that the college must either accept a Branson-approved resolution or suffer indefinitely with a deteriorating, barely usable, track and interior field.
As this process goes forward to a resolution, we urge the college to issue a clear and unambiguous public statement on the relationship between the existing joint use agreement with Branson and the college’s ability to entertain and implement alternative solutions to the renovation of the football/track facility. Documents pertaining to the existing joint use agreement that are in the public domain should be made freely available to interested parties. These steps will serve to facilitate a resolution serving the needs to which the college should, consistent with its mission under statute, assign the highest priority.

Our perspective on this issue is framed by the following background facts.

- At the time of the May 12, 2009 Board hearing, the college’s Office of Operations submitted a report on the status of the college’s agreement with Branson, originally entered into in 2001, as that agreement relates to the football facility.
- This report stated that Branson’s development rights regarding development of the football field expired in May 2005. (See May 12, 2009 Board minutes.)
- This report further stated that, in January 2006, the college signed an understanding with Branson that future discussions with respect to the renovation of the football field could take place if both parties mutually agreed to do so. (See May 12, 2009 Board minutes.)
- As of the time of the January 19, 2010 Board hearing, there was nothing happening on Branson’s end with respect to the football field and a proposal was about to be put on the table by the Ross Valley Lacrosse Club that would have resulted in the installation of (one) new playing field and, according to the minutes of the January hearing, a new regulation track.
- RVLC was apparently told that the college’s overall joint use agreement with Branson had not expired and that the RVLC therefore should talk to Branson about its plans for the football/track area.
- Branson submitted a letter distributed at the hearing stating that Branson “would like to be represented” in those plans and that it viewed its participation as a continuation of its current joint use agreement with the college.
- Branson and the RVLC have since been informed by the college that their resulting proposed joint arrangement, presented at the June 22 Board hearing, cannot be brought under the existing joint use agreement between the college and Branson.
- At the time of the June 22 Board hearing, and in subsequent communications, the college has publicly contemplated issuing a request for proposals for development of the football/track facility that would be advertised as being open to a broad spectrum of respondents.
- Branson persists in communicating the belief (or assertion) that it holds some kind of “first right” to any development project involving the football/track facility.
As we view these facts, the most straightforward interpretation is that Branson’s original development rights to the football facility expired as of May 2005 and nothing transpired to reinstate those rights. It is not apparent why the RVLC was told it needed to cooperate (or collude) with Branson rather than being treated as a potential independent competitive bidder for the valuable rights at stake. The absence of any present entitlement by Branson to participate in development of the football facility seems confirmed by the college’s contemplation of proceeding to a request for development proposals that will be advertised, at the least, as being an equal and open opportunity for all respondents.

Whether such a request could in fact represent a free and equal opportunity given the background described above is open to question. Past events cannot be undone but, as a first step, the college should clarify whether Branson has some special status under the existing joint use agreement or rather, as far as the football/track facility is concerned, it stands in the same position as any other respondent to a request for proposals to develop and use that facility.

A One Track One Field Resolution is Viable and Affords COM the Best Path Forward

The instruction (mistaken, we believe) that RVLC must deal with Branson prevented the college from exploring the “one field/one track” proposal that the RVLC was on the verge of putting on the table. Once joined together, RVLC and Branson came up with a “two-field” design because each wants a field that it does not have to share with the other. This “solution” in turn requires wiping out the current regulation track – a safe and functional facility that supports the physical education needs of the college’s academic and athletic programs - and replacing it with an untested design that is neither safe nor functional.

From the perspective of the self-interest of the RVLC and Branson, their stance is understandable, but that should not drive a resolution. The college should take a step back and assess the needs of its own students, as affirmed by the Academic Senate: that a track is integral to the physical education needs of the student body as a whole and the training needs of the college’s athletic teams. Once the college makes clear, as it should, that it will only entertain proposals for the development of one playing field interior to a regulation track, there will be a viable route forward. The football field is the single remaining centrally-located flat surface of its kind in the community, and moreover, the cost to renovate it is well, well, below the market value of such a property in raw state (before any grading, construction, or permitting costs) were it available.

Simply put, procuring decades of semi-exclusive access to the football field for merely the cost of renovation is a steal. COM should not be blufffed into believing that there are not, and never will be, alternative outside-financed proposals that will renovate the football field and regulation track and provide revenue to the college. Indeed, the
RVLC was about to advance one such a proposal at the January board hearing, before it was sidetracked into dealing with Branson.

**We Will Continue Efforts to Assist in the Implementation of a “One Track One Field” Resolution**

As we have delved into the background facts of this issue, researched possible solutions (with input from track engineering specialists and coaches), and considered our role in the path forward, two realities have presented themselves: 1) a unified solution to the renovation of the football field and the track facility makes the most sense and 2) we are not the appropriate group to lead a bid for the rights to develop and use the field.

While it is possible to separate the timing of the track’s renovation from that of the field, prudence dictates a thorough integrated evaluation of the engineering issues and the subsequent development of a cohesive design plan. A renovation of the existing 400-meter regulation track could precede that of the playing field, and a bridge then used to permit access of construction vehicles to the interior. This would not make sense to do, however, if subsequent plans for the interior playing field determined that it was in need of substantial additional fill or other alterations that would affect the integrity of a just-renovated track. Further, and as discussed above, the football field real estate commands a very high implicit value owing to the scarcity (indeed, complete absence) of similar alternative properties. We believe that just such considerations – the difficulty of teasing apart the track and field renovations and the very high value of the field property -- were implicit in the original proposal advanced by the RVLC to coordinate and finance the renovation of the entire track and field facility. RVLC valued the opportunity to gain rights to the football field highly enough that, at the time of the January 19, 2010 Board hearing, it expressed a willingness to fund installation of a new regulation track as part of the package.

In this context, we believe it appropriate to urge the college to put this process on a route to a “one playing field/one regulation track” resolution for the renovation of the football/track facility.

**Cost of the Standalone Renovation of a Regulation Track**

Should the college decide to proceed with a standalone renovation of the 400-meter regulation track, it would need to engage track engineering specialists to assess whether resurfacing is all that is required, as opposed to the construction of an entirely new track. Multiple opinions would likely be wise, as there is some disagreement regarding the stability of the underlying fill material and whether the new track surface will drain off all water promptly (key to achieving a good lifespan for the resurfaced track). If it is necessary to excavate the current track in order to replace the fill, the costs escalate substantially.
We did have one such firm, California Track & Engineering., evaluate the current COM 400 meter regulation track. Its assessment (see attached exhibit) is that the track only needs to be resurfaced (as opposed to excavated and reconstructed). They budget the cost of the project as somewhere in the range of $300,000-$400,000 all in. The variability within those figures pertains to the type of track surface chosen (longer life surface costs more) and the amount of work necessary to repair the asphalt base; these estimates do not include extra disposal costs in the event that the old surface material being removed includes hazardous materials. California Track believes that resurfacing of the current regulation track will suffice to give it a new lease on life of 9-12 years (note that COM’s experience with its existing track was that it was able to nurse many more years than expected out of the last resurfacing, which involved a much thinner material that nonetheless endured for nearly 15 years). California Track believes that excavating the existing track is unnecessary and that the new surface would drain properly. They provide a five-year warrantee.

There are various funding sources that could be tapped to help finance a standalone renovation of the track. The local community will certainly expect the college to look first to Measure C funds, which we are variously told are still ample to finance the entire track and field renovation; were restricted to exclude such a project (the prospectus shows otherwise); or are completely exhausted. There is a need for clarity with regard to the status or remaining bond funds.

There are a number of outside funding sources that could potentially be tapped. These include foundations (particularly those committed to strengthening communities and improving health and well being); corporations manufacturing athletic products; grants subsidizing the use of recycled tires; contributions from local businesses; contributions from wealthy civic-minded Marin individuals; COM alumni, particularly those who participated in athletics; fund-raising events such as races and tournaments; etc. It not appropriate to name these specifically in advance of any preliminary feeler, and prior to the college designating its preferred solution to the track and field renovation issue.

FCOMT could be helpful in soliciting outside financing resources if the project includes a safe 400 meter regulation track accessible to the community.

Conclusion

The Branson/RVLC proposal must be completely rejected owing to serious safety flaws and the college’s need, as affirmed by the Academic Senate, for a bona fide track to support its physical education and athletic programs. The joint use agreement with Branson very likely no longer covers the football field. The college should issue a statement clarifying the status of that agreement and then commence an orderly process directed towards a one playing field/one regulation track solution for the football/track facility. The Friends of the College of Marin Track will help mobilize a variety of outside funding opportunities if the college embraces a plan that ensures future
generations of COM students and community residents will have access to a safe regulation track. The Friends of the College of Marin Track are committed to helping restore the regulation track to safe long-term use by the college's academic and athletic programs, and secondarily, the recreational needs of the broad community. We stand ready to join hands with all relevant parties, work hard toward such a cooperative solution, and submit a further detailed proposal as appropriate.
Good evening, my name is Tim O’Rourke; I reside in Fairfax. I’m associated with the Friends of the College of Marin Track and I will address the issue of the renovation of the track/football facility on the Kentfield campus.

On August 25, the day after the Board’s August meeting, President Harrison graciously allowed us to meet with him at his offices. Near the close of that meeting he invited us to write a letter setting forth our views on the proper resolution of this issue. That letter is included in the published packet of materials for tonight’s meeting.

In researching the timeline of events of this matter to prepare the letter to Mr. Harrison, we were struck by the fact that the Ross Valley Lacrosse Club, in its initial approach to the college at the time of the January Board meeting, had proposed to renovate the football field and the regulation track in return for use rights to the renovated playing field. This proposal was not further entertained because Ross Valley was told at the board meeting, by former President White: go away and come back with a proposal acceptable to the Branson School. The suggestion was made that this step was required by an existing agreement with Branson involving the college’s athletic fields, but no specifics were given in this regard.

Now, coming back to our August 25 meeting with President Harrison, during that meeting he spelled out the college’s options for dealing with the football/track facility pretty much the same way that he does in the memo on this issue in the packet for tonight’s meeting. And the gist of that list of options is that the college is free to do whatever it wants. There is no mention that the college’s hands are tied by some contractual agreement with Branson specific to the football/track facility.

Something doesn’t fit in this picture. As we have further researched the background facts, including status reports in Board minutes on the Branson agreement and the Branson contract itself (which is in the public domain) we are left with the conclusion that, from a contractual perspective, nothing obligated the college to refuse to consider Ross Valley’s independent proposal and to require Ross Valley to bring Branson into the deal.

This is a critical point because it was the instruction to Ross Valley and Branson to get together that allowed this process to get off track, so to speak. At that point in time, the college, the Board, in consultation with the faculty, had not engaged in a reasoned forward-looking decision process to determine what the college and the student body needed from any proposal to renovate the football/track facility. As a result, Branson and Ross Valley, operating without that guide, came up with a design for two playing fields and a wipeout of the regulation track to suit their desires for each to have a playing field that it would not have to share with the other.

Two things now have to happen. The college, the Board, in consultation with the faculty, need to engage in that determination of the needs of the college and the students with respect to the renovation of the football/track facility. Once that determination is made, and if the college chooses to raise funds for the renovation of the entire facility by requesting bids for use rights to that very valuable playing field, the message needs to be
conveyed to the world in no uncertain terms that anyone is welcome to respond to that request, independently and without obligation to the Branson School. If those two steps are taken, we have great confidence that this process can resolve in a manner serving the interests of the college, its students and the greater community.

Thank you for your time,

Tim O’Rourke
Fairfax CA

To COM Board of Trustees President Eva Long:

This message is intended to provide some perspective on a recommendation we understand COM’s acting President Al Harrison will make to the Board of Trustees at the next scheduled regular hearing.

On August 25, 2010, Mr. Harrison very graciously afforded us the opportunity to meet at his offices to engage in a conversation about the future of the current football/track facility. Near the conclusion of that discussion, he suggested we write a proposal letter to him giving our views on resolving the issue of the needed renovation of the facility.

On September 8, 2010, Mr. Harrison received our letter proposal (attached with slight cosmetic modification). In our letter, we stated our concern that the initial approach to COM by the Ross Valley Lacrosse Club in January 2010 regarding the football/track facility may not have been properly handled, perhaps in an honest excess of caution. At that time, the RVLC described a proposal that, in return for use rights, would have provided revenue to COM along with a renovated playing field interior to a renovated regulation track.

However, rather than being encouraged by COM to proceed with its proposal on an independent basis, the RVLC was told that it must deal with the Branson School and come back with a proposal to which Branson was agreeable. We stated in our letter that, upon the available facts, we doubted that there was a legal, contractual basis compelling the college to give this instruction.

The instruction given to the RVLC deprived COM of the potential benefits of the RVLC’s independent proposal and the potential competition between the RVLC and Branson for the extremely valuable field rights the college has to offer. It set in motion a chain of events leading to a “two field, no regulation track” design proposal by the combined RVLC/Branson entity. This proposal would, as addressed in our letter proposal, fail to serve the needs of COM’s students and athletic programs, as those needs have been affirmed by the Academic Senate. It is our understanding that, in behind the scenes discussions surrounding the public presentation of the design at the June board hearing.
RVLC and Branson have adopted a “take it or leave it” attitude with respect to their proposal, which, from their perspective, would allow each to have use of a playing field it need not share with the other.

On September 10, 2010, 48 hours after receiving our letter, Mr. Harrison placed a phone call to us stating two things: 1) he was closing the track immediately, and 2) he would recommend at the next board meeting that a request for proposal be adopted seeking renovation of the football/track facility by the highest bidder for use rights to the facility.

With respect to the first point, while there are issues that caused the track to be formally condemned many months ago, we are not aware of any change in the status of these issues and hope that our response to an invitation to state our views would not be a contributing factor.

With respect to the second point, the immediate seeking of a request for proposal soliciting the “highest bidder”, it strikes us that, if the development and use rights to the football/track facility are now (legally, contractually) open to the entire world, then such rights must also have been open to the world when the RVLC made its first approach to COM in January of this year. Nothing obligated the college to instruct the RVLC to deal with Branson.

If the college is to regain the position of being able to benefit from independent proposals that serve the college’s own needs, rather than be faced with a “take it or leave it” response, a good deal of care will have to be exercised in the framing of the RFP and clarifying communications to likely interested parties, the RVLC and Branson included. Conference by the Board with the Academic Senate on the appropriate parameters to be specified in the RFP should take place before the RFP is formally adopted at public hearing.

Of course, and as stated in our attached proposal letter, our view is that specification of renovation and retention of the regulation running track should be part of an RFP for the football/track facility. To a great extent, we are prepared to rely on the Academic Senate’s exercise of its role under law and regulation, if it is properly conferred with in advance of issuance of the RFP.

The other overriding consideration we would respectfully urge the Board take into account before an RFP may issue is: safety. The great advantage of soliciting only renovation proposals that retain the existing imprint of one playing field interior to an oval regulation running track is that the design is tried and true. When it comes to a multipurpose athletic facility involving young people, sports with flying projectiles and a running track (mandated by the Senate), there should be great hesitation to issue a vaguely worded RFP that will invite misplaced design creativity. There is nothing in the college’s own needs that requires taking such a step. The RVLC’s initial approach to the college seeking use rights to one playing field interior to a renovated regulation track demonstrates that there will be a “market” for an RFP directed towards such a standard, proven design.
We mentioned at the outset that Mr. Harrison was very gracious in making time for us on his schedule and we wish to close by reiterating our thanks to him for that opportunity.

Respectfully,
Michelle Wilcox  
70 Westwood Drive  
Kentfield, CA 94904-2744  
415-461-0701

September 21, 2010

College of Marin  
Board of Trustees  
835 College Avenue  
Kentfield, CA 94904

Dear Board Members and Concerned Community Members,

My name is Michelle Wilcox and I have lived in Kentfield since 1996. As a long-term resident of Marin County and supporter of the Friends of the College of Marin Track I am here to address the notion of COM’s track disappearing.

Not only have I used the COM track on a very regular basis, but have personally witnessed a wide variety of folks utilize it. Special Olympics, elderly, stay-at-home parents with young children, home-schooled children with their “parent-teachers”, fellow Marin residents, participants in the yearly Memorial Day Race (formerly Pacific Sun), middle school-aged children during meets...the list goes on.

On a very personal note, 2 ½ years ago my husband Eric suffered major injuries from an accident he was in. He was hit head on while riding his motorcycle home from Stinson Beach by a reckless driver who now sits in jail for the heinous crime he committed. Eric’s best friend Steve Shannon died in the accident. I took on the role of caretaker to my wheelchair bound, convalescing husband once he was released from the hospitals he was in for over a month. He still suffers lingering effects of the accident today.

How does this relate to the topic at hand? If it were not for the tremendous group of people I have met over years at the COM track, I don’t know where I would have turned. Running on that track with my fellow runners and close friends I met there meant the world to MY recovery from the accident. It brought me sanity, much needed exercise, and most of all company of like-minded people who cared for ME during a very trying time for my family. They were and still are, my lifeline.

As a stay-at-home mother of two grade school-aged children, I will have NO WHERE ELSE to go and seek track/running workouts as I am limited to exercising during the time my children are in school.

I believe the college students of College of Marin and the community that surrounds it should come first in this discussion of the track facility being renovated. A regulation track, not a walking path as proposed, is a critical component and necessary to complement the other athletic pursuits of the college students and community members of Marin.

I am not only concerned about saving the track. I want to be assured that good governance occurs during this decision process. California Codes Educational Code 82537-82548 clearly states in line item 82537 (c) “No use shall be granted in a manner that constitutes a monopoly for the benefit of any person or organization.” I am concerned the College of Marin is slowly and steadily allowing such transfer to an outside party. Taxpayers financed the COM facilities, and therefore the outcome of this process should be a track and field facility that serves the best interests of the college and community.

Respectfully submitted with care and deep concern,

Michelle Wilcox
Use of the fields without a written permit is PROHIBITED at all times, everyday.
You may obtain a permit by calling 485-9305

NO ANIMALS, NO WHEELED VEHICLES

NO SMOKING, NO ALCOHOLIC BEVERAGES

Violators subject to citation or arrest

25608BP, 626PC, 21113VC, 8.04.160CC, 8.005 College Policy

College of Marin Athletic Fields
The Academic Senate, on behalf of the Physical Education and Athletics Department, strongly encourage the Board of Trustees to only accept proposals for the renovation of the current track and field that include a regulation size track. We feel that the two-field project with a narrow irregularly shaped walking path around the perimeter of the two fields is extremely short-sided. It is our belief that a regulation track is essential for the physical education needs of the College of Marin student body and the training needs of the college's athletic teams.

Submitted on behalf of the Academic Senate and the following faculty from the Physical Education and Athletics Department:

Thank you,
Kathleen Smyth
Warren Lager
George Adams
Cheryl Rogow
Jessica Naythons
Ben Studholme
Steve Berringer
April Powers
Bruce Furuya
Academic Senate Report to the CoM Board of Trustees, September 21st, 2010

Although we have only had five meetings so far, the Academic Senate has already accomplished a number of important tasks:

In the area of Student Learning Outcomes:

- We have approved two new SLO Facilitators, Yolanda Bellisimo, whom you know and Anne Gearhart, a part-time Biology instructor who joins us with a wealth of experience in the K-12 side of SLO assessment as well as with assessment research projects at SFSU.
- The Senate will be approving a new Senate subcommittee called the Student Learning Outcomes Assessment Council (SLOAC) which will help facilitate, evaluate and report on our progress toward meeting ACCJC proficiency level standards by 2012.
- Our Curriculum Committee, chaired by Chris Schultz, and assisted by the Office of Instructional Management, has identified the next round of course outlines needing revision because they are over 5 years old. You can expect to see several hundred of these come through over the next year. Our deadline for submission to the Curriculum Committee for this round is February 10th, 2011.
- This fall, the SLO facilitators will be leading a group of nine faculty from several disciplines in developing shared rubrics with which General Education courses may be assessed.
- Department Chairs and other primary discipline faculty are working on a new degree and certificate database — where they can update their degrees and certificates and write Student Learning Outcomes for each degree and certificate per WASC requirements. The next catalog will include these SLOs and degree and certificate information will be pulled directly from this database.

In the area of Distance Education:

- We will be approving the formation of a new Senate Subcommittee on Distance Education Committee (DEC) this week. This committee will be headed by our Distance Education Resource Instructor and will look at a wide range of important issues including (but not limited to) recommendations for a consistent platform, protocols and procedures, curriculum development issues, ensuring academic integrity as well as regular and effective student contact hours, ADA compliance issues, student support services and best practices generally.

In the area of Program Review:

- We have revised the charge of the Senate subcommittee on Program Review so that it has provisions for reading and evaluating complete discipline reviews and providing feedback to the disciplines as well as to the Senate if the committee feels that a particular program could benefit from a revitalization process.
Academic Senate Report to the CoM Board of Trustees, September 21st, 2010

in the area of Equivalence:

- The Senate as approved an equivalency procedure based on title 5 regulations and State Academic Senate and Chancellor’s Office standards. This will guide the Senate president working with discipline faculty in determining whether an applicant for a position meets equivalency.
- The Senate president has met so far with the disciplines of Health Ed, PE, communications, credit ESL and English and English skills to go through a total of over 75 applications for equivalency. Since there are over 35 temp pools open simultaneously, it will be a busy year for me...

Other items we have worked on include:

- Recommendations for Learning Communities linked courses procedures – While our recommendations address the immediate concerns regarding enrollment blocks, this may not be the final plan, but it is a beginning for a broader conversation on this issue.
- Recommendations for Emeritus privileges.
- Faculty appointments to most of the governance committees.
- Board Policies and Administrative Procedures

Finally, the Senate would like to note that Senator Bellisimo and Dr. Chialin Hsieh together with Anne Gearhart and myself, will be presenting at a conference on student assessment put on by the RP Group in early October. And most importantly, the senate would like to extend its congratulations to Senator Yolanda Bellisimo who has been appointed to the State Academic Senate’s Accreditation and SLO Committee together with four other faculty from across the state. Their first order of business will be to review the ACCJC policy revisions.

— Submitted by Sara McKinnon, President, Academic Senate
Good evening. It’s a pleasure to stand before you tonight to introduce the newly elected Classified Senate officers. As outgoing President, I have to say I couldn’t be more impressed by the high degree of professionalism and dedication demonstrated by the people I’m about to introduce to you. They’re among the most respected classified staff members at the College and I know the Senate will flourish under their leadership.

Nicole Cruz, our new Classified Senate Treasurer couldn’t be here tonight because she serves on the Parent/Teacher Guild at her son’s school and they’re meeting tonight, but I want to take this opportunity to tell you a little bit about her. Nicole received her Bachelor’s Degree in Interior Architecture from the California College of the Arts, but put that career on hold to raise her family. In addition to participating on the Parent/Teacher Guild she’s also served as secretary of the Our Lady of Mercy Parish Council for five years. Nicole has a very busy job at College of Marin as the Administrative Assistant to our Director of Communications and Community Relations, Cathy Summa Wolf. Nicole has been a Senator for the last two years and most recently served as a member of the College Self Study Standard I Sub-committee.

Kathy Joyner has worked for College of Marin for 32 years. She started in 1978 back when Human Resources was still called Personnel and in 1991 transferred to Administrative Services which we now call College Operations. There are some people around here that I think of as the glue that holds this place together and Kathy is certainly one of them. She’s always a logical and calm voice no matter what the crisis or situation as I believe both President Harrison and Vice President Isozaki can testify. Kathy is our new Classified Senate Secretary and as such she also has a seat on College Council.

Our new Vice President Xenia Zarrehparvar is half Danish and half Iranian. She’s been a resident of the United States for 11 years since moving here from Denmark. Xenia works very closely with our disabled students as the DSPS Support Services Technician and has worked in that capacity for nearly 10 years. She received a Bachelor’s degree in “Social Education” in Denmark and worked in that field for 17 years before coming to the U.S. She’s been a Classified Senator for four years and will also serve on College Council this year. Her interests include psychology, ethics, and pedagogy. Outside of College of Marin, she’s involved in many different organizations for the protection of human and animals rights. Xenia will also serve on College Council.

Andrea Hunter, our new Classified Senate President has worked for the college for 26 years. She’s been a Financial Aid Specialist for the last 14 years. Andrea has a BA in Business Administration and a Masters Degree in Public Administration from Cal State Dominguez Hills and, I might add, she achieved both those milestones while working here full-time. Andrea was a member of the Banner implementation team representing Financial Aid and serves as the point person for staff needing help working with Banner. She also trains Financial Aid staff on new Banner forms and releases. Andrea was an active participant on the Governance Review Council during the years the college developed its new Participatory Governance System and recently served on the Standard II Self Study Committee. Andrea has been a member of the Classified Senate for several years and served the last two years as Vice President. It is now my pleasure to introduce our new Classified Senate President Andrea Hunter.
Remarks by Classified Senate President Andrea Hunter:

Thanks Kathleen. As Kathleen mentioned my name is Andrea Hunter. I am looking forward to my new role as the Classified Senate President. I wanted to start out this evening by saying a big thank you to the three outgoing Classified Senate officers, Kathleen Kirkpatrick, Becky Reetz and Barbara St John. Kathleen has served as the Classified Senate President for 4 years; on behalf of the Classified Staff I would like to thank her for four years of great leadership. Becky Reetz has been a Senate officer for 6 years. She’s held various roles including President, Vice President, and secretary; on behalf of the Senate you have our thanks. Barb St John has been our Treasurer for the last year and has worked for the college for over 25 years. Barb will be retiring later this year; she will be sorely missed by all.

This year a Classified Senate hopes to attract some new members to the Senate and we will all work hard to keep the Classified Staff involved and up to date on a broad range of college issues.

The Senate also looks forward to continuing the well-established lines of communication between the Board of Trustees and the Classified Senate. Although we may not always be able to appear before you in person, we plan to provide written reports as appropriate.

Thank You
Track and Field

1. Any Measure C dollars available to fix the track?
2. Why not fix the field and rent it out to Branson, Ross Valley, etc.?
3. Branson’s compliance with previous agreement?
4. Do we really want to kiss football and track good-bye permanently?
5. If students, staff and community are against the Branson/RVL plan, why are we considering it.
6. If there are indeed Measure C dollars available due to savings, why not fix the track and the field?

New Academic Center

1. How did we get this far into the modernization before finding out that we need more classrooms?
2. Why are we building to a schedule versus scheduling to the available buildings/classrooms?
3. Why are the classrooms at IVC not included in the calculations of classroom numbers?
4. Do we really need a Board Room/Conference Room in the Admin Offices? Board meets in other areas now and the Administration could always find meeting space.
5. Representation was made at the College Avenue Visioning Committee that the temporary buildings would be gone, now they are part of the long term plan?
6. Where is the budget to bring ASC into building codes, safety codes?
7. When did ASC go from must be demolished (too far gone) to a viable building for classrooms?
8. If we keep the ASC and the temporary buildings and the portable village, we increase the square footage by about 50K over the original plan. Can we afford to maintain this additional square footage?
9. How can we approve the expense to study the viability of class space in the ASC and the LRC tonight and vote to approve the program that includes these buildings without the results of this study?

Signage

1. How are the public’s comments regarding the LED sign and the signage in general reflected in the signage plan?
2. Are there any changes to the original presentation?
3. Why did we not inform the public about the fact that the LED sign was signed, sealed and ready for delivery during the meeting where about 75 people voiced opposition to the sign?
4. Why was the meeting held to discuss the LED sign when there was no plan to take the public’s comments seriously?

Child Care Facility

1. Where is it going?
2. Who is going to pay for it? (not mentioned in Measure C)
3. There is budget for architects and a request for an EIR, who’s paying for the building?
4. If the NAC was to replace 48,000 square feet with 48,000 square feet, where do we get the additional square feet for this facility?
To: Eva Long, President, College of Marin Board of Trustees
From: Sara McKinnon, President, Academic Senate
CC: Al Harrison, Superintendent/President; Nick Chang, VPSL
Date: September 16th, 2010
Re: New Academic Center

At the end of spring, in support of the planning efforts for the New Academic Center, the Senate provided you with our former Senator, Dr. Erik Dunmire who analyzed the college-wide classroom needs on the Kentfield campus now and in the future, and we hope that you will take his recommendations to heart. Teaching and student learning is, of course, the reason we are all here and having clean, up-to-date spaces to do this in is of great importance to us. Additionally, having enough of these “spaces” is also of paramount interest to the Senate and to the faculty as a whole. Erik’s data has shown that we can achieve our goals in this area as long as the Austin Science Center remains, and at least for a time (for swing space), the Portable Village and the TB building.

We acknowledge a concern that some of the labs in the Austin Science Center may be needed in the future to accommodate overflow from the new Math/Science Complex. We believe that, with a little effort and planning, there are enough other spaces available in that building to meet all of our campus classroom needs, while still maintaining ample science labs to meet any future overflow requirements. A space analysis of the LRC and the Austin Science Center will yield a better picture with which to make final recommendations. We would urge you to make sure that this happens as soon as possible so that the NAC can remain on schedule.
The College of Marin Faculty below would like to go on record as being in support of the New Academic Center project. While we will always have affection for the arches and tile roofs of the Administrative Center, for the quiet shelter of Olney Hall and the Business Center, we are also very cognizant of the issues that plague these buildings, seismically and in terms of ADA compliance. Those of us who have taught in these buildings have suffered through many leaky winters and hot summers with extraordinarily cranky heating/ac contraptions. It is kind of like teaching in the boiler room of an aging NYC apartment building. We look forward to the new building and hope you will make sure it has as many classrooms as possible.

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<th>Department</th>
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<td>Cara Statucci</td>
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<td>Blance Woodall</td>
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<td>Adriawinfield</td>
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<td>College Skills</td>
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<td>ML</td>
<td>Michelle Martinisi</td>
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<tr>
<td>Physical Sciences</td>
<td>Erik Dunmire</td>
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<tr>
<td>ESL/College Skills</td>
<td>Sara McKinnon</td>
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CORRECTION TO MINUTES OF MAY 18, 2010

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

Lindsay Crocker, who addressed the Board at the May 18, 2010 Board meeting under Citizens’ Requests to Address the Board on Non-Agenda Items, has asked that the minutes of the May 18, 2010 Board meeting be amended to accurately reflect the number of petitioner signatures submitted to the Board of Trustees on petitions “to Consider Appointment of Erik Dunmire, Ph.D. as Interim Superintendent/President for College of Marin.” Staff review of the tape of the May 18, 2010 Board meeting indicates that the sentence at the bottom of page 2 and top of page 3 of the minutes should read as follows:

Lindsay Crocker submitted petitions which she stated were signed by 118 students, 23 staff members and 50 faculty members asking the Board to consider appointing Dr. Erik Dunmire as COM’s Interim Superintendent/President.
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Contracts and Agreement for Services Report—September 2010

Reason for Board Consideration: 

BACKGROUND:

Attached for your information is a listing of all External Consultants and External Evaluators with whom we entered into a contract in excess of $1,000 with a description of services provided.

Administrator Initiating Item

Peggy Isozaki, Vice President, College Operations
### Contracts and Agreement for Services
**OVER $1,000.00**
**MONTHLY REVIEW**

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<td>P0209876</td>
<td>North State Environmental</td>
<td>Police</td>
<td>$ 1,682.30</td>
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<td></td>
<td>Hazardous materials removal services for the College.</td>
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<td>P0209881</td>
<td>Troyer's Door Control, Inc</td>
<td>Maintenance</td>
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<td></td>
<td>Door installation services for ADA doors at the Business Center in Kentfield Campus.</td>
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<tr>
<td>P0209913</td>
<td>Fahy Tree Service</td>
<td>Grounds</td>
<td>$ 1,800.00</td>
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<td>Tree trimming services for Kentfield Campus.</td>
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<td>P0209919</td>
<td>Petrotech</td>
<td>Maintenance</td>
<td>$ 1,425.00</td>
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<td></td>
<td>Testing services of the vapor recovery systems at both Kentfield and Indian Valley locations.</td>
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<td>P0209920</td>
<td>Blackboard, Inc</td>
<td>Learning Resource Center</td>
<td>$ 9,575.00</td>
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<td>Database services for the College for 2010-2011, Learning Resource Center's portion.</td>
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<td>P0209928</td>
<td>Hutton Sherer Marketing Advertising Design</td>
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<td>Production services for voice and music for the Indian Valley Farm video project.</td>
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<tr>
<td>P0209959</td>
<td>American Leak Detection</td>
<td>Maintenance</td>
<td>$ 1,000.00</td>
</tr>
<tr>
<td></td>
<td>Detection services to locate gas leaks at Kentfield Campus.</td>
<td></td>
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<tr>
<td>P0209967</td>
<td>Mission Linen &amp; Uniform Service</td>
<td>Career Education</td>
<td>$ 1,644.00</td>
</tr>
<tr>
<td></td>
<td>Laundry cleaning services for towels and coats for Automotive Technology and Machine Tools Programs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0209970</td>
<td>B Cantarutti Electric Company</td>
<td>Maintenance</td>
<td>$ 1,312.00</td>
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<tr>
<td></td>
<td>Lamping services for the pole lamps at both the Kentfield and Indian Valley Campuses.</td>
<td></td>
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<tr>
<td>P0209971</td>
<td>ARTstor</td>
<td>Art</td>
<td>$ 1,275.00</td>
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<td></td>
<td>Digital library services for the 2010-2011.</td>
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<tr>
<td>P0209974</td>
<td>Town of San Anselmo</td>
<td>Police</td>
<td>$ 36,990.00</td>
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<td>Dispatch services for the Police for the 2010-2011.</td>
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<tr>
<td>P0209993</td>
<td>Marsh Affinity Group Services</td>
<td>District Wide</td>
<td>$ 4,311.00</td>
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<td></td>
<td>Student malpractice insurance services for 2010-2011.</td>
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</tr>
<tr>
<td>Agreement Number</td>
<td>Vendor/Description</td>
<td>Department</td>
<td>Amount</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>-------------------</td>
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<tr>
<td>P0210029</td>
<td>Hardison, Komatsu, Ivelich &amp; Tucker Architects</td>
<td>Maintenance</td>
<td>$10,579.28</td>
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<td></td>
<td>Design services for health and safety work at IVC Locker Shower Building.</td>
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<tr>
<td>P0210034</td>
<td>Hardison, Komatsu, Ivelich &amp; Tucker Architects</td>
<td>Maintenance</td>
<td>$4,400.00</td>
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<td></td>
<td>Design services for the IVC pool boilers.</td>
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<tr>
<td>P0210036</td>
<td>American Association of Collegiate Registrars and Admission Officers</td>
<td>Admissions</td>
<td>$1,015.00</td>
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<td></td>
<td>Leadership services for collegiate and admissions officers for the College.</td>
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<td></td>
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<td>P0210056</td>
<td>Marin Sun Printing Co., Inc</td>
<td>Communications</td>
<td>$3,375.00</td>
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<td></td>
<td>Printing services for the Echo Times student newspaper for 2010-2011.</td>
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<td></td>
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<tr>
<td>P0210059</td>
<td>W R Forde Associates</td>
<td>Maintenance</td>
<td>$1,000.00</td>
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<td></td>
<td>Services to repair the gas leak at Harlan Center.</td>
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<tr>
<td>P0210074</td>
<td>Rain Bird Services</td>
<td>Grounds</td>
<td>$1,500.00</td>
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<td>Installation services for the PT3002 water flow monitoring system.</td>
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<tr>
<td>P0210089</td>
<td>Law Offices Of Larry Frierson</td>
<td>District Wide</td>
<td>$4,050.00</td>
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<td></td>
<td>Legal services for UPM arbitration, SEIU PERB and miscellaneous services in August 2010.</td>
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<td><strong>Restricted</strong></td>
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<td>P0209878</td>
<td>Terminixin International</td>
<td>Maintenance</td>
<td>$2,800.00</td>
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<td></td>
<td>Remedy and treatment services for IVC Pool locker-shower building.</td>
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<td>P0209904</td>
<td>Barbara Inwald, DO</td>
<td>Health Center</td>
<td>$10,000.00</td>
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<td></td>
<td>Medical service provider for the Health Center for 2010-2011.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Measure C</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0209920</td>
<td>Blackboard, Inc</td>
<td>Measure C</td>
<td>$7,000.00</td>
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<td></td>
<td>Database services for the College for 2010-2011, Bond’s portion.</td>
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<tr>
<td>P0209945</td>
<td>Mcgraw-Hill Construction Regional Publications</td>
<td>Measure C</td>
<td>$1,488.00</td>
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<tr>
<td></td>
<td>Advertising services for the PE Center Supplemental Cooling Project.</td>
<td></td>
<td></td>
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</tbody>
</table>
College of Marin

9/30/10 YTD Financial Report

10/19/10
Overview

- 9/30 YTD Year over Year
  - Financial Highlights
  - Cash Position
  - Cash Flow

- Revenues:
  - 9/30 Revenue Comparison
  - Budget vs. 9/30/10 YTD Actual Comparison
  - 9/30 YTD Year over Year Revenue Breakdown Comparison

- Expenditures:
  - 9/30 YTD Expenditure Comparison
  - Budget vs. 9/30/10 YTD Actual Comparison
  - 9/30 YTD Year over Year Expenditure Breakdown Comparisons

- Supplemental Information
### 9/30 YTD Financial Highlights

<table>
<thead>
<tr>
<th></th>
<th>9/30/10</th>
<th>9/30/09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>$ 1.5M</td>
<td>$ 1.8M</td>
</tr>
<tr>
<td>Expenses</td>
<td>$10.3M</td>
<td>$10.0M</td>
</tr>
<tr>
<td>Net</td>
<td>($ 8.8M)</td>
<td>($ 8.2M)</td>
</tr>
</tbody>
</table>

As anticipated, experiencing declining revenues and increasing expenses
### 9/30 YTD Cash Position

<table>
<thead>
<tr>
<th></th>
<th>9/30/10</th>
<th>9/30/09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Balance</td>
<td>$ 8.9M</td>
<td>$ 8.4M</td>
</tr>
<tr>
<td>TRAN borrowing</td>
<td>$ 9.2M</td>
<td>$ 8.5M</td>
</tr>
</tbody>
</table>

- Cash inflow is revenues - our major source, property taxes, received primarily in December and April.
- Cash outflow is expenses – about $3.4M per month
- TRAN provides operating cash until mid-December when property taxes are received
  - This year received in August
  - Last year received in July
Overview

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  - Cash Flow

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  - Budget vs. 9/30/10 YTD Actual Comparison
  - 9/30 YTD Year over Year Expenditure Breakdown Comparisons

- Supplemental Information
9/30 YTD Revenue Comparison

- **2010/11**
  - $44.0M budgeted
  - $1.5M actual YTD
  - 3.4% of budget

- **2009/10**
  - $44.7M budgeted
  - $1.8M actual YTD
  - 4.0% of budget

- YTD revenue primarily from enrollment fees and local revenue
Budget vs. 9/30/10 YTD Actual Revenue

- Property Taxes
- State
- Enrollment
- Other Local

Budget vs. Actual YTD
9/30 YTD Yr/Yr Revenue Breakdown

- State
- Property Taxes
- Other Local

- 2010/11
- 2009/10

$1,200,000
$1,000,000
$800,000
$600,000
$400,000
$200,000

$ -
Overview

• 9/30 YTD Year over Year
  – Financial Highlights
  – Cash Position
  – Cash Flow

• Revenues:
  – 9/30 Revenue Comparison
  – Budget vs. 9/30/10 YTD Actual Comparison
  – 9/30 YTD Year over Year Revenue Breakdown Comparison

• Expenditures:
  – 9/30 YTD Expenditure Comparison
  – Budget vs. 9/30/10 YTD Actual Comparison
  – 9/30 YTD Year over Year Expenditure Breakdown Comparisons

• Supplemental Information
9/30 YTD Expenditure Comparison

- **2010/11**
  - $44.0M budgeted
  - $10.3M actual YTD
  - 23.5% of budget

- **2009/10**
  - $44.4M budgeted
  - $10.0M actual YTD
  - 22.4% of budget

- Expenditures are incurred relatively evenly throughout the year
Budget vs. 9/30/10 YTD
Actual Expenses

- 92% of expenses are fixed:
  - 63% salaries
  - 23% benefits
  - 6% utilities, insurance, audit, legal, election, loan repayment

- 8% of expenses are discretionary
9/30 YTD Yr/Yr Salaries and Benefits

- Faculty Salaries
- Classified Salaries
- Administrative Salaries
- Benefits

2010/11
2009/10
9/30 YTD Yr/Yr Other Expenditures

- Fixed Expenses
- Operating Expenses
- Capital Outlay/Other Outgo

- 2010/11
- 2009/10

10/19/10
Overview

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  - Cash Position
  - Cash Flow

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  - Budget vs. 9/30/10 YTD Actual Comparison
  - 9/30 YTD Year over Year Revenue Breakdown Comparison

- Expenditures:
  - 9/30 YTD Expenditure Comparison
  - Budget vs. 9/30/10 YTD Actual Comparison
  - 9/30 YTD Year over Year Expenditure Breakdown Comparisons

- Supplemental Information
SUPPLEMENTAL INFORMATION
# Statement of Sources and Uses

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ADOPTION BUDGET 2010-11</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET 2009-2010</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 %</th>
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</thead>
<tbody>
<tr>
<td>SOURCES OF FUNDS</td>
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<td>REVENUES</td>
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<td></td>
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<tr>
<td>PROGRAM-BASED FUNDING</td>
<td>40,872,407</td>
<td>926,230</td>
<td>2.3%</td>
<td>41,450,980</td>
<td>959,504</td>
<td>2.3%</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>250</td>
<td>-</td>
<td>0.0%</td>
<td>250</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>OTHER STATE</td>
<td>1,890,096</td>
<td>-</td>
<td>0.0%</td>
<td>2,335,299</td>
<td>219,786</td>
<td>9.4%</td>
</tr>
<tr>
<td>OTHER LOCAL</td>
<td>1,229,500</td>
<td>554,028</td>
<td>45.1%</td>
<td>934,000</td>
<td>592,844</td>
<td>63.5%</td>
</tr>
<tr>
<td>TOTAL SOURCES</td>
<td>43,992,253</td>
<td>1,480,258</td>
<td>3.4%</td>
<td>44,720,529</td>
<td>1,772,134</td>
<td>4.0%</td>
</tr>
<tr>
<td>USE OF FUNDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SALARIES</td>
<td>27,915,823</td>
<td>6,758,139</td>
<td>24.2%</td>
<td>26,555,522</td>
<td>6,565,124</td>
<td>23.0%</td>
</tr>
<tr>
<td>BENEFITS</td>
<td>10,078,383</td>
<td>2,419,102</td>
<td>24.0%</td>
<td>9,903,892</td>
<td>2,195,844</td>
<td>22.2%</td>
</tr>
<tr>
<td>TOTAL SALARIES &amp; BENEFITS</td>
<td>37,994,206</td>
<td>9,177,241</td>
<td>24.2%</td>
<td>38,459,414</td>
<td>8,760,968</td>
<td>22.8%</td>
</tr>
<tr>
<td>FIXED EXPENSES</td>
<td>1,977,000</td>
<td>469,914</td>
<td>23.8%</td>
<td>2,133,000</td>
<td>446,990</td>
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<td>OTHER OPERATING</td>
<td>3,393,098</td>
<td>580,693</td>
<td>17.1%</td>
<td>3,429,836</td>
<td>630,189</td>
<td>18.4%</td>
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<td>CAPITAL OUTLAY</td>
<td>171,306</td>
<td>87,823</td>
<td>51.3%</td>
<td>191,276</td>
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<td>OTHER OUTGO</td>
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<td>-</td>
<td>0.0%</td>
<td>212,642</td>
<td>110,449</td>
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<td>TOTAL OTHER EXPENSES</td>
<td>5,995,676</td>
<td>1,138,430</td>
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<td>20.3%</td>
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<td>TOTAL USES</td>
<td>43,989,882</td>
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<td>23.5%</td>
<td>44,426,168</td>
<td>9,973,240</td>
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<td>SOURCES OVER (UNDER) USES</td>
<td>2,371</td>
<td>(8,835,413)</td>
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<td>294,361</td>
<td>(8,201,106)</td>
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# Statement of Sources of Funds

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<th>Fiscal Year</th>
<th>Adoption Budget 2010-11</th>
<th>9/30/10 YTD Actual 2010-11</th>
<th>9/30/10 % Budget 2010-11</th>
<th>Adoption Budget 2009-2010</th>
<th>9/30/09 YTD Actual 2009-2010</th>
<th>9/30/09 % Budget 2009-2010</th>
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<tbody>
<tr>
<td><strong>Program-Based Funding</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>State Subventions</strong></td>
<td>267,685</td>
<td>-</td>
<td>0.0%</td>
<td>272,942</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>267,685</td>
<td>-</td>
<td>0.0%</td>
<td>272,942</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Property Taxes</strong></td>
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<tr>
<td><strong>Secured</strong></td>
<td>37,543,962</td>
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<td>-</td>
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<tr>
<td><strong>Supplemental</strong></td>
<td>375,548</td>
<td>-</td>
<td>0.0%</td>
<td>500,000</td>
<td>-</td>
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<tr>
<td><strong>Unsecured</strong></td>
<td>850,212</td>
<td>-</td>
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<td>891,047</td>
<td>-</td>
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<tr>
<td><strong>Prior-Year</strong></td>
<td>85,000</td>
<td>7,432</td>
<td>8.7%</td>
<td>75,000</td>
<td>5,041</td>
<td>6.7%</td>
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<tr>
<td><strong>Total Taxes</strong></td>
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<td>7,432</td>
<td>0.0%</td>
<td>39,828,038</td>
<td>5,041</td>
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<tr>
<td><strong>Enrollment Fees</strong></td>
<td>1,750,000</td>
<td>918,798</td>
<td>52.5%</td>
<td>1,350,000</td>
<td>954,463</td>
<td>70.7%</td>
</tr>
<tr>
<td><strong>Total Program-Based</strong></td>
<td>40,872,407</td>
<td>926,230</td>
<td>2.3%</td>
<td>41,450,980</td>
<td>959,504</td>
<td>2.3%</td>
</tr>
<tr>
<td><strong>Federal Revenue</strong></td>
<td>250</td>
<td>-</td>
<td>0.0%</td>
<td>250</td>
<td>-</td>
<td>0.0%</td>
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<tr>
<td><strong>State Revenue</strong></td>
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<tr>
<td><strong>Partnership for Excell</strong></td>
<td>1,153,040</td>
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<td>1,509,126</td>
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<tr>
<td><strong>Other State</strong></td>
<td>737,056</td>
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<td>0.0%</td>
<td>826,173</td>
<td>35,300</td>
<td>4.3%</td>
</tr>
<tr>
<td><strong>Total State</strong></td>
<td>1,890,096</td>
<td>-</td>
<td>0.0%</td>
<td>2,335,299</td>
<td>219,786</td>
<td>9.4%</td>
</tr>
<tr>
<td><strong>Local Revenue</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Interest</strong></td>
<td>20,000</td>
<td>57,592</td>
<td>288.0%</td>
<td>100,000</td>
<td>52,560</td>
<td>52.6%</td>
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<tr>
<td><strong>Non-Residence Fees</strong></td>
<td>740,000</td>
<td>404,915</td>
<td>54.7%</td>
<td>500,000</td>
<td>425,539</td>
<td>85.1%</td>
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<tr>
<td><strong>Other Student Charges</strong></td>
<td>80,000</td>
<td>35,607</td>
<td>44.5%</td>
<td>95,000</td>
<td>46,453</td>
<td>48.9%</td>
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<tr>
<td><strong>Non-Residence Insurance</strong></td>
<td>39,500</td>
<td>25,420</td>
<td>64.4%</td>
<td>35,000</td>
<td>25,466</td>
<td>72.8%</td>
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<tr>
<td><strong>Miscellaneous</strong></td>
<td>350,000</td>
<td>30,494</td>
<td>8.7%</td>
<td>204,000</td>
<td>42,826</td>
<td>21.0%</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>1,229,500</td>
<td>554,028</td>
<td>45.1%</td>
<td>934,000</td>
<td>592,844</td>
<td>63.5%</td>
</tr>
</tbody>
</table>

Total Revenue: $43,992,253 $1,480,258 3.4% $44,720,529 $1,772,134 4.0%
# Statement of Uses of Funds

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td>$27,915,823</td>
<td>$6,758,139</td>
<td>24.2%</td>
<td>$28,555,522</td>
<td>$6,565,124</td>
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<td>8,760,968</td>
<td>22.8%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USE OF FUNDS</th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIXED EXPENSES</td>
<td>1,977,000</td>
<td>$469,914</td>
<td>23.8%</td>
<td>2,133,000</td>
<td>$446,990</td>
<td>21.0%</td>
</tr>
<tr>
<td>OTHER OPERATING</td>
<td>3,393,098</td>
<td>580,693</td>
<td>17.1%</td>
<td>3,429,836</td>
<td>630,189</td>
<td>18.4%</td>
</tr>
<tr>
<td>CAPITAL OUTLAY</td>
<td>171,306</td>
<td>87,823</td>
<td>51.3%</td>
<td>191,276</td>
<td>24,644</td>
<td>12.9%</td>
</tr>
<tr>
<td>OTHER OUTGO</td>
<td>454,272</td>
<td>0.0%</td>
<td>212,642</td>
<td>110,449</td>
<td>51.9%</td>
<td></td>
</tr>
<tr>
<td>TOTAL OTHER EXPENSES</td>
<td>5,995,676</td>
<td>1,138,430</td>
<td>19.0%</td>
<td>5,966,754</td>
<td>1,212,272</td>
<td>20.3%</td>
</tr>
</tbody>
</table>

| TOTAL USES            | $43,989,882      | $10,315,671        | 23.5%     | $44,426,168      | $9,973,240         | 22.4%     |
# Salary Analysis

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adoption Budget 2010-11</th>
<th>9/30/10 YTD Actual 2010-11</th>
<th>9/30/10 % Budget 2010-11</th>
<th>Adoption Budget 2009-2010</th>
<th>9/30/09 YTD Actual 2009-2010</th>
<th>9/30/09 % Budget 2009-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salaries</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Faculty</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instructors-Regular</td>
<td>7,826,901</td>
<td>1,794,655</td>
<td>22.9%</td>
<td>7,910,593</td>
<td>1,848,179</td>
<td>23.4%</td>
</tr>
<tr>
<td>Instructors-Hourly</td>
<td>7,273,000</td>
<td>1,828,564</td>
<td>25.1%</td>
<td>7,463,000</td>
<td>1,712,313</td>
<td>22.9%</td>
</tr>
<tr>
<td>Non-Executives-Regular</td>
<td>1,262,334</td>
<td>321,275</td>
<td>25.5%</td>
<td>1,185,396</td>
<td>290,647</td>
<td>24.5%</td>
</tr>
<tr>
<td>Non-Executives-Hourly</td>
<td>267,019</td>
<td>113,310</td>
<td>42.4%</td>
<td>482,000</td>
<td>110,747</td>
<td>23.0%</td>
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<tr>
<td><strong>Faculty</strong></td>
<td>16,629,254</td>
<td>4,057,804</td>
<td>24.4%</td>
<td>17,040,989</td>
<td>3,961,886</td>
<td>23.2%</td>
</tr>
<tr>
<td><strong>Classified</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff - Regular</td>
<td>7,614,314</td>
<td>1,799,752</td>
<td>23.6%</td>
<td>7,652,311</td>
<td>1,763,398</td>
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<tr>
<td>Instructional - Regular</td>
<td>952,796</td>
<td>231,122</td>
<td>24.3%</td>
<td>960,250</td>
<td>209,642</td>
<td>21.8%</td>
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<tr>
<td>Hourly Inst./Non Inst.</td>
<td>298,886</td>
<td>82,258</td>
<td>27.5%</td>
<td>312,010</td>
<td>92,548</td>
<td>29.7%</td>
</tr>
<tr>
<td>Overtime</td>
<td>112,170</td>
<td>23,787</td>
<td>21.2%</td>
<td>86,000</td>
<td>27,422</td>
<td>31.9%</td>
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<tr>
<td><strong>Classified</strong></td>
<td>8,978,166</td>
<td>2,136,919</td>
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<td>9,010,571</td>
<td>2,093,010</td>
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<tr>
<td><strong>Administrators</strong></td>
<td></td>
<td></td>
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<tr>
<td>Academic</td>
<td>1,966,468</td>
<td>489,363</td>
<td>24.9%</td>
<td>1,993,977</td>
<td>415,754</td>
<td>20.9%</td>
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<tr>
<td>Classified</td>
<td>339,935</td>
<td>74,053</td>
<td>21.8%</td>
<td>509,985</td>
<td>94,474</td>
<td>18.5%</td>
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<tr>
<td><strong>Administrators</strong></td>
<td>2,308,403</td>
<td>563,416</td>
<td>24.4%</td>
<td>2,503,962</td>
<td>510,228</td>
<td>20.4%</td>
</tr>
<tr>
<td><strong>Total Salaries</strong></td>
<td>$27,915,823</td>
<td>$6,758,139</td>
<td>24.2%</td>
<td>$28,555,522</td>
<td>$6,565,124</td>
<td>23.0%</td>
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</table>

10/19/10
# Benefit Analysis

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 % BUDGET</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 % BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td></td>
<td></td>
<td></td>
<td>2009-2010</td>
<td>2009-2010</td>
<td>2009-2010</td>
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</tbody>
</table>

**PUBLIC RETIREMENT**

<table>
<thead>
<tr>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>STRS</td>
<td>$1,305,839</td>
<td>$324,464</td>
<td>24.8%</td>
<td>$1,406,519</td>
<td>$325,117</td>
<td>23.1%</td>
</tr>
<tr>
<td>PERS</td>
<td>1,726,690</td>
<td>411,151</td>
<td>23.8%</td>
<td>1,635,257</td>
<td>371,717</td>
<td>22.7%</td>
</tr>
<tr>
<td>FICA</td>
<td>658,657</td>
<td>157,406</td>
<td>23.9%</td>
<td>706,292</td>
<td>152,274</td>
<td>21.6%</td>
</tr>
<tr>
<td>MEDICARE</td>
<td>371,376</td>
<td>88,526</td>
<td>23.8%</td>
<td>412,388</td>
<td>84,978</td>
<td>20.6%</td>
</tr>
<tr>
<td>UNEMPLOYMENT</td>
<td>290,904</td>
<td>46,582</td>
<td>16.0%</td>
<td>85,322</td>
<td>19,669</td>
<td>23.1%</td>
</tr>
<tr>
<td>WORKERS COMP. INS.</td>
<td>364,417</td>
<td>88,413</td>
<td>24.3%</td>
<td>358,114</td>
<td>82,299</td>
<td>23.0%</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4,717,883</strong></td>
<td><strong>1,116,542</strong></td>
<td><strong>23.7%</strong></td>
<td><strong>4,603,892</strong></td>
<td><strong>1,036,054</strong></td>
<td><strong>22.5%</strong></td>
</tr>
</tbody>
</table>

**HEALTH PROTECTION**

<p>| | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MEDICAL</td>
<td>4,667,112</td>
<td>1,302,560</td>
<td>27.9%</td>
<td>4,588,000</td>
<td>1,159,790</td>
<td>25.3%</td>
</tr>
<tr>
<td>DENTAL, VISION</td>
<td>693,388</td>
<td>0.0%</td>
<td>712,000</td>
<td>0.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>5,360,500</strong></td>
<td><strong>1,302,560</strong></td>
<td><strong>24.3%</strong></td>
<td><strong>5,300,000</strong></td>
<td><strong>1,159,790</strong></td>
<td><strong>21.9%</strong></td>
</tr>
</tbody>
</table>

**TOTAL BENEFITS**

<p>| | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$10,078,383</td>
<td>$2,419,102</td>
<td>24.0%</td>
<td>$9,903,892</td>
<td>$2,195,844</td>
<td>22.2%</td>
</tr>
</tbody>
</table>
# Fixed Expense Analysis

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ADOPTION BUDGET 2010-11</th>
<th>9/30/10 YTD ACTUAL 2010-11</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET 2009-2010</th>
<th>9/30/09 YTD ACTUAL 2009-2010</th>
<th>9/30/09 %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$1,977,000</td>
<td>$469,914</td>
<td>23.8%</td>
<td>$2,133,000</td>
<td>$446,990</td>
<td>21.0%</td>
</tr>
</tbody>
</table>

## FIXED EXPENSES

### UTILITIES

<table>
<thead>
<tr>
<th></th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEWER SERVICE</td>
<td>$63,000</td>
<td>$</td>
<td>0.0%</td>
<td>$75,000</td>
<td>$17,663</td>
<td>23.6%</td>
</tr>
<tr>
<td>TELEPHONE</td>
<td>125,000</td>
<td>15,643</td>
<td>12.5%</td>
<td>155,000</td>
<td>37,136</td>
<td>24.0%</td>
</tr>
<tr>
<td>WATER</td>
<td>120,000</td>
<td>42,047</td>
<td>35.0%</td>
<td>163,000</td>
<td>34,439</td>
<td>21.1%</td>
</tr>
<tr>
<td>GAS &amp; ELECTRICITY</td>
<td>1,189,000</td>
<td>215,421</td>
<td>18.1%</td>
<td>1,280,000</td>
<td>162,693</td>
<td>12.7%</td>
</tr>
<tr>
<td>PEST CONTROL</td>
<td>60,000</td>
<td>9,971</td>
<td>16.6%</td>
<td>40,000</td>
<td>6,435</td>
<td>16.1%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>1,557,000</td>
<td>283,082</td>
<td>18.2%</td>
<td>1,713,000</td>
<td>258,366</td>
<td>15.1%</td>
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</tbody>
</table>

### INSURANCE

<table>
<thead>
<tr>
<th></th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 %</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSURANCE</td>
<td>$420,000</td>
<td>186,832</td>
<td>44.5%</td>
<td>$420,000</td>
<td>188,624</td>
<td>44.9%</td>
</tr>
</tbody>
</table>

10/19/10
## Other Operating Expense Analysis

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ADOPTION BUDGET</th>
<th>9/30/10 YTD ACTUAL</th>
<th>9/30/10 % BUDGET</th>
<th>ADOPTION BUDGET</th>
<th>9/30/09 YTD ACTUAL</th>
<th>9/30/09 % BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUPPLIES &amp; MATERIALS</td>
<td>$ 602,471</td>
<td>$ 137,800</td>
<td>22.9%</td>
<td>$ 529,928</td>
<td>$ 94,214</td>
<td>17.8%</td>
</tr>
<tr>
<td>PERSONAL SVCE, LECTURE</td>
<td>55,965</td>
<td>11,296</td>
<td>20.2%</td>
<td>54,566</td>
<td>20,332</td>
<td>37.3%</td>
</tr>
<tr>
<td>TRAVEL &amp; CONFERENCE</td>
<td>129,970</td>
<td>24,612</td>
<td>18.9%</td>
<td>130,290</td>
<td>23,191</td>
<td>17.8%</td>
</tr>
<tr>
<td>DUES &amp; MEMBERSHIP</td>
<td>93,766</td>
<td>81,087</td>
<td>86.5%</td>
<td>94,402</td>
<td>67,439</td>
<td>71.4%</td>
</tr>
<tr>
<td>LEGAL</td>
<td>350,000</td>
<td>57,281</td>
<td>16.4%</td>
<td>350,000</td>
<td>52,945</td>
<td>15.1%</td>
</tr>
<tr>
<td>AUDITS &amp; ELECTION</td>
<td>78,800</td>
<td>-</td>
<td>0.0%</td>
<td>255,275</td>
<td>400</td>
<td>0.2%</td>
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<tr>
<td>CONTRACTED SERVICES</td>
<td>1,480,616</td>
<td>184,599</td>
<td>12.5%</td>
<td>1,383,751</td>
<td>276,802</td>
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<tr>
<td>POSTAGE</td>
<td>105,350</td>
<td>4,428</td>
<td>4.2%</td>
<td>104,800</td>
<td>161</td>
<td>0.2%</td>
</tr>
<tr>
<td>PRINTING &amp; PUBLICATION</td>
<td>157,889</td>
<td>11,737</td>
<td>7.4%</td>
<td>175,136</td>
<td>17,632</td>
<td>10.1%</td>
</tr>
<tr>
<td>RENTAL &amp; LEASES</td>
<td>45,337</td>
<td>3,019</td>
<td>6.7%</td>
<td>49,568</td>
<td>3,533</td>
<td>7.1%</td>
</tr>
<tr>
<td>RECRUITMENT</td>
<td>163,357</td>
<td>56,661</td>
<td>34.7%</td>
<td>175,000</td>
<td>66,614</td>
<td>38.1%</td>
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<tr>
<td>OTHER DISTRICT-WIDE EXP.</td>
<td>124,130</td>
<td>7,315</td>
<td>5.9%</td>
<td>124,117</td>
<td>6,229</td>
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<tr>
<td>MISCELLANEOUS</td>
<td>5,447</td>
<td>858</td>
<td>15.8%</td>
<td>3,003</td>
<td>697</td>
<td>23.2%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 3,393,098</strong></td>
<td><strong>$ 580,693</strong></td>
<td><strong>17.1%</strong></td>
<td><strong>$ 3,429,836</strong></td>
<td><strong>$ 630,189</strong></td>
<td><strong>18.4%</strong></td>
</tr>
</tbody>
</table>
# Capital Outlay Analysis

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adoption Budget 2010-11</th>
<th>9/30/10 YTD Actual 2010-11</th>
<th>9/30/10 % Budget 2010-11</th>
<th>Adoption Budget 2009-2010</th>
<th>9/30/09 YTD Actual 2009-2010</th>
<th>9/30/09 % Budget 2009-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library Books/Periodicals</td>
<td>$37,168</td>
<td>$43,231</td>
<td>116.3%</td>
<td>$26,859</td>
<td>$3,303</td>
<td>12.3%</td>
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<tr>
<td>Equipment New &amp; Leased</td>
<td>134,138</td>
<td>44,592</td>
<td>33.2%</td>
<td>164,417</td>
<td>21,341</td>
<td>13.0%</td>
</tr>
<tr>
<td>Total</td>
<td>$171,306</td>
<td>$87,823</td>
<td>51.3%</td>
<td>$191,276</td>
<td>$24,644</td>
<td>12.9%</td>
</tr>
<tr>
<td>Other Outgo</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Loan Repayment</td>
<td>$110,375</td>
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<td>$110,374</td>
<td>$110,449</td>
<td>100.1%</td>
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<td>Other Interfund / Intrafund Transfers:</td>
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<tr>
<td>Child Care Fund</td>
<td>148,007</td>
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<td>92,503</td>
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<td>DSPS</td>
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<td>Risk Margin Fund</td>
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<td>BFAP/F</td>
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<td>Matriculation</td>
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<td>Workstudy</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td></td>
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<tr>
<td>Miscellaneous</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$454,272</td>
<td>$ -</td>
<td>0.0%</td>
<td>$212,642</td>
<td>$110,449</td>
<td>51.9%</td>
</tr>
</tbody>
</table>

10/19/10
Marin Community College District
Measure C Bond Modernization Program

Modernization Director's Report to Board of Trustees
October 19, 2010

BUDGET UPDATE

- Bond spending plan: $264.5 million ($249.5 m bond, $15 m interest)
- Reserves: $5,759,000
- Expended to date: $117.9 million (44.6% of bond spending plan)
  - Assessment: $ 5.5 million
  - Planning/design: $44.2 million
  - Construction: $58.2 million

• Summary of modernization items in this agenda:

  Consent (all routine items not requiring resolution or discussion): $254,227
  One (1) new construction contracts ($901)
  Four (4) construction change orders ($100,685)
  Seven (7) professional service agreement amendments ($152,641)

  Action (items requiring resolution or discussion): $0
  Authorize Procurement of Specialty Equipment
  New Fine Arts Building Project (305C)

• Net value of new contracts / changes / amendments in this agenda: $254,227

CURRENT DESIGN (major building projects are listed in bold)

- KTD New Academic Center
  Program validation in process; presentation to BOT at Special Board meeting 10/18/10.

- KTD Child Development Center
  Design kick-off meeting held 10/1/10.

CURRENT CONSTRUCTION (major building projects are listed in bold)

- IVC Trans. Tech. Complex:
  Building is occupied; final punch work is being completed.

- IVC Main Building Complex:
  Change order #22 is submitted this meeting; change orders = 7.39%. Ribbon-cutting scheduled for December 2010.

- KTD Fine Arts Building:
  Change order #8 is submitted this meeting; change orders = 2.39%. Project is on schedule for completion in early January 2011.

- KTD Science/Math/CP:
  Change order #1 is submitted this meeting; change orders = 0.01%. Site grading and underground utilities are underway.
Marin Community College District
Measure C Bond Modernization Program

- KTD SMCP Utility Project: Final paperwork in process.
- IVC Utilities Project (Geothermal II): Change order # 4 submitted this meeting; change orders = 1.17%.

DESIGN COMPLETED / FUTURE CONSTRUCTION (major projects are listed in bold)


OTHER OPEN INITIATIVES

- Swing space/relocation: No activity this month.
- Furniture, fixtures, equipment: FF&E lists for active projects are in process.
- Signage: The KTD PE complex monument sign and KTD perimeter signage installation has begun.

- 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)
- KTD Science Complex Installation of historic items salvaged from Dickson Hall, part of museum in new facility (~$150,000)
- KTD PE Complex Plaque Installation of new modernization plaque to accompany old plaque and LEED award, design to be donated by Kwan Henmi (~$TBD)
COMPLETED PROJECTS** (major projects in bold)  

<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>
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<tr>
<td>KTD Dance Relocation</td>
<td>$770,800</td>
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<tr>
<td><strong>KTD Diamond PE Center</strong></td>
<td><strong>$20,900,000</strong></td>
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<tr>
<td>KTD Dickson Hall Faculty Relocation</td>
<td>n/a</td>
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<tr>
<td>KTD DSPS Relocation</td>
<td>$212,000</td>
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<tr>
<td>KTD Health Services Relocation</td>
<td>$495,000</td>
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<tr>
<td>KTD Larkspur Annex Restoration</td>
<td>$1,200,000</td>
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<tr>
<td>KTD Literacy Lab (partially funded by Redevelopment funds)</td>
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<tr>
<td>KTD Parking Lot 10 Paving Project</td>
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<tr>
<td>KTD Photovoltaic System</td>
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<td>KTD Pool Repair Project</td>
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<tr>
<td>KTD Portable Village Swing Space</td>
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<tr>
<td>KTD West Bridge</td>
<td>$2,000,000</td>
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<tr>
<td>KTD Hazmat Abatement</td>
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<tr>
<td>KTD Science Math Central Plant Complex Increment 1 Site Utilities</td>
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<tr>
<td>KTD and IVC Geothermal Fields</td>
<td>$9,300,000</td>
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<tr>
<td>KTD and IVC Greenhouse/Shade Structure Relocation</td>
<td>$359,000</td>
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<tr>
<td>KTD and IVC Tree Removal</td>
<td>$315,000</td>
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<tr>
<td>IVC 12kV Utility Extension</td>
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<tr>
<td>IVC Creek Erosion Mitigation</td>
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<tr>
<td>IVC Fire Mitigation</td>
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<td>IVC Gas Main Replacement</td>
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<td>IVC Pomo 4 Roof Replacement</td>
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<td>IVC Storm Drain Repairs</td>
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<tr>
<td>IVC TransTech Swing Space</td>
<td>$538,000</td>
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**Total completed projects to date:**  

$52,469,800

**Completed = Notice of Completion filed**
# Alfa Tech Consulting Enterprise (Geothermal / PV @ PE / Sitework)

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<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
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<tbody>
<tr>
<td>Electrical &amp; IT design services for 12 kV Utility</td>
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<td>Amendment 14</td>
<td>In Progress</td>
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<tr>
<td>extension project (413A)</td>
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<tr>
<td>Electrical design for add alternate 8-ticket</td>
<td>11/19/2009</td>
<td>Amendment 21</td>
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<tr>
<td>dispensing machine and future blue light telephone (413A)</td>
<td>11/19/2009</td>
<td>Amendment 21</td>
<td>In Progress</td>
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<tr>
<td>No Cost Time Extension thru 12/31/10</td>
<td>12/31/2010</td>
<td>Amendment 22</td>
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<tr>
<td>Design-PE Center Supplemental Cooling Project 309B</td>
<td>7/1/2010</td>
<td>Amendment 24</td>
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<td>Construction Admin for PE Center Supplemental</td>
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<td>Amendment 24</td>
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<td>Cooling Project 309B</td>
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# Amy Skewes-Cox (EIR)

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# CSW Stuber-Stroeh (Bioswale / West Campus Bridge / Sitework)

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<tr>
<td>Main Building Complex (417A)</td>
<td>10/1/2009</td>
<td>Amendment 26</td>
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<tr>
<td>Design Services to replace backflow devices at PE Complex Diamond PE Center (309B)</td>
<td>1/31/2010</td>
<td>Amendment 27</td>
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<td>No Cost Time Extension thru 12/31/10</td>
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<td>Amendment 28</td>
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# Degenkolb Engineers (District Structural Engineers)

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# ED2 International (Science / Math / Central Plant)

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<tbody>
<tr>
<td>Construction Phase - 24 Months</td>
<td>4/15/09-6/30/12</td>
<td>Contract</td>
<td>In progress</td>
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<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>10/30/2012</td>
<td>Contract</td>
<td>In progress</td>
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<tr>
<td>HABS (Historic American Buildings Survey) (305A)</td>
<td>3/10/2010</td>
<td>Amendment 2</td>
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# F. Fugro West, Inc. (District Soils Engineer)

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

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<tbody>
<tr>
<td>Construction Phase</td>
<td>Original 6/15/09-8/31/09 Contract</td>
<td>In close out</td>
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<tr>
<td>Current completion 3/15/10</td>
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<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>9/10-9/11/10</td>
<td>Contract</td>
<td>In close out</td>
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<tr>
<td>Add'l design services for electrical outlets for new welding equipment power supply (4029)</td>
<td>6/30/2010</td>
<td>Amendment 18</td>
<td>In close out</td>
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<tr>
<td>Reimbursement of US Green Bldg Council fee for LEED review of design credits-Project 815A LEED Registration Fees</td>
<td>6/30/2010</td>
<td>Amendment 19</td>
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# H. Kate Keating Associates, Inc. (District Signage Consultant)

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<tr>
<td>TransTech Complex Signage (4023A)</td>
<td>12/31/2009</td>
<td>Amendment 5</td>
<td>In close out</td>
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<tr>
<td>Main Building Complex Signage (417A)</td>
<td>9/30/2010</td>
<td>Amendment 5</td>
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Milestones listed include BOT approvals/notifications through September 21, 2010
### I. Kwan Henmi (Diamond PE Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
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<tbody>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>1/1/10-1/1/11</td>
<td>Contract</td>
<td>Close out</td>
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### J. Marcy Wong and Donn Logan (FA / PA Buildings)

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<tbody>
<tr>
<td>Performing Arts</td>
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<tr>
<td>Estimated DSA Stamp-out (100% CD's)</td>
<td>Original: 10/14/2008</td>
<td>Current: 5/31/09</td>
<td>Contract Amendment 4</td>
</tr>
<tr>
<td></td>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
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<tr>
<td>Bidding Phase</td>
<td>12/15/09-3/15/10</td>
<td>Contract</td>
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<tr>
<td>Construction Phase</td>
<td>3/16/10-6/30/11</td>
<td>Contract</td>
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<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>5/1/11-7/31/11</td>
<td>Contract</td>
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<tr>
<td>Project Close-out with DSA</td>
<td>4/20/11-8/31/11</td>
<td>Contract</td>
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<tr>
<td>Extra programming &amp; conceptual design schemes</td>
<td>dates not changed</td>
<td>Amendment 1</td>
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<tr>
<td>Survey specs and prelim project scope guidelines</td>
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<td>Amendment 1</td>
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<td>Fina Arts</td>
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<tr>
<td>Construction Phase</td>
<td>Original: 1/18/09-8/31/10</td>
<td>Current: 8/10/09 - 12/21/10</td>
<td>Contract Amendment 4</td>
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<tr>
<td></td>
<td>Due to user group questions concerning restrooms and classroom sizes, the start of CD drawings was delayed.</td>
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<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>Original: 5/1/10-7/31/10</td>
<td>Current: 12/21/10 - 3/1/11</td>
<td>Contract Amendment 4</td>
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<tr>
<td>Project Close-out with DSA</td>
<td>Original: 4/30/10-8/31/10</td>
<td>Current: 4/1/11</td>
<td>Contract Amendment 4</td>
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### K. Nicky & Moore (District Industrial Hygienist Consultant)

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### L. Royston Hanamoto Alley & Abey (District Landscape Consultant)

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<th>Milestone Date</th>
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<tbody>
<tr>
<td>Kentfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>Indian Valley 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>6/19/07 through CA Phase</td>
<td>Amendment 4</td>
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<tr>
<td>Construction Administration</td>
<td>Part of VC Main project</td>
<td>Amendment 5</td>
<td>In Construction</td>
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<tr>
<td>Additional landscape design services (401B)</td>
<td>9/30/2010</td>
<td>Amendment 11</td>
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<tr>
<td>Additional landscape design services (413A)</td>
<td>7/15/2009</td>
<td>Amendment 11</td>
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### M. Steinberg Architects (District Architect)

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### N. Transitions (FF & E Consultant)

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<tbody>
<tr>
<td>FF&amp;E Specifications - PA Modernization (306A)</td>
<td>1/1/2011</td>
<td>Amendment 3</td>
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<tr>
<td>FF&amp;E Specifications - SMCP Increment #3 (305A)</td>
<td>3/1/2009</td>
<td>Amendment 3</td>
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<tr>
<td>FF&amp;E Specifications - TransTech Complex (402A)</td>
<td>7/1/2008</td>
<td>Amendment 3</td>
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<tr>
<td>FF&amp;E Specifications - Main Building Complex (417A)</td>
<td>7/1/2008</td>
<td>Amendment 3</td>
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<tr>
<td>FF&amp;E Specifications - New FA Building (305C)</td>
<td>1/15/2009</td>
<td>Amendment 3</td>
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<tr>
<td>FF&amp;E Tasks: (3) written bids on all equipment procurement; manage off-site storage vendor; process &amp; return items as directed a la (402A)</td>
<td>8/1/2010</td>
<td>Amendment 14</td>
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<tr>
<td>FF&amp;E Tasks: Assist with clarification of equipment electrical supply requirements w/vendors; purchase of equipment, etc. (417A)</td>
<td>9/30/2010</td>
<td>Amendment 14</td>
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<td>Additional CAD services for furniture layouts and space planning-Project 417A Main Bidg Complex</td>
<td>6/30/2010</td>
<td>Amendment 15</td>
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<td>Activity</td>
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<td>--------------------------------------</td>
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<tr>
<td>Construction Phase</td>
<td>Original: 4/4/09-12/1/09</td>
<td>Contract</td>
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<td>Current: 11/20/09-11/29/10</td>
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<td>Bidding and construction start was delayed with plan check review</td>
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<td>Engineering documents &amp; DSA approvals coordination-Project 417A</td>
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### 2.1 Schedule
Marin Community College District – College of Marin
Based on expenditures as of 9-29-10

#### 305A - Science Math Central Plant Complex
See Note 1

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<th>Q2</th>
<th>Q3</th>
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</tbody>
</table>

Oct. 06 Schedule / Budget
Feb. 07 Schedule / Budget
March 09 Schedule / Budget
Nov. 09 Schedule / Budget
Current Schedule (% of current phase)
Current expenditures (% of budget)

- Design
- Construction
- Current expenditures

**Current Date**

- $4,197,602
- $38,246,478
- $42,434,280
- $6,017,000
- $62,923,000
- $69,540,000
- $5,617,000
- $62,923,000
- $69,540,000
- $68,540,000
- $6,316,007
- $2,788,177

#### 306C New Fine Arts Building
See Note 2

<table>
<thead>
<tr>
<th>Year</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
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</tbody>
</table>

Oct. 06 Schedule / Budget
Feb. 07 Schedule / Budget
March 09 Schedule / Budget
Current Schedule (% of current phase)
Current expenditures (% of budget)

**Current Date**

- $1,732,885
- $15,977,033
- $17,709,918
- $1,848,800
- $17,149,500
- $18,999,300
- $2,047,000
- $18,953,000
- $19,000,000

#### 306A Performing Arts Modernization
See Note 3

<table>
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<th>Year</th>
<th>Q1</th>
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<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
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<th>Q4</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
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</tbody>
</table>

Oct. 06 Schedule / Budget
Feb. 07 Schedule / Budget
March 09 Schedule / Budget
Current Schedule (% of current phase)
Current expenditures (% of budget)

**Current Date**

- $1,052,468
- $9,720,632
- $10,773,100
- $1,578,000
- $15,622,000
- $17,200,000
- $1,578,000
- $15,622,000
- $17,200,000
- $1,535,670
### 308 Diamond PE Center Alterations

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<tr>
<th>Quarter</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
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<td>$2,100,503</td>
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<td>Feb. 07 Schedule / Budget</td>
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<td>$2,149,258</td>
<td>$20,255,577</td>
<td>$22,404,836</td>
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<td>$2,149,258</td>
<td>$20,255,577</td>
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<td>Current Schedule (% of current phase)</td>
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<td>100%</td>
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<tr>
<td>Current expenditures (% of budget)</td>
<td>91%</td>
<td>71%</td>
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### 402A Transportation Technology Complex

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<th>2007</th>
<th>2008</th>
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<td>Nov. 09 Schedule / Budget</td>
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<td>$1,464,750</td>
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<td>$13,042,826</td>
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<td>Current Schedule (% of current phase)</td>
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### 417A Main Building Complex

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<th>2007</th>
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<tr>
<td>Nov. 09 Schedule / Budget</td>
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<td>$19,890,000</td>
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<td>$2,410,000</td>
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### 303B New Academic Center

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<tr>
<td>Nov. 09 Schedule / Budget</td>
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<td>$1,623,000</td>
<td>$15,677,000</td>
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<tr>
<td>Current expenditures (% of budget)</td>
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</table>
Notes:
1A) Project duration has changed. The original duration was based on a 50,000 SF bldg 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.
**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. Frances White. 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 A.J. Harrison, II. 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 Procedure 5030 is presented herein for information.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

For information only. No action is required.
AP 5030 FEES

References:
- Education Code Sections 70902(b)(9), 76300, and 66025.3;
- Title 5 Section 51012;
- California Community College Chancellor's Office (CCCCO) Student Fee Handbook

The payment of certain fees may be deferred upon selection of a payment plan.

Required fees include:
- Enrollment (Education Code Section 76300; Title 5 Sections 58500-58509)

Non-resident Tuition (Education Code Sections 76140 and 76140.5 address permissive exemptions):
- All non-resident students enrolling in six or fewer units; or
- A student who is a citizen and resident of a foreign country who demonstrates financial need

Fees authorized by law include:
- Non-District physical education facilities (Education Code Section 76395)
- Non-credit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400-59408)
- Athletic insurance (Education Code Section 70902(b)(9)
- Cross-Enrollment with CSU or UC (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- Student representation (Education Code Section 76060.5; Title 5 Sections 54801-54805)
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Non-resident capital outlay (Education Code Section 76141)
- Non-resident application processing (Education Code Section 76142)
- Credit by Examination (Education Code Section 76300; Title 5 Section 55753)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))

Fees authorized by the California Community College Chancellor's Office (CCCCO) Student Fee Handbook:
- Optional student activities fee (CCCCO Student Fee Handbook)
Prohibited fees include:

- Late application (CCCO Student Fee Handbook)
- Add/drop (CCCO Student Fee Handbook)
- Mandatory student activities (CCCO Student Fee Handbook)
- Student Identification Cards (CCCO Student Fee Handbook)
- Student Body Organization (CCCO Student Fee Handbook)
- Non-resident application (CCCO Student Fee Handbook)
- Field trip (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001 terrorist attacks (CCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- Required or funded services (CCCO Student Fee Handbook)
- Refundable deposits (CCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCO Student Fee Handbook)
- Mandatory mailings (CCCO Student Fee Handbook)
- Rental of practice rooms (CCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- Technology fee (CCCO Student Fee Handbook)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCO Student Fee Handbook)
- Breakage (CCCO Student Fee Handbook)
- Test proctoring (CCCO Student Fee Handbook)
- Collection and Refund of Fees

Collection of Fees (Credit Classes)

Fees shall be assessed and collected at the time of registration. Students shall not be dropped for non-payment of fees after instruction has begun. Students with outstanding fees shall have a hold placed on their record; they shall be precluded from registering in subsequent terms, receiving unofficial or official transcripts, verification of enrollment, and other services.

Optional fees (e.g., student activities fee) shall be assessed at the time of registration. Students may decline payment of optional fees by completing the Optional Fees Form (available on the District website and at the Office of Admissions and Records) and submitting it to the Office of Admissions and Records within two weeks of the start of instruction.

Fees Collected in Error

Fees collected in error will be refunded to the student or the student’s account will be credited with the amount collected in error.

Refunds

The District shall automatically credit the following fees to the student’s account:

- Enrollment Fees (Title 5 Section 50508)
  Enrollment fees paid by a student for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point of the length of a course for short-term a course.
The District is prohibited by law to authorize a refund of any enrollment fee paid by a student for program changes made after the first two weeks of instruction for a primary term-length course or after the ten percent point for the length of the course for a short-term course, unless the program change is a result of action by the District to cancel or reschedule a class or to drop a student pursuant to Title 5 Section 55202(a) where the student fails to meet a prerequisite.

In addition, enrollment fees shall be refunded for program changes as a result of action taken by the District to cancel or reschedule a class or to drop a student pursuant to Title 5 Section 55202(a) where a student fails to meet a prerequisite.

- **Instructional Materials Fees Refund:**
  Materials fees paid by the student provided that no materials have been used for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point of the length of a course for a short-term course and for action taken by the District to cancel or reschedule classes.

- **Non-resident and International Student Tuition:**
  Non-resident or international student tuition paid by a student for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point for the length of course for short-term courses shall be refunded.

The District shall refund the following fees upon the student filing a Refund Request Form within the fiscal year (July 1 – June 30):

- **Community Services Fees**
  Community services fees paid by a student for classes dropped three business days prior to the class start date of the class.

- **Health Fees:**
  Health fees paid by the student only if the District took action to cancel or reschedule a class(es) for which the student was enrolled and the student has no other enrollment for the term.

- **Parking Fees:**
  Parking fees paid by the student may be refunded under the following conditions:
  - The District has taken action to cancel a course for the student was enrolled and the student has no other enrollment for the term in credit, non-credit, community education, or emeritus college courses.
  - The student has dropped all courses on or before the last day to qualify for an enrolment/tuition fee refund.
  - The student has dropped all courses by the ten percent point of the length of a course for a short-term course.
  
  **NOTE:** The parking permit sticker must be returned to the Office of Admissions and Records when making the request for a refund.

- **Student Representation Fee:**
  The student representation fee paid by the student shall be refunded only if the District took action to cancel or reschedule a class(es) for which the student was enrolled and the student has no other enrollment in the term.

**Refund Processing Fee (Title 5 Section 58508):**
A $10 per semester refund processing fee and any outstanding balance due the District will be deducted from all refunds. No refund processing fee will be charged for action taken by the District to cancel or reschedule a class for
which the student was enrolled. The refund processing fee applies to students who drop classes within the published deadline dates and who have not paid their fees.

- From current College of Marin Procedure 6.0011 DP.1 titled Tuition and Fees

Library Fees

1. Student Responsibilities

Failure of students to return borrowed library materials on time will result in a fine. The schedule of fines is as follows:

- **Circulating Books:**

  Books are to be returned or renewed by the date-stamped on the book pocket. If a book is not by the due date, the student will be assessed a fine of 25 cents per day for each day the library is open up to 20 days; then 50 cents per day for the next 10 days. Irrespective of the above schedule, the maximum fine per item is $10.00 plus replacement costs if the book is not returned. For overdue books in the leisure reading collection, the fine will not exceed the replacement cost of the book.

- **Reserve and Other Library Materials:**

  For library materials loaned by the hour, the fine is fifty cents for each hour the library is open in which the item has not been returned. The maximum fine is $10.00. For library materials loaned for periods of seven days or less, the fine is $1.00 per day for each day the library is open. The maximum fine is $10.00.

  When a course-related reserve book becomes overdue, the concerned instructor will be notified. Once the maximum fine on a course-related book has accrued, the borrower may be billed for the replacement of the book.

- **Lost and Damaged Library Materials:**

  Students are charged the replacement cost of the item plus a $5.00 service fee to cover acquisition and processing costs. Replacement charges are in addition to any overdue fines that have accrued to the date when the borrower reported the item to be lost. Borrowers may be required to pay for the replacement of damaged books. If damage is limited to the binding, student will be charged only the cost of rebinding.

- **Delinquencies:**

  If a student does not return library materials and/or pay fees that have accrued for overdue, lost, or damaged items by the last day of the semester, they are considered to be delinquent. The Admissions Office will withhold grades and the issuance of transcripts of academic records until the fees have been paid. In order to register in a subsequent semester, the student’s record must be cleared or approval must be obtained from the Library.

Borrower’s Responsibility:

A schedule of fees for overdue library materials will be provided to each borrower. It is the student’s responsibility to be aware of these rules.

Fees and Charges:

Fees collected for overdue library materials and charges for lost or damaged materials will be applied to the library budget.

2. Faculty and Staff Responsibilities:

If a classified employee fails to return library materials on time, a request for their return will be directed to that person through his/her supervisor.
If a faculty member fails to return library materials on time, he/she will be subject to disciplinary action as provided for in Article XXIV of the collective bargaining contract.

From current College of Marin Procedure 3.0045 DP.1 titled Refunds

1. Callers should first be directed to Admissions and Records or Community Education and Services. Either office will routinely inform a caller of the refund policy and procedure.

2. Admissions and Records will return checks and not charge credit cards if requested classes are already closed.

3. Full refunds will be processed automatically for all cancelled classes. No processing fee will be charged. If a student paid by check or cash, the refund will be by check; if payment was by credit card, the refund will be processed as a credit back to the card used.

4. Requests for refunds for classes not cancelled by the College will be granted but must be received by Community Education and Services in writing at least five working days prior to the start of the class. Requests should be made on the standard Noncredit Request for Refund of Fees form or in a letter containing all of the necessary information (student’s full name, address, daytime phone, social security number, course name and number, signature). The College will retain a $10 processing fee except for cancelled classes or in cases of institutional responsibility.

5. No refunds will be granted after the five-day deadline. However, if a student feels there is legitimate cause for exception, a Student Petition may be submitted for review by the Academic Standards Committee. Petitions for refunds must be submitted by Community Education and Services on the Kentfield Campus or Admissions and Records on either campus. All petitions are reviewed by Community Education and Services prior to submission to the Academic Standards Committee.

6. If a student’s petition is granted, a credit voucher, less a $10 processing fee, will be issued. There will be no refunds at this stage. The voucher will be valid for one year. It can be redeemed for a Community Services class only and is nontransferable and nonrefundable.

7. If the student’s petition is denied, the applicant will be informed by means of a form letter.

8. As with any decision of the Academic Standards Committee, if the student feels that the correct decision was not made in his/her case, last appeal can be made to the Superintendent/President and ultimately the Board of Trustees. All prior substantiation should be sent, along with a letter of appeal, to the Office of the President. This decision will be final.

Also see BP/AP 4040 titled Library and Other Instructional Support Services

Office of Primary Responsibility: Office of Admissions and Records

NOTE: The underlined bold type signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined black italics is recommended by the Dean of Enrollment Management. The text that is struck through is from current College of Marin Procedures 6.0011 DP.1 titled Tuition and Fees approved on 4/14/92 and revised on 12/9/03 and 3.0045 DP.1 titled Refunds approved on 9/10/85 and revised on 4/25/96. Struck through language is recommended for deletion. The text in highlighted in gray reflects recommended revisions from School and College Legal Services added to include language re: the Optional Student Activities fee that was voted on by the students in spring 2010. Everything but the gray highlighted text was approved by Academic Senate 1/29/10. This needs to go back to the Academic Senate for approval Fall 2010. Reviewed by College Council as Information Item 9/16/10, Approved by Academic Senate 9/23/10.