MIRACOSTA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

REGULAR MEETING
4 PM – THURSDAY – APRIL 15, 2021
Zoom Conference

AGENDA

I. CALL TO ORDER

II. FLAG SALUTE / ROLL CALL

III. APPROVE MEETING MINUTES

A. Special Meeting/Board Workshop of March 18, 2021
B. Regular Meeting and Special Meeting/Closed Session of March 18, 2021

IV. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA

PLEASE NOTE: During this time of board meetings being conducted in an online format, public comments, as outlined below, must be emailed to jbollerud@miracosta.edu a minimum of 30 minutes prior to the start of the meeting. Your comment will be read aloud during the meeting. Your email should indicate if you wish the comment to be read at the beginning of the meeting or, if it is regarding an agenda item, if you would prefer the comment to be read at the time the agenda item comes up. All public comments must continue to adhere to the Decorum, also outlined below.

ITEMS ON THE AGENDA: Members of the audience may address the Board of Trustees on any item listed on the agenda when that agenda item comes up for discussion and/or action. Comments will be limited to three (3) minutes per agenda item and a total of fifteen (15) minutes of public comment on any one item, unless waived by the board. Non-English speakers utilizing a translator will have six (6) minutes to directly address the board. Consent items are considered routine and customary district business, and are voted on in one vote; however, a board member or a member of the audience may request that an item listed on the consent items be removed and considered individually.

ITEMS NOT ON THE AGENDA: Members of the audience may address the Board of Trustees on any topic not on the agenda so long as the topic is within the jurisdiction of the district. Under the Brown Act, the board is not permitted to engage in public discussion or take any action on an agenda item not on the agenda, except that members of the board may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code §54954.3. In addition, on their own initiative, or in response to questions posed by the public, a member of the board may ask a question for clarification. A member of the board or the board itself may provide a reference to staff (superintendent/president) or other resources for factual information, request staff (superintendent/president) to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff (superintendent/president) to place a matter of business on a future agenda. Comments from visitors shall not exceed three (3) minutes unless the board waives the time limit. Non-English speakers utilizing a translator will have six (6) minutes to directly address the board. The board may also limit the total amount of time for speakers on a particular topic to fifteen (15) minutes.

DECORUM: Board Policy 2355 requires members of the public to observe order and decorum at board meetings and to conduct themselves in a courteous manner, avoiding profanity, obscenity, other abusive language, and threats of violence. The board president, as presiding officer, has the authority to run the meeting, which includes the authority to issue warnings, call for recesses, or clearing the boardroom in the event of disruptive behavior. Speakers shall speak to the issues and refrain from using defamatory or abusive personal remarks that disturb or impede the meeting or exceed the bounds of civility necessary to the conduct of the business of the district. Government Code section 54954.3(c) establishes that the legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body, and California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any assembly or meeting with lawful authority.

V. CHANGES IN AGENDA ORDER

VI. PRESENTATIONS

A. Phi Theta Kappa Update
B. Student Employee of the Year Award Presentation

VII. CONSENT ITEMS

A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
B. Approve Reorganization of Purchasing Department, Job Descriptions, and Salary Schedules-Purchasing Supervisor, Warehouse Supervisor, Warehouse/Mailroom Specialist
C. Approve Employment Contract for Professional Expert
D. Approve 2021/22 Sabbatical Leave Applications
E. Approve Purchase Order with the Community College Library Consortium
F. Approve Identity and Access Management Security Software Licensing Subscription, Technical Support Services, Maintenance and Professional Services
G. Approve Purchase Order for Network Server and Equipment Refresh/Replacement
H. Approve Renewal of Oracle Enterprise Database Software Maintenance, Licensing, and Technical Support Services
I. Approve Renewal of Data Collection and Assessment System Software, Support Services and Maintenance Agreement with CampusLabs (now known as Anthology)
J. Approve Renewal of Network Security Software Licensing Subscriptions, Technical Support Services and Maintenance Agreements: Endpoint Protection Software and Firewall Software
K. Approve Use of Cooperative Purchase Agreements - CLC Building 100/200 Renovation Project - Parron Hall
L. Approve Construction Services Contracts for Bid MM-20-020 San Elijo B900 & B400 Renovation Projects
M. Approve Construction Services Contract for Bid MM-21-002 OCN Strong Workforce Computer Lab
N. Ratify and Approve Contracts and Purchase Orders February 26 – March 19, 2021

VIII. ACTION ITEMS

A. Appoint Independent Citizens' Bond Oversight Committee Members

IX. BOARD POLICIES – PERIODIC REVIEW (Action Required)

A. Board Policy 3515 – Reporting of Crimes
B. Board Policy 3600 – Auxiliary Organizations
C. Board Policy 5205 – Student Accident Insurance
D. Board Policy 6530 – Vehicle Use/Driver Authorization

X. BOARD POLICIES – FIRST READ

A. Board Policy 6750 – Parking
B. Board Policy 6800 – Occupational Safety
C. Board Policy 7600 – College Police Department

XI. COLLEGE-RELATED REPORTS

A. Trustees Activities
B. Students
C. Classified Employees
D. Faculty
E. Vice Presidents
    1. Instructional Services

2. Student Services
3. Administrative Services
4. Human Resources

F. Office of the President

G. Superintendent/President

XII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

XIII. ADJOURNMENT

UPCOMING MEETINGS

4 p.m. – May 6, 2021
Board Workshop

4 p.m. – May 20, 2021
Regular Meeting

Board meetings are normally held in meeting rooms that are accessible to those with mobility disabilities, however, an executive order issued on 3-18-20 by the Governor of California indicated that the requirements for having a physical space for meetings has been waived due to the coronavirus (COVID-19). Meetings will be held remotely until further notice. If you wish to attend the meeting and/or if you have another disability requiring special accommodation, please contact Julie Bollerud, executive assistant to the superintendent/president, at 760.795.6610 or by email at jbollerud@miracosta.edu. The California Relay Service (CRS) is available by dialing 711, or 1-800-735-2929 or 1-800-735-2922.
In compliance with Government Code §54957.5, nonexempt writings that are distributed to a majority or all of the MiraCosta Community College District Board of Trustees in advance of their meetings may be viewed at the Office of the Superintendent/President, One Barnard Drive, Oceanside, California, or by clicking on the Board of Trustee's website at http://www.miracosta.edu/OfficeOfThePresident/BoardofTrustees/Agendas.htm. Such writings will also be available at the board meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Julie Bollerud, executive assistant to the superintendent/president, at 760.795.6610 or by email at jbollerud@miracosta.edu.

MIRACOSTA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
One Barnard Drive, Oceanside, CA

MINUTES OF BOARD WORKSHOP **March 18, 2021**
(*DRAFT*)

I. CALL TO ORDER
The Board of Trustees of the MiraCosta Community College District met in open session board workshop on Thursday, March 18, 2021, via Zoom conference. President Rick Cassar called the meeting to order at 1:02 p.m.

II. FLAG SALUTE / ROLL CALL
Board members present:

David Broad	Frank Merchat
Rick Cassar	Anna Pedroza
William Fischer	Jacqueline Simon
George McNeil	Kristina Quandt (Student Trustee)

Superintendent/President Sunny Cooke
Vice President Diane Dieckmeyer
Vice President Tim Flood
Vice President Charlie Ng
Vice President Alketa Wojcik
Dean Zhenya Lindstrom
Dean Chris Tarman
Guided Pathways Faculty Lead Luke Lara
Achieving the Dream Coach Kay McClenney

III. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA
None.

IV. CHANGES IN AGENDA ORDER
None.

V. PRESENTATIONS AND DISCUSSIONS

A. What is the Trustee Fellowship?
Trustee David Broad provided an overview of the Trustee Fellowship and the goal and reform strategy, which is to narrow and then eliminate disparities in student success for historically marginalized student groups.

Superintendent/President Sunny Cooke introduced Kay McClenney, who has been working with the college supporting our Achieving the Dream efforts and helping us focus on very specific interventions. Cooke provided an overview of who our students are and the student success and equity work we are doing as an institution.

B. Big Picture Concept of Transformations

Cooke reiterated our commitment to diversity, equity, and inclusion and the actions we have been taking for a number of years. We continue to build on this and improve in the way we serve our students.

Vice President Charlie Ng provided an overview of the focus on being equity-minded in our hiring processes to optimize diversity in our candidate pools, including ensuring that hiring committees are diverse, training is provided on a regular basis, and data on each recruitment is reviewed to ensure disproportionate impacts are minimized. Ng provided an overview of the Campus Climate survey report. The forums, where much feedback has been provided, will inform areas that need focus and may result in changes being made. Recommendations are likely to be steered to existing committees and groups to begin the work of implementing improvements.

Vice President Diane Dieckmeyer provided an overview of the strategic and intentional professional development opportunities offered. She gave examples of how our efforts align with our college goals. Engagement has increased, which has resulted in action to change syllabi and revisit policies.

Dean Zhenya Lindstrom reviewed the Guided Pathways pillars. She provided the background of redesigning the student experience, with the goal of improving outcomes for disproportionately impacted students. She shared the accomplishments from 2018-2020 and leading up to the launch of the Academic Career Pathways (ACPs). The redesign principals were also reviewed, and it was noted that scaling up these efforts at the institutional level will help all students.

Guided Pathways Faculty Lead Luke Lara called attention to the Guided Pathways Dashboard and demonstrated the ability to analyze and/or isolate metrics to help inform the need for comprehensive student education plans (CSEP). He noted that having a CSEP corresponds with better student outcomes across all subsequent metrics and that the majority of students who did not receive a CSEP in their first year of attendance were among our disproportionately impacted groups. Specifically these student groups include our LatinX students, our Black/African American students and students over 25 years of age. How do we get entering students within these populations to complete their CSEP? ACP success teams can help with this outreach effort, initially on the student groups who are disproportionately impacted, and then beyond to other students. Coach Kay McClenney from the American Association of Community Colleges and National Center on Intensive Intervention noted that national data from student focus groups indicate students believe educational planning is the most important service their college provides. Students need a roadmap to know how to complete their educational journey and to make informed choices. This also helps them avoid unknowingly spending excess time and money in their academic journey. From an equity standpoint, ensuring that students receive comprehensive educational planning will ultimately lead to students having access to careers that promote economic mobility.

Lindstrom noted there are six ACP success teams, and in fall 2020, 800 entering students were the focus of our ACP success teams. Many processes were created: ACP Canvas sites, social media, and professional development. In spring 2021, another 400 new students joined the college. Training and planning sessions for ACP success team members have increased. She reviewed some lessons learned and noted that students have provided overwhelmingly positive feedback regarding the role of the ACPs.

Attendees discussed requiring orientation for students at the college. Additionally, Vice President Alketa Wojcik suggested we find ways to include parts of orientation in

introductory courses, so important details of orientation are there not just before classes start, but also along the way in their coursework. For example, if faculty routinely announced in their classes that students need to complete their CSEP in their first semester at MiraCosta, this would be impactful.

The board discussed ways they could advocate for with the goal of doubling the number of CSEPs, including budgeting for more robust advising, success coach roles, dedicated positions to do the work.

C. Reviewing Progress

Diane Dieckmeyer gave a brief AB 705 update and explained how MiraCosta has responded to assist students; we are exceeding state averages in both English and math.

Dean Chris Tarman reviewed leading and lagging indicators. The increase in students completing transfer English and math in their first year, especially in spite of Covid, is impressive. There are still gaps, however, the gaps are closing, especially among Latinx students.

D. Board Reviews Action

Board members discussed, as part of the 2021 budget process, that President Cooke is to develop a three to five-year implementation plan to make investments to support student success in an equitable and sustainable manner and ensure appropriate staffing to meet the needs of students through our guided pathways framework. To enhance focus, the Board will review key Student Success and Equity metrics every semester, rather than annually.

McClenney noted this is large-scale redesign, which requires large-scale work. Working together across divisions, the way in which we budget, and many other pieces will need to be configured to support this work. This is a cultural change, not an operational change, and moving from transactional to relational in the way we interact with students is important to our equity work.

VI. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.

XIV. ADJOURNMENT

The meeting adjourned at 3:11 p.m.

MINUTES APPROVAL:

Richard Cassar Board President	Sunita V. Cooke, Ph.D. Superintendent/President

MIRACOSTA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
One Barnard Drive, Oceanside, CA

MINUTES OF REGULAR MEETING **March 18, 2021**
(*DRAFT*)

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, March 18, 2021, via Zoom conference. President Rick Cassar called the meeting to order at 4:02 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

David Broad	Frank Merchat
Rick Cassar	Anna Pedroza
William Fischer	Jacqueline Simon
George McNeil	Kristina Quandt (Student Trustee)

Administrators present:
Superintendent/President Sunny Cooke
Vice President Diane Dieckmeyer
Vice President Tim Flood
Vice President Charlie Ng
Vice President Alketa Wojcik

III. APPROVE MEETING MINUTES

A. Special Meeting /Closed Session of February 18, 2021
B. Regular Meeting of February 18, 2021

By motion of Trustee McNeil, seconded by Trustee Fischer, the minutes of the special meeting/closed session of February 18, 2021, and the regular meeting of February 18, 2021, were approved.

Vote:	7/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions:	None
Absent:	None

IV. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA

None.

V. CHANGES IN AGENDA ORDER

None.

VI. PRESENTATIONS

A. FY2020 Annual District and Measure MM Audit Presentation

Vice President of Administrative Services Tim Flood provided an overview of the FY2020 Annual District Financial and Measure MM Audit. Senior Manager Rachel Green and Managing Partner Rick Alonzo of the audit firm of Eide Bailly, LLP, certified public accountants licensed by the California Board of Accountancy, presented the audit report. The district and Measure MM audits included examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements, along with assessing the accounting principles used, and significant estimates made by management.

Mr. Alonzo reported that this year was unique in that the audit was performed entirely online, and the response and support from district personnel was outstanding.
The district received an Unmodified Opinion, that is, the district complied, in all material respects, with the compliance requirements for financial statements and that the statements present fairly the financial position of the General Obligation Bond Fund (Measure MM) as of June 30, 2020. The district's performance audit found that MiraCosta Community College District had properly accounted for the expenditures held in the General Obligation Bond Fund (*Measure MM*) and that such expenditures were made for authorized bond projects. It is the opinion of the auditing firm that the District's Measure MM General Obligation Bond Fund (Measure MM) funds are in compliance with Proposition 39, as outlined in Article XIIIA, Section 1(b)(3)(C), of the California Constitution.

Mr. Alonzo reviewed the summary of auditors results, located on page 103 of the FY2020 Annual District Financial Audit, and the summary of the results of the bond audit located on pages 2 and 20 of the FY2020 Annual Measure MM Audit. He noted there were two deficiencies identified in the District Financial Audit report regarding federal awards, however, neither were considered a material weakness:

- Timing of the Return of Title IV funds within forty-five (45) days was not met for two instances (62 and 66 days) of the 40 records tested.
- Public Reporting of the CARES Act – Financial Aid within thirty (30) days following the award allocation date and update that information every 45 days thereafter. The district posted the report late by 81 days.

The district has implemented corrective action plans to address both findings.

VII. CONSENT ITEMS

A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
B. Approve One-Year Extension of the Existing Agreement between MiraCosta Community College District and Classified Senate and a Salary Schedule Increase for 2021/22
C. Ratify Memorandum of Understanding 20-01 with the Classified Senate
D. Ratify Memorandum of Understanding 21-01 with the Faculty Assembly
E. Ratify Memorandum of Understanding 21-02 with the Faculty Assembly
F. Ratify Memorandum of Understanding 21-03 and 21-04 with the Faculty Assembly
G. Ratify Memorandum of Understanding 21-01 with the Academic Associate Faculty

H. Ratify Memorandum of Understanding 21-02 with the Academic Associate Faculty

I. Approve Reorganization for Instructional Services/Administrative Services, Job Description, and Salary Placement - Associate Vice President and Chief Information Services Officer

J. Adopt Resolution Authorizing Designated Agents

K. Approve 2021/22 Material Fees List

L. Approve Curriculum for 2021/2022 Catalog, Part III

M. Notice of Completion – Bid #MM-19-100 CLC Monument and SBDC Demolition

N. Approve FF&E Purchase for CLC Building 100 & 200 Renovation Project – Parron Hall

O. Approve FF&E Purchase for CLC Building 100 & 200 Renovation Project – Virco, Inc.

P. Ratify and Approve Contracts and Purchase Orders February 1 - through February 25, 2021

Consent Item M and P were pulled for discussion.

By motion of Trustee Simon, seconded by Trustee Pedroza, consent items A through L, and items N and O were approved.

Vote:	7/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions:	None
Absent:	None

By motion of Trustee Merchat, seconded by Trustee Simon, consent item M was approved.

Vote:	6/1/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Simon
Abstentions:	Pedroza
Absent:	None

By motion of Trustee McNeil, seconded by Trustee Fischer, consent item P was approved.

Vote:	6/1/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Simon
Abstentions:	Pedroza
Absent:	None

VIII. ACTION

A. Board Resolution No. 10–20/21, Support of Assembly Bill 927 (Medina): Baccalaureate Degree Pilot Program

By motion of Trustee McNeil, seconded by Trustee Merchat, the board adopted Board Resolution No. 10-20/21 in support of Assembly Bill 927 (Medina): Baccalaureate Degree Pilot Program.

Vote:	7/0/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions:	None
Absent:	None

A. Approve Submission of 2021 California Community Colleges Trustee Board Election Ballot

By motion of Trustee Merchat, seconded by Trustee McNeil the board approved the process of submitting the 2021 California Community Colleges Trustee Board election ballot.

Vote:	7/0/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions:	None
Absent:	None

IX. BOARD POLICIES – PERIODIC REVIEW

A. Board Policy 2015 – Student Trustee

By motion of Trustee McNeil, seconded by Trustee Merchat, the board approved the periodic review and adopted Board Policy 2015 – Student Trustee.

Vote:	7/0/0
Aye:	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions:	None
Absent:	None
Student Advisory:	Quandt

X. INFORMATION

A. Summer 2020 Credit Graduate List

The Summer 2020 credit graduate list was reviewed for information.

B. Annual Financial Audit Services and Performance Audit of the Building (Measure MM) Fund for FY2021/22

The Annual Financial Audit Services and Performance Audit of the Building (Measure MM) Fund for FY2021/22 was reviewed for information.

XI. COLLEGE-RELATED REPORTS

A. Trustees Activities

Trustees Broad, Fischer, McNeil, Merchat, Simon, and Cassar attended the Annual SDICCCA dinner on March 4. Trustee Broad attended the Foundation Board Meeting and the Facilities Board Liaison meeting along with Trustees Merchat and Cassar. Trustee Fischer, Merchat, Broad and others attended the celebration retirement for Cynthia Rice. Trustees Fischer and Cassar attended a webinar hosted by Congressman Mike Levin titled *Opportunities and Challenges for Black Students*; Trustee Merchat attended a webinar that reviewed legislative accomplishments; and they attended the PADEI meeting. Trustee McNeil attended an all-day webinar on undocumented students hosted by the college, and a GEAR UP meeting. Trustee Simon attended a CLC reading festival event about homelessness, and the PTK Induction Ceremony. Trustee Cassar participated in a Counseling Equity Webinar series, which featured Dr. Wendy Stewart, MiraCosta's Dean of Counseling, and was attended by over 500 attendees.

B. Students

Student Trustee Kristina Quandt reported that students are getting ready for spring break, and she suggested that students be given the option to return to campus (with safety measures), or to continue to attend classes remotely.

C. Classified Employees

Classified Senate President Carl Banks reported the Classified Senate had an emergency meeting this past week to discuss the Memorandum of Understanding regarding Classified Senate negotiations. He said that they would be hosting a special

forum to hear from Classified Employees who did not receive a stipend due to Covid. So far, the Classified Senate has held two forums regarding Back2Campus. Other issues in progress include arranging a meeting with the confidential classified employee group, updating bylaws, policies, and procedures, and completing the election of new officers.

D. Faculty

Academic Senate President Luke Lara thanked the board for approving the faculty Memorandums of Understanding at the meeting today regarding the IFLs and also the Joyful Teacher. He extended an invitation to the college community and the board to watch the Academic Senate meeting on April 2, as there will be a presentation by Dr. Joely Proudfit, faculty member in the American Indian Studies Program and Director of the California Indian Culture and Sovereignty Center at CSUSM, who will be talking about the importance of land recognition. Dr. Lara congratulated Leila Safaralian for being elected as Academic Senate president elect for next year. He added that Robin Allyn will replace Thao Ha as coordinating director. Newly elected fulltime faculty senators will be Jim Julius, Delores Loedel, Tyrone Nagai, and Gilbert Neri. Associate faculty senators elected include Krista Warren, Hossein Ravanbaksh, Karla Cordero, and Michael Arce.

E. Vice Presidents

1. Instructional Services

Vice President Dieckmeyer reported that her team is very busy planning for the fall, and she expressed gratitude to department chairs, faculty, and deans for their hard work on this topic. She said they are making great progress within timelines for schedule development so registration can begin early May.

2. Student Services

Vice President Wojcik updated the board on plans for graduation. A virtual graduation ceremony is being planned for May 28, drive-thru options will be held on campus May 20-21, where employees and board members invited to cheer-on the graduates in their cars on Barnard Drive.

3. Administrative Services

Vice President Flood thanked the entire college, the finance department, and Kitchell for their hard work in helping the district receive a good audit. He is currently working with SDG&E on a grant program for vehicle charging stations.

4. Human Resources

Vice President Ng thanked the Human Resource staff for their work in preparing for negotiations, as well as preparing for the upcoming move to the temporary trailers.

F. Superintendent/President

Superintendent/President Cooke thanked everyone who participated in the Board Workshop today, which focused on enhancing student success and closing equity gaps. Zhenya Lindstrom, Thao Ha, Luke Lara, Chris Tarman, and Diane Dieckmeyer were the leads in this work. Great conversations were held, and a lot of information was covered. The SDICCCA dinner included a panel discussion, in which Luke Lara was a panel member, and she thanked him for his participation. Retirees Constance Carroll and Kindred Murillo were honored at the dinner; Mark Sanchez will be replacing Kindred Murillo at Southwestern CCD, and Carlos Cortez will be the new Chancellor at San Diego CCD. Dr. Cooke said that a lot of work is happening on campus regarding facilities and information systems. Trailers that will serve as the swing space during the renovation of the Administration Building are arriving. PIO's Kristen Huyck and team have been working tirelessly making sure communication is clear and transparent. Cooke also recognized

Sue Kubik, who has been helping in the area of the comprehensive campaign, as we are in the process of a national search for the AVP of Advancement position.

XII. DECLARE NEED FOR CLOSED SESSION

At 5:25 p.m., the board announced the need to enter closed session, along with Superintendent/President Sunny Cooke and Vice President Charlie Ng, to discuss the following topics:

A. Conference with Legal Counsel
Anticipated Litigation, Number of Potential Cases: 2
(Pursuant to Government Code section 54956.9(d)(2))
- Public Employment Relations Board Complaint
- JPA 37-2020-00027243

B. Conference with Labor Negotiators
(Pursuant to Government Code Section 54957.6)
Agency designated representatives: Superintendent/President Sunita V. Cooke, Vice President, Human Resources Charlie Ng
Employee organizations: All

C. Public Employee Performance Evaluation
(Pursuant to Government Code section 54957)
Title: superintendent/president

XIII. RECONVENE IN OPEN SESSION – REPORT ACTION FROM CLOSED SESSION

At 6:52 p.m., the board returned to open session to report the following:

A. Conference with Legal Counsel
Anticipated Litigation, Number of Potential Cases: 2
(Pursuant to Government Code section 54956.9(d)(2))
- Public Employment Relations Board Complaint
- JPA 37-2020-00027243

No action taken.

B. Conference with Labor Negotiators
(Pursuant to Government Code Section 54957.6)
Agency designated representatives: Superintendent/President Sunita V. Cooke, Vice President, Human Resources Charlie Ng
Employee organizations: All

No action taken.

C. Public Employee Performance Evaluation
(Pursuant to Government Code section 54957)
Title: superintendent/president

No action taken.

XIV. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.

XV. ADJOURNMENT

The meeting adjourned at 6:52 p.m.

MINUTES APPROVAL:

Richard Cassar
Board President

Sunita V. Cooke, Ph.D.
Superintendent/President

Subject:	Attachment:
Phi Theta Kappa Update	None
Category:	Type of Board Consideration:
Presentations	✓ Information Consent Action
	Approved for Consideration:
	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The mission of Phi Theta Kappa is to recognize academic achievement of college students and to provide opportunities for them to grow as scholars and leaders.

STATUS

Phi Theta Kappa officers will report on the activities and accomplishments of the 2020/21 academic year.

RECOMMENDATION

For information only.

Subject:	Attachment:
Award Presentation: Student Employee of the Year 2020/21	None
Category:	**Type of Board Consideration:**
Information	Information ✓ Consent Action
Recommended: Diane Dieckmeyer Diane Dieckmeyer, Ed.D. Vice President, Instructional Services	**Approved for Consideration:** Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Each spring, as part of the tradition of celebrating excellence and achievement at MiraCosta College, supervisors of student employees from every MiraCosta campus have the opportunity to nominate a student employee for Student Employee of the Year based on the National Association of Colleges and Employers core competencies: critical thinking/problem solving, oral/written communications, teamwork/collaboration, digital technology, leadership, professionalism/work ethic, career management, global/intercultural fluency, and the student's contribution to MiraCosta College. This year, three students were nominated, and a committee ranked the nominees to decide the winner.

STATUS

The 2020/21 nominees will be acknowledged and the Student Employee of the Year will be honored. Due to the COVID-19 pandemic, the National Association of Student Employment will recognize the top students from each region.

RECOMMENDATION

For information only.

Subject:	Attachment:
Ratify Recommendations of Superintendent/President in Approving Personnel Actions	None
Category:	**Type of Board Consideration:**
Consent Items	Information ✓ Consent Action
Recommended:	**Approved for Consideration:**
Charlie Ng Vice President, Human Resources	Sunita V. Cooke, Ph.D. Superintendent/President

STATUS

1. Retirement of the following employees:

   Gilbert Good, Lead Vehicle and Equipment Mechanic, Facilities, position P-00258, effective April 30, 2021.

   David Montague, HVAC Technician, Facilities, position P-00195, effective June 30, 2021.

   Leslie Nemour, Instructor, Art, position P-00462, effective May 28, 2021.

2. Resignation of Julio Rodriguez, Instructor, Physics, position P-00600, effective May 28, 2021.

3. Employment of the following classified employees:

   Kirsten Smith, Payroll Specialist, salary range 24, step 1, $5,690.50 per month, 40 hours per week, 12 months per year, effective March 1, 2021. Kirsten was selected through an open recruitment process.

   Gabriela Beas, Student Services Specialist, School Relations and Diversity Outreach, position P-06219, salary range 21, step 2, $5,505.34 per month, 40 hours per week, 12 months per year, effective April 12, 2021. Gabriela was selected through an open recruitment process.

4. Permanent change of assignment for David Farnham, Refuse and Recycling Worker, Grounds, position P-05800, increase in hours from 30 to 40 hours per week, effective March 1, 2021.

5. Temporary change of assignment for the following employees:

   Amber Ansari, Financial Aid Assistant, position P-06188. Amber will continue to serve as an interim Financial Aid Technician, position P-07359, salary range 22, longevity year 8, $6,885 per month, full-time, effective March 1 - August 31, 2021.

Kaarina Towey, Testing Services Assistant, position P-00393, will continue to serve as an interim Testing Services Specialist, position P-07027, salary range 19, step 2, $ 5,197 per month, 40 hours per week, effective March 15 - June 30, 2021.

6. Temporary reclassification per Section H.5.0, Classified Senate Employee Manual, for Carlos Carrizosa, Police Officer, position P-00308, to acting Police Sergeant salary range 34, step 1, $7,595.50 per month, full-time, effective March 12 – March 31, 2021. Carlos will continue to work this assignment from May 1 - May 31, 2021.

7. Temporary additional assignment for Juan Velasco, Administrative Support Assistant I, Transfer Center, position P-06166, 18 hours per week, will serve as a Campus Aide III – Transfer Center, $18 per hour, as needed, effective April19 - June 30, 2021.

8. Michael Fino, Dean – Math and Sciences, position P-00438, requests advancement on the Academic Administrators salary schedule due to the completion of a doctorate degree (as per Chapter IV of the MCCCDAAA Working Conditions Manual), advancement from the Deans non-doctorate column to the Deans doctorate column, effective June 1, 2021.

9. Employment of the following associate faculty members for the 2021 spring session, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Jesus Montoya	Counseling
Yelena Raysky	Counseling
Dulce Rojas	Counseling

10. Request approval of the following short-term and substitute employees. These employees meet the Education Code 88003 definition of short-term and substitute employees, and as such, these employees will be employed and paid less than 75 percent of the college year:

Employee	Job Title	Assignment	Department	Pay Rate	Start Date	End Date
Carlos Rodriguez Dominguez	Campus Aide II	Substitute	Student Equity	$16/hr	3/15/21	6/30/21
Michael Farrow	Learning Coach	Short-term	Writing Center	$30.99/hr	4/16/21	6/30/21
Khadijah Bint Sadiq Abdulmateen	Workshop Presenter	Short-term	Student Equity	$200 stipend	4/28/21	4/28/21
Melissa Nou	Testing Services Assistant	Substitute	Testing Services	$22.55/hr	3/15/21	6/30/21
Arleen Palafox	Testing Services Specialist	Substitute	Testing Services	$28.41/hr	3/15/21	6/30/21
Caitlyn Ratcliffe	Assistant Athletic Trainer	Short-term	Athletics and Intramurals	$32.83/hr	4/16/21	6/30/21
Darrenn Williams	Workshop Presenter	Short-term	Student Life and Leadership	$500 stipend	3/18/21	6/30/21
Kelly Lopez DeVore	GEAR UP Aide III	Short-term	GEAR UP	$18/hr	4/16/21	6/30/21
Alexandria Ramseier Emanuel Prince Quiemari Mikes	Campus Aide I	Short-term	Student Equity	$14/hr	5/17/21	7/30/21
Josh Mamalyga Teya Searles Josue Navarrete Jordonna Makihele Natalie Flores Gonzalez	Campus Aide III	Short-term	Student Equity	$18/hr	4/16/21	8/31/21
Julie Astorga Mayra Martinez Alfonso Gomez Jimenez Ashley Osorio Melissa Ortega	Campus Aide III	Short-term	Student Equity	$18/hr	4/16/21	8/31/21

Daja Marks Jade MacEoghain Kelly DeVore Aurora Monette Iglesias Kasandra Rojas	Campus Aide III	Short-term	Student Equity	$18/hr	4/16/21	8/31/21
Ian Clark	Campus Aide I	Short-term	Student Equity	$14/hr	5/17/21	7/30/21
Kristopher Apple	Music Composer	Short-term	Dance	$500.50 stipend	4/16/21	5/16/21
Frida Villeda	Campus Aide III	Short-term	Student Equity	$18/hr	7/1/21	12/31/21
Helaina Baes-Erbs	Instructional Assistant	Short-term	Music	$26.05/hr	4/16/21	6/30/21
Yasmine Willis Hernandez	Student Services Specialist	Short-term	Student Equity	$30.11/hr	5/21/21	9/30/21

RECOMMENDATION

Ratify recommendations of superintendent/president in approving personnel actions, as stated above.

Subject:	Attachment:
Approve Reorganization of Purchasing Department, Job Descriptions, and Salary Schedules-Purchasing Supervisor, Warehouse Supervisor, Warehouse/Mailroom Specialist	**Job Descriptions:** **Purchasing Supervisor** **Warehouse Supervisor** **Warehouse/Mailroom Specialist**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: **Charlie Ng** **Vice President, Human Resources**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Purchasing
There have been several personnel changes in the Purchasing Department in the past year, which created an opportunity to evaluate the department's structure and effectiveness. The Lead Buyer and Fixed Assets and Administrative Services Specialist both retired, and a new Director of Purchasing was hired following the retirement of another long serving district employee. It was determined to eliminate the Lead Buyer, the Assistant Buyer, and the Fixed Assets and Administrative Services Specialist positions and create three new positions, the Purchasing Supervisor, the Warehouse Supervisor, and the Warehouse/Mailroom Specialist. The creation of the new positions will allow the department to equitably assign work, improve the span-of-control of the Director of Purchasing and Materials Management, and streamline services in meeting district needs with limited staff.

STATUS

Purchasing
Upon identifying divisional needs, it has been determined that a reorganization is necessary to structure the Purchasing Department to better utilize staff and streamline services.

There is no net change in headcount nor budget increase for the department with the recommended reorganization. At Step 3, the fiscal year 2020/21 financial impact is as follows:

- Abolish classification: Lead Buyer, Range 27, Step 3 ($82,654)
- Abolish classification: Fixed Assets and Administrative Services Specialist, Range 19, Step 3 ($65,605)
- Abolish classification: Mail Carrier, Range 11, Step 3 ($52,074)
- Abolish classification: Materials Management Specialist, Range 18, Step 3 ($63,758)
- Abolish classification: Assistant Buyer, Range 20, Step 3 ($67,510)
- New classification: Purchasing Supervisor, Range 30, step 3 ($90,126)
- New classification: Warehouse Supervisor, Range 26, Step 3 ($80,293)

- New classification: Warehouse/Mailroom Specialist, Range 18, Step 3 ($63,758)

Using Step 3 for all affected positions in the analysis, the proposed staff changes will create $97,424 in savings and reduce two (2) headcount for the department. Using actual salaries and vacancy assumptions, the proposed staff changes will create $88,789 in savings.

- Purchasing Supervisor Salary Schedule

Range	Step 1	Step 2	Step 3	Step 4	Step 5
30	$81,203	$85,681	$90,126	$94,578	$99,056

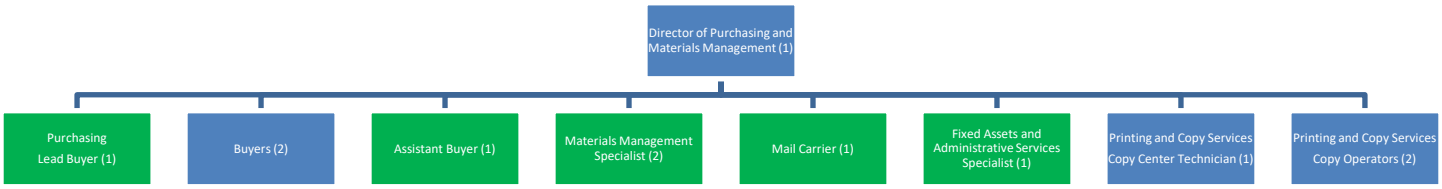
- Warehouse Supervisor Salary Schedule

Range	Step 1	Step 2	Step 3	Step 4	Step 5
26	$72,359	$76,329	$80,293	$84,259	$88,228

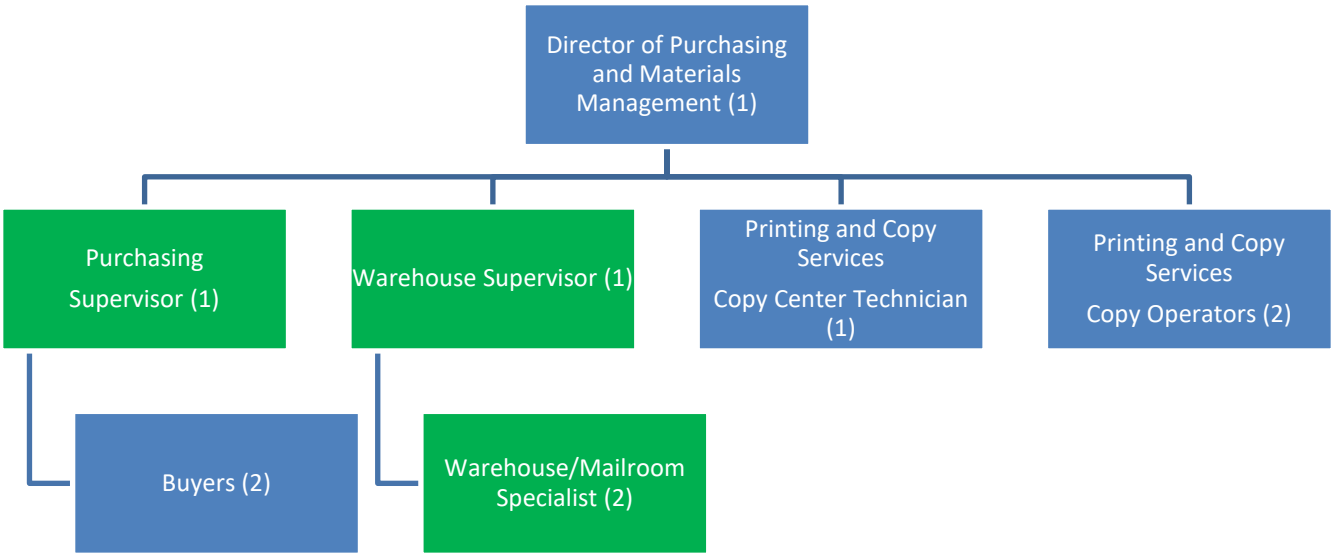
- Warehouse/Mailroom Specialist Salary Schedule

Range	Step 1	Step 2	Step 3	Step 4	Step 5
18	$57,433	$60,568	$63,758	$66,896	$70,028

Current Organization Chart – Purchasing



Proposed Organization Chart – Purchasing



As authorized by Title 5, section 53021(c)(1):

- Reclassify Kim Simonds to Purchasing Supervisor, position P-00098, Range 30, Step 5, effective April 16, 2021.
- Reclassify Kurt Borger to Warehouse Supervisor, position P-05820, Range 26, Step 5, effective April 16, 2021.
- Reclassify Mary Oliver to Buyer, position P-07050, Range 24, Step 5, effective April 16, 2021.
- Reclassify DeWayne Conley to Warehouse/Mailroom Specialist, Position P-00276, Range 18, Step 5, effective April 16, 2021.
- Reclassify John Permetti to Warehouse/Mailroom Specialist, Position P-00278, Range 18, Step 5, effective April 16, 2021.

RECOMMENDATION

Approve reorganization of Purchasing Department, Job Descriptions, and Salary Schedules-Purchasing Supervisor, Warehouse Supervisor, Warehouse/Mailroom Specialist, as stated above.

Subject:	Attachment:
Approve Employment Contract for Professional Expert	None
Category:	**Type of Board Consideration:**
Consent Items	Information ✓ Consent Action
Recommended:	**Approved for Consideration:**
Charlie Ng Vice President, Human Resources	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The College Development department requires a Director of Development to plan, develop and implement strategies for achieving the college's fund development and donor development goals and initiatives for the MiraCosta College Foundation. The district conducted a review of similar Director of Development positions, which included a determination as to the nature of the work and the appropriate status of the position.

STATUS

After conducting the review, the district has determined the appropriate classification for the above position is professional expert, as authorized by California Education Code Section 88003.1(b)(2). As a result, the following employment contract is recommended for the professional expert position with the term commencing on April 16, 2021 to April 15, 2022:

- Caleb Rainy, Director, Development, full-time annual rate, $101,521 (2021/22 professional expert salary schedule), effective April 16, 2021.

RECOMMENDATION

Approve employment contract for professional expert, as stated above.

MiraCosta Community College District
PERSONAL SERVICES CONTRACT
(Director of Development)

This contract ("Agreement") between the MiraCosta Community College District ("District") and Caleb Rainey ("Rainey"), an individual, is made as of April 16, 2021.

Recitals

A. The District is authorized by California Education Section 88003.1(b)(2), which provides for personal services contracting when the services to be performed are not available through the District, cannot be performed satisfactorily by District employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience and ability are not available through the District.

B. The District desires the personal services of Rainey for the services described in this Agreement and Exhibits.

C. Rainey warrants and represents that he is competent to perform the duties and responsibilities required by this Agreement and by all applicable laws and regulations.

D. This Agreement is subject to all the applicable laws of the State of California, the rules and regulations of the State Board of Governors, and the rules and regulations of the District's Governing Board.

E. This Agreement is entered into in accordance with Education Code section 88003.1.

Terms and Conditions

1. Position and Term.

1.1 Position. District agrees to retain Rainey and Rainey agrees to be retained by District as the Director, Development. Rainey has the responsibilities and authority that are associated with Rainey's position as defined in the position description and all other duties and responsibilities as assigned or required by the Superintendent/President or designee.

1.2 Term. The term of this Agreement is from April 16, 2021 to April 15, 2022, unless terminated pursuant to the terms of this Agreement.

2. Salary and Benefits.

2.1 Salary. Rainey's annual salary shall be $101,521. The salary will be prorated for service performed of less than one year. The salary will be paid according to District's customary payroll practices. All payments of pay or other compensation

payments will be reduced by any applicable withholdings and deductions (including voluntary withholdings).

2.2 Benefits. Rainey shall be entitled to the following District benefits:

- 16.67 hours of vacation accrued per month of service (up to 200 hours annually);
- Sick leave at the rate of one (1) day per month of service;
- Health and Medical insurance coverage, and District contribution toward that insurance coverage, as is provided to employees of the District employed at 50% or more of a full-time-equivalent.
- Membership in the California Public Employees' Retirement System ("CalPERS") contingent on meeting eligibility requirements under the Public Employees' Retirement Law.

2.3 Overtime Status. The parties acknowledge and agree that the position of Professional Expert requires more than 40 hours' week per week. The parties further acknowledge that this position is exempt from the payment of overtime under state and federal law.

3. Indemnity. As provided in Government Code sections 825 and 995 et seq.

4. Termination of Agreement Due to Loss of Funding/End of Project. Rainey acknowledges and understands that the position of Director of Development is a project specific position. As such, Rainey's employment is not a part of the classified service, and Rainey has no right or expectation of permanent employment at any time. As such, if the District loses the funding for the position, or the project ends, this Agreement shall be terminated effective upon the cessation of the funding for the position or upon the end of the project. Termination due to a loss or non-renewal of the funding or end of project does not trigger the severance pay under Paragraph 5 below.

5. Settlement on Termination of Agreement Without Cause. Regardless of the term of this Agreement, the Board may terminate this Agreement at any time prior to the date on which the term of this Agreement would have otherwise expired, without cause. In such an event, the maximum cash settlement Rainy may receive shall be equal to the monthly pay of Rainy multiplied by the number of months left on the unexpired term of this Agreement, or three (3) months, whichever is less, and shall not include non-cash items. The intent of this provision is to satisfy the requirements of Government Code sections 53260-53264, and this provision shall be interpreted in a manner consistent with those statutes. District agrees to pay any lump sum cash payment ("Severance Pay"), less legally required for authorized deductions except contributions to CalPERS, if applicable, within thirty (30) days of the effective date of termination. In exchange for any lump sum cash payment provided to Rainy, Rainy shall execute a release and waiver, in a form acceptable to the legal counsel for District, releasing the District, and all of its elected officers, employees, agents, representations, and attorneys, from any claim associated with the termination.

6. Termination of this Agreement During its Term With Cause. The Board may terminate this Agreement during its term and discharge Rainy if Rainy commits a material and substantial breach of this Agreement and/or for cause. Such breach of Agreement and discharge shall nullify the terms of this Agreement and Rainy shall cease to receive any form of compensation upon the effective date of termination. The term "cause" is defined as those actions, omissions, or behaviors which are detrimental to the operations of the District and/or its major instructional, student and administrative divisions, or which impair the District's mission, purpose, or objectives. Conduct which constitutes a breach of contract and cause for discharge, includes, but is not limited to: unsatisfactory work performance, insubordination, failure to comply with district policy, rules and regulations or other misconduct which interferes with the performance of their duties and responsibilities to the district.

7. Provisions of Government Code Sections 53243.3-53243.4.

7.1. In the event that District provides paid leave to Rainy pending an investigation of a crime involving abuse of his office or position covered by Government Code section 53243.4, and should that investigation lead to a conviction, Rainy shall fully reimburse District for any salary provided for that purpose.

7.2. In the event that District provides funds for the legal criminal defense of Rainy pending an investigation of a crime involving an abuse of his office or position covered by Government Code section 53243.4, and should that investigation lead to a conviction, Rainy shall fully reimburse District for any funds provided for that purpose.

7.3. In the event that District provides a cash settlement related to the termination of Rainy as defined in the terms of this Agreement and Rainy subsequently is convicted of a crime involving abuse of office or position covered by Government Code section 53243.4, Rainy shall fully reimburse District for any funds provided for that purpose.

7.4. "Abuse of office or position" is defined in Government Code section 53243.4 to mean either of the following:

7.4.1. An abuse of public authority, including, but not limited to, waste, fraud, and violation of the law under color of authority.

7.4.2. A crime against public justice, including, but not limited to, a crime described in Title 5 (commencing with Section 67), Title 6 (commencing with Section 85) or Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

8. Miscellaneous Provisions. This Agreement contains the entire agreement and understanding between the parties. There are no oral understandings, or terms and conditions not contained or referenced in this Agreement. This Agreement cannot be changed orally. It may be modified in writing by mutual agreement of the parties as set

forth above. This Agreement supersedes all Board Policies, rules, regulations, handbooks or practices which are inconsistent with or in conflict with this Agreement.

9. Representations and Warranties.

Rainy represents and warrants that Rainy:

(A) has read this Agreement and understands its provisions; and

(B) is freely and voluntarily signing this Agreement.

MiraCosta Community College District

By: _____
Sunita V. Cooke, Ph.D.
Superintendent/President

Caleb Rainey
Caleb Rainey

Subject:	Attachment:
Approve 2021/22 Sabbatical Leave Applications	Sabbatical Leave Applications – Fall 2021/Spring 2022
Category:	Type of Board Consideration:
Consent Items	Information Consent Action
Recommended:	Approved for Consideration:
Diane Dieckmeyer, Ed.D. Vice President, Instructional Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

As established in board policy, the superintendent/president, the Professional Advancement Committee, and the Academic Senate evaluate and recommend sabbatical leaves to the board of trustees.

STATUS

Based on the Faculty Assembly contract, the number of sabbatical leaves available is up to eight percent of the full-time faculty in an academic year, which for 2021/22 would be fourteen. Seven faculty members submitted sabbatical leave applications, and seven applications were forwarded to and approved by the Sabbatical Leave Committee on October 21, 2020, and approved by the Academic Senate on November 20, 2020.

RECOMMENDATION

Approve the 2021/22 sabbatical leave applications, as detailed on the following synopsis.

Summary of Sabbatical Leave Applications
Fall 2021 / Spring 2022

	Name	Department	Term	ABSTRACT
1	CLEVELAND, Karl	MAT	Spring 2022	During sabbatical leave, I intend to study full stack web application development using advanced JavaScript and the MERN technology stack. I further intend to study computer programming in the context of the visual arts through explorations of generative and algorithmic art-making. Lastly, I plan to explore traditional printmaking with a goal of finding ways to integrate digital and analog printmaking processes in creative ways. Media arts touches upon so many differing technologies and interdisciplinary skillsets that it requires constant professional development in order to keep pace with industry. A suite of evolving web technologies and frameworks have brought new capabilities to desktop and mobile browsers, but also increasing sophistication. In order to keep pace with student and industry needs and expectations, I must keep my web development skills on the cutting edge. This proposal allows me to do that. In addition, as a faculty member in media arts and technologies, I need to engage in and develop my own artistic and professional practices. I need to 'make stuff' as I often teach from direct experience creating media products and user experiences. This proposal allows me to cultivate and learn new artistic practices in both digital and traditional media.
2	DAVIS, Sean	Sociology	Spring 2022	This sabbatical will be used to write an Open Educational Resource (OER) textbook for SOC130 - Introduction to Gender Studies. This course is offered twice a year (once in Fall and again in Spring). Currently, there is a lack of quality OER textbooks for this type of course. Offering an OER textbook for our students will have many benefits, including reducing costs for students, having congruency with the course content and instruction, and students will engage in activities, assignments, and projects that are relevant and directly tied to the main text used in the course. Additionally, I will develop a Canvas course shell that fully integrates the OER textbook and instructor-developed supplemental materials (videos, activities, podcasts, assignments, etc.). To support these efforts, I will take courses in Gender and Sexualities Studies, a class on developing accessible course materials, and a class on teaching and course design - all of which will contribute to the development of the textbook and Canvas course shell, respectively. Additional aspects of the self-directed study and professional learning include reviewing books, documentaries, journal articles, and other academic materials on Gender and Sexualities Studies. Finally, I will research and study strategies for writing and developing engaging open-source textbooks.
3	GUNN, Billy	Theatre and Film	Fall 2021	The purposes of my proposed sabbatical leave include: (1) discipline-specific academic training through coursework, (2) cultural competency training through language instruction, and (3) an equity-focused project to develop a zero-cost textbook for FILM 101 (Introduction to Film) courses. The first part of my proposed leave will be to take a graduate-level Film Theory course, such as FS 545 (Film Theory and Criticism) at Chapman University. This will be a great opportunity to maintain currency as a discipline expert in film studies. For the second part of my sabbatical, I plan to enroll in a 4-unit Spanish class at MiraCosta College. This will begin the process of achieving a long-standing, personal goal to speak Spanish fluently. For the final part of my sabbatical leave, I intend to develop materials for a zero-cost Introduction to Film textbook. With rising costs of film studies textbooks and the ever-increasing number of students taking film courses at MiraCosta, this project has the potential to impact student success and equity in the Film Program.
4	HOSKINS, Bruce	Sociology	Fall 2021	I will complete a comprehensive update on the zero-cost Introduction to Sociology textbook that I wrote 6 years ago, Sociology in Praxis. I will also update/create/develop zero-cost instructor materials to benefit my department and the students we serve.

Summary of Sabbatical Leave Applications
Fall 2021 / Spring 2022

5	MILLER, Lynne	Social Sciences - Anthropology	Fall 2021	The purpose of the proposed sabbatical is to conduct scholarly research in anthropology, and to produce results that will directly benefit student learning and opportunities. I have two objectives. First, I plan to visit various museums and sites of anthropological importance, and to document them for classroom presentations. Second, I hope to interview site directors, to discuss current issues in site conservation and public education, and to establish contacts that might produce internships for MiraCosta students. Possible sites to visit include museums associated with the Native American Nations of the Great Plains, the Northeast Woodlands, and the Pacific Northwest Coast. Archaeological sites of interest include several associated with the Hopewell culture of North America and the Maya of Mesoamerica. All of these topics relate directly to the courses I teach and thus my experiences will enrich my classroom presentations and perhaps encourage students to visit these sites for themselves. This is a "variable" sabbatical in that it will represent only 60% of my load, while I maintain the responsibilities of department chair, 40% of my load. In terms of documentation, I would keep of log of preparations, travels, and results; I estimate approximately 350 hours total.
6	PERRY, Pamela	Library	Spring 2022	The purpose of my sabbatical project is to investigate the information literacy needs of STEM and Health Sciences students, and analyze, assess, and recommend best practices for meeting those needs at the undergraduate level. When students begin college in STEM and health-related disciplines, they often arrive without meaningful experiences in finding, evaluating, and using scientific literature. Instructors often assume that because students are tech-savvy, they are also skilled in distinguishing scientific literature from popular articles, assessing source credibility, and locating academic information in the college's library databases. Teaching STEM and Health Sciences students in these Academic and Career Pathways to properly navigate the current information landscape is foundational to their academic and professional success. During my sabbatical leave I plan to: – Conduct scholarly research on information literacy skills in STEM and Health Sciences. This will include, but is not limited to, reading current publications, journals, and reports, and interviewing persons actively teaching information literacy skills in STEM and Health Sciences; – Investigate best practices for integrating scientific information literacy into undergraduate curriculum which may include credit courses, scaffolded programs, and discipline course integration through collaboration with library faculty; – Survey MiraCosta faculty in related programs, including but not limited to, STEM, Nursing, Health Education, Kinesiology, Anthropology, and Nutrition, to assess faculty perceptions of students' information skills; – Design and develop either a new credit course for information literacy skills targeted to this population, or develop online learning modules to be integrated across the science and health sciences curriculum.
7	Ramos, Dean	Art	Fall 2021	I propose to use contemporary materials and techniques to create 3-5 large scale outdoor figure sculptures. I will record and later edit videos and photos demonstrating creative processes. These recordings will be applicable to Art 217 and 219, Figure Sculpture 1 and 2, and they will be used for both on-ground and distance education.

Subject: **Approve Purchase Order with the Community College Library Consortium**	**Attachment:** **None**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: Diane Dieckmeyer **Diane Dieckmeyer, Ed.D.** **Vice President, Instructional Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

The library annually purchases access to a variety of digital resources across the curriculum e.g., electronic periodical databases, streaming media, and virtual reference sources, as well as one-time purchases of electronic content in the form of eBooks for the use of students enrolled in on-ground, hybrid, and online classes. These resources are available from all four district sites and through remote access via SURF and network authentication to current MiraCosta College students, staff and faculty for research, assignments, and classroom use.

This purchase is made through the Community College Library Consortium, an electronic information resources cooperative purchasing program that is a joint endeavor of the Council of Chief Librarians and the Community College League of California.

STATUS

Purchases will be executed on an as-needed basis over the period of July 1, 2021, through June 30, 2022, and is expected to cost approximately $260,000. It is funded within the state lottery library materials allocation

RECOMMENDATION

Authorize the Director of Purchasing and Material Management to proceed with procurement of digital library resources from the Community College Library Consortium at a cost not to exceed $260,000.

Subject:	Attachment:
Approve Identity and Access Management Security software licensing subscription, technical support services, maintenance, and professional services	None
Category: Consent Items	**Type of Board Consideration:** Information ✓ Consent Action
Recommended: Diane Dieckmeyer, Ed.D. Vice President, Instructional Services	**Approved for Consideration:** Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The district is in the process of upgrading/replacing the existing Identity and Access Management system (IAM) utilized for user sign-on secure access. As part of moving to fiscal independence, consultant recommendation, and established National Institute of Standards and Technology (NIST) Security best practices, cybersecurity protocols required transitioning to a multi-factor authentication (MFA) solution prior to implementation and go-live of Workday. In March/April 2020, district employees transitioned to all remote work due to the pandemic. To provide secure access, the current MFA solution for all employees was deployed and scaled to meet the needs of the district. Unfortunately, this solutions' set of products was very labor-intensive to maintain, and over time, the ease of use and reliability for users was not as consistent as originally hoped for. Based upon these factors a new solution was identified. The new proposed IAM software system is offered as a Software as a Service (SaaS) product. The product is an industry leader and has the lowest total cost of ownership for Identity and Access Management.

STATUS

The contract for the IAM security software licensing subscription, technical support services and maintenance will be for the period of May 15, 2021 – May 14, 2022, and is expected to cost $122,450 plus applicable taxes. The contract for professional services is expected to cost $56,616 plus applicable taxes.

Funds to acquire the software licensing subscriptions, including technical support services and maintenance are budgeted within the District's technology budget. This purchase will be made under the auspices of an agreement established by the Foundation for California Community Colleges. The Foundation for California Community Colleges agreement with CDWG (Contract #00004442 effective dates April 5, 2021 – April 5, 2024), provides the lowest cost and best overall value to the District for technology purchases.

RECOMMENDATION

Authorize the Director of Purchasing and Material Management to proceed with the procurement of $122,450 plus applicable taxes for the Identity and Access Management system software, as well as $56,616 plus applicable taxes for the professional services from CDWG, in accordance with the terms and conditions of the Foundation for California Community Colleges (Contract #00004442) for the period as specified above.

Subject:	Attachment:
Approve Purchase Order for Network Server and Equipment Refresh/Replacement	None
Category:	**Type of Board Consideration:**
Consent Items	Information ✓ Consent Action
Recommended:	**Approved for Consideration:**
Diane Dieckmeyer, Ed.D. Vice President, Instructional Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The district is in the process of the routine refresh/replacement of data center blade servers, wireless LAN controllers, and data center network switches. The current equipment ranges from five to twelve years old and has reached the manufacturer's end of support date.

STATUS

The Technology Master Plan provides for equipment replacement at this time, and funds to complete the purchase are budgeted within the Information Technology replacement budget. This purchase will include a total of three blade servers, two wireless LAN controllers and software licensing, two data center switches, 50 telephones and peripherals for a combined total procurement cost not to exceed $314,888 plus applicable taxes.

This purchase will be made under the auspices of an agreement established by the Foundation for California Community Colleges. The Foundation for California Community Colleges agreement with CDWG (contract #00004442 effective dates April 5, 2021 – April 5, 2024), provides the lowest cost and best overall value to the district for data center technology purchases.

RECOMMENDATION

Authorize the director of Purchasing and Material Management to proceed with the procurement of $314,888 plus applicable taxes for the technology equipment replacement from CDWG in accordance with the terms and conditions of the Foundation for California Community Colleges (Contract #00004442), as described above.

Subject:	Attachment:
Approve Renewal of Oracle Enterprise Database Software maintenance, licensing, and technical support services	None
Category:	**Type of Board Consideration:**
Consent Items	Information ✓ Consent Action
Recommended:	**Approved for Consideration:**
Diane Dieckmeyer, Ed.D. Vice President, Instructional Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The annual negotiated licensing agreement and contract renewal for standard maintenance and technical support services for the Oracle Enterprise Database software is based on metrics that take into account budget size, number of students (FTES), and number of employees (faculty and staff). As these numbers increase, the district's cost increases respectively.

STATUS

The contract will be for the period of May 20, 2021 – May 19, 2022, at a cost of $279,000 plus applicable taxes. Terms and conditions will be per the district's master Technical Services and Support Agreement (TSSA) with Oracle, US-PS-TSSA-2796731, dated March 10, 2021. Funds to renew the software maintenance, licensing and technical support services are budgeted within the district's maintenance budget.

RECOMMENDATION

Authorize the director of Purchasing and Material Management to proceed with the procurement of the Oracle Enterprise Database software maintenance and technical support services renewal at a cost of $279,000 plus applicable taxes for the period of May 20, 2021-May 19, 2022.

Subject: **Approve Renewal of Data Collection and Assessment System Software, Support Services and Maintenance Agreement with CampusLabs (now known as Anthology)**	**Attachment:** **None**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: Diane Dieckmeyer **Diane Dieckmeyer, Ed.D.** **Vice President, Instructional Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

The district is in the process of the renewing the Data Collection and Assessment System software, support services and maintenance with CampusLabs (now known as Anthology). Terms of the new agreement are based on a three-year renewal. The renewal agreement provides for the lowest cost to the district.

STATUS

The contract for the Data Collection and Assessment System software with Anthology will be for the period of three years, January 1, 2021 – December 31, 2023, with two one-year options to extend upon written amendments by the parties. It is expected to cost $206,193 plus applicable taxes. Funds to renew the software licensing, including support services and maintenance, are budgeted within the district's maintenance budget. The terms and conditions are as per the California State University Cooperative Agreement #P19112.

California Public Contact Code Section 20652 allows the governing board of any community college district, without advertising for bids, to acquire equipment, materials, and supplies by utilizing an existing contract from another public corporation or agency. AB 653 further clarifies that existing Education Code and Public Contract Code provisions do not preclude the governing board of a community college district from purchasing materials, equipment, supplies, or services under the same conditions as those specified in a contract lawfully awarded by the University of California or the California State University.

RECOMMENDATION

This board finds that it is in the best interest of the district to purchase through the California State University Cooperative Agreement #P19112 for the period specified above. The board authorizes the director of purchasing and material management to proceed with the procurement of $206,193 plus applicable taxes for the data collection and assessment system software from Anthology.

Subject:	Attachment:
Approve Renewal of Network Security Software Licensing Subscriptions, Technical Support Services and Maintenance Agreements: Endpoint Protection Software and Firewall Software	**None**
Category:	**Type of Board Consideration:**
Consent Items	**Information** **Consent** ✓ **Action**
Recommended:	**Approved for Consideration:**
Diane Dieckmeyer, Ed.D. **Vice President, Instructional Services**	**Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

The district is in the process of the routine annual renewal of network security software licensing subscriptions, including technical support services and maintenance for both Endpoint Protection software and Firewall software.

STATUS

The contract for the Network Security Endpoint Protection software will be for the period of May 23, 2021 – May 22, 2022, and is expected to cost $120,248 plus applicable taxes.

The contract for the Network Security Firewall software will be for the period of May 14, 2021 – May 13, 2022, and is expected to cost $172,390 plus applicable taxes.

Funds to renew the software licensing subscriptions, including technical support services and maintenance are budgeted within the district's maintenance budget.

This purchase will be made under the auspices of an agreement established by the State of California Department of General Services under the California Multiple Award Schedule (CMAS). This CMAS agreement withTrace3 (Contract #3-18-70-2858C; valid dates 4/16/18 - 6/26/22) provides the lowest cost and best overall value to the district with regards to security technology purchases.

RECOMMENDATION

Authorize the director of Purchasing and Material Management to proceed with the procurement of $120,248 plus applicable taxes for the Network Security Endpoint Protection software, as well as $172,390 plus applicable taxes for the Network Security Firewall software from Trace3 in accordance with the terms and conditions of the State of California Multiple Award Schedule (CMAS Contract #3-18-70-2858C) for the periods specified above.

Subject: **Approve Use of Cooperative Purchase Agreements - CLC Building 100/200 Renovation Project - Parron Hall**	**Attachment:** **Parron Hall Proposal**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: **Tim Flood** **Vice President, Administrative Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

As part of the Measure MM bond program, the purchasing of furniture, fixtures and equipment ("FF&E") for new construction and renovation projects is required. The instant need for FF&E is related to the CLC Building 100/200 Renovation project to be completed by July 2021. This FF&E is scheduled to be in place by August 31, 2021.

STATUS

The FF&E needed for the CLC Building 100/200 Renovation project includes office furniture, storage solutions, chairs, conference tables and lounge furniture for students, faculty and staff delivering and utilizing the services provided in this building. This agenda item includes furniture as shown in the attached floor plan layout.

The district and Program Management Office staff plan to purchase the above described FF&E and have elected to utilize two cooperative purchase agreements/contracts made available through OMNIA Partners ("OMNIA"), a cooperative purchasing organization for public sector procurement. The MiraCosta Community College District is registered as an entity with OMNIA that is able to participate/piggyback the approved agreements/contracts as per the conditions set forth in Public Contract Code section 20652:

Allsteel, Inc.

- Approved by the Board of Directors of the Region 4 Education Service Center in Houston Texas ("ESC") as the result of a Request for Proposals issued by ESC on behalf of itself and other government agencies and non-profits.

SitOnIt Seating

- Issued to Exemplis, LLC by the City of Charlotte, as the result of a Request for Proposals issued by City of Charlotte on behalf of itself and other government agencies and non-profits.

Parron Hall is named in these agreements/contracts and is, therefore, authorized to sell Allsteel, Inc. and SitOnIt Seating products in California, since Allsteel, Inc. and SitOnIt Seating are manufacturers, but do not sell FF&E.

The cost of purchasing the subject FF&E was derived from the pricing matrix within the ESC agreements/contracts with Allsteel, Inc. and SitOnIt Seating for a total amount of $271,815.75.

RECOMMENDATION

Given the foregoing, district staff and the Program Management Office recommend and request that the board take the following actions:

1) Approve the use of a cooperative purchase agreements and issuance of a purchase order to Parron Hall for the purchase of FF&E from Allsteel and SitOnIt Seating at a cost of $271,815.75.

Subject:	Attachment:
Approve Construction Services Contracts for Bid MM-20-020 San Elijo B900 & B400 Renovation Projects	**None**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: **Tim Flood** **Vice President, Administrative Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

As part of the Measure MM bond program, the MiraCosta Community College District (MCCD) Project Management Office (PMO) has procured pricing for construction services through a bundled procurement for San Elijo B900 & B400 Renovation Projects. While procured in one procurement, these two projects will be awarded as two separate contracts, as recommended below. The projects consist of the renovation of the existing Buildings 400 and 900 on the MCCCD San Elijo campus. In general, the work consists of the demolition and construction of interior walls, doors, windows, restrooms, ceilings, finishes and mechanical, plumbing, electrical, data, fire alarm and fire protection systems. Exterior work consists of painting, roofing, the addition of a back-flow preventer, concrete paving, and minor landscape repair.

STATUS

This project has received Division of State Architects (DSA) approval, and the bidding process for construction on Bid # MM-20-020 closed March 29, 2021, at 2 PM. There were a total of three firms that pre-qualified to bid the project, and a total of three firms submitted bids. One bidder was nonresponsive and therefore, not tallied. The remaining bids, were as follows:

SAN B400

Firm	City and State	Base Bid	Add Alternate #1	Add Alternate #2	Add Alternate #3	Allowance	Bid Total
Align Builders, Inc.	Carlsbad, CA	$2,963,711	-$12,936	-$1,813	$7,600	$150,000	**$3,106,562**
Barnhart Reese	San Diego, CA	$2,985,602	$12,766	$14,256	$13,405	$150,000	**$3,176,029**
Prava Construction*	-	-	-	-	-	-	-

SAN B900

Firm	City and State	Base Bid	Add Alternate #1	Add Alternate #2	Add Alternate #3	Allowance	Bid Total
Align Builders, Inc.	Carlsbad, CA	$1,575,138	$40,150	$15,875	9,802	$75,000	$1,715,965
Barnhart Reese	San Diego, CA	$1,784,813	$28,681	$15,785	$12,447	$75,000	$1,916,726
Prava Construction*	-	-	-	-	-	-	-

Relying on the methods for determining the low bid, the discretion afforded to MCCD by the legislature, and the reservation by MCCD to include and/or exclude from any contract award for the project the alternatives, MCCD has determined to include Alternates #3 in the contract award for B400 and Alternates #1, 2, & 3 for B900, along with the base bid amounts and the District Controlled Contingencies.

Furthermore, bid analysis was performed on the Align Builders Inc. bid proposal and it is considered the lowest responsive and responsible bidder. Staff is making the recommendation to proceed with the award of two contracts to Align Builders Inc. in the amounts of $3,121,311 and $1,715,965 as follows:

B400 Renovation in the amount of $3,121,311 (Base Bid: $2,963,711 + Additive Alternate 3: $7,600 + District Controlled Contingency: $150,000).

This total bid amount for B400 Renovation exceeds the project budget and will require a transfer of $500,000 from the College Facilities Funds to the bond project number 04103.

B900 Renovation in the amount of $1,715,965 (Base Bid: $1,575,138 + Additive Alternates 1, 2, & 3: $65,827 and the District Controlled Contingency: $75,000).

This total bid amount for B900 Renovation is within the project budget.

RECOMMENDATION

Approve a transfer of funds from the College Facilities Fund reserve (fund 41, non-bond funds) to Project SAN B400 Renovation Project # 04103 in the amount of $500,000.

Approve award of Construction Services Contracts to Align Builders Inc. for Measure MM, Bid #MM-20-020 San Elijo B900 and B400 Renovation Projects in the amount of $4,837,276.

Subject:	Attachment:
Approve Construction Services Contract for Bid MM-21-002 OCN Strong Workforce Computer Lab	None
Category:	Type of Board Consideration:
Consent Items	Information Consent Action
Recommended:	Approved for Consideration:
Tim Flood Vice President, Administrative Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The MiraCosta Community College District (MCCD) Project Management Office (PMO) has procured pricing for construction services for the OCN Strong Workforce Computer Lab Project. The project consists of the construction of site work for the placement of modular buildings on the manufacturer's concrete foundation system.

STATUS

This project has received Division of State Architects (DSA) approval and the bidding process for construction on Bid # MM-21-002 closed March 17, 2021, at 2 PM. There were a total of six (6) firms that submitted a bid.

Firm	Location	Base Bid	Allowance	Bid Total
DICA Engineering & Construction	San Diego, CA	275,130.18	$50,000	$325,130.18
CLAIBA, Inc.	Stanton, CA	279,485	$50,000	$329,485
GEM Industrial, Inc.	Lakeside, CA	$298,000	$50,000	$348,000
Conan Construction	Carlsbad, CA	$307,000	$50,000	$357,000
DLF Construction Inc.	National City, CA	$442,000	$50,000	$492,700
LM Rasmussen Construction	Alpine, CA	$526,000	$50,000	$576,000

Following a thorough bid analysis, the firm DICA Engineering & Construction was deemed nonresponsive, resulting in CALIBA, Inc.'s bid proposal being considered the lowest responsive and responsible bidder. Staff is making the recommendation to proceed with the award of a contract to CALIBA, Inc. in the amount of $329,485, which is within the overall project budget.

RECOMMENDATION

Approve Construction Services Contract to CALIBA, Inc. in the amount of $329,485.00 for bid #MM-21-002 OCN Strong Workforce Computer Lab Project.

Subject:	Attachment:
Ratify and Approve Contracts and Purchase Orders — February 26 through March 19, 2021	Contract and Purchase Order Ratification List
Category:	**Type of Board Consideration:**
Consent Items	Information ✓ Consent Action
Recommended:	**Approved for Consideration:**
Tim Flood Vice President, Administrative Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Board Policy 6330—Purchasing and Contracts requires, in part, that all contracts valued at more than the current bid level, as specified in Public Contract Code §20651 et seq. ($96,700), will be presented to the Board of Trustees for prior approval, but that contracts valued at less than the current Public Contract Code bid level may be presented to the board for ratification rather than prior to execution. All contracts ratified by the board shall be deemed to be fully executed district commitments and may not be subsequently cancelled, withheld or amended, unless determined by the vice president, administrative services to be a legally unenforceable obligation.

The policy also requires that no matter what the expected dollar value of a contract for legal or public auditing services, such a contract will be presented to the board for prior approval, unless it is determined by the superintendent/president and the vice president, administrative services, that time is of the essence and that the district's best interests are best served by issuing a contract on an immediate basis. Any such contract issued under these circumstances shall be brought forward to the board for formal approval at the next board meeting.

In accordance with Public Contract Code §22000 et seq. and Board Resolutions #13-10/11 and #14-10/11, the district may procure public works using the California Uniform Public Construction Cost Accounting Act (CUPCCAA) with a current bid limit of $200,000 for construction.

STATUS

The Purchasing and Material Management Department has attached the latest monthly summary of the contracts and purchase orders for the board's ratification and approval as a consent item.

RECOMMENDATION

Ratify and approve contracts and purchase orders, as listed in the attachment.

Contract and Purchase Order Ratification List
February 26 through March 19, 2021

In accordance with Board Resolutions #13-10/11 and #14-10/11, the following public works transactions were procured in compliance with the California Uniform Public Construction Cost Accounting Act (CUPCCAA) per PCC §220000 et seq.

CUPCCAA POs from $5,000 - $200,000			
PO #	**Vendor**	**Description**	**Amount**
21000411	Botsford Construction Inc.	A&R office relocation - Bldg 3300 (Fac)	5,490.00
21000412	AO Reed & Co.	HVAC filter replacement - OC (Fac)	12,000.00
21000424	Robeck Electrical Maintenance	Parking lot lights repair - SAN (Fac)	20,705.67
21000425	JB Homes Service Inc.	Roof replacement - Bldg 2000 (Fac)	48,148.61

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include solicitation of at least three (3) competitive written quotes, pre-existing contracts, or negotiation to provide maximum value to the district.

POs from $25,000 – Bid Limit			
PO #	**Vendor**	**Description**	**Amount**
21000436	Ascend Learning Holdings LLC	Software equipment (Nurs)	48,780.16
21000448	Follett	Educational materials - Promise Grant (Fin Aid)	141,387.38
21000465	Laerdal Medical Corporation	Instructional equipment (Nursing)	83,086.01

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include solicitation of at least three (3) competitive informal quotes (e.g. telephone quotes), pre-existing contracts, or negotiation to provide maximum value to the district.

POs from $10,000 – $24,999			
PO #	**Vendor**	**Description**	**Amount**
21000312	Full Measure Education INC.	Contract services (Std Svcs)	12,520.00
21000315	Explore Colleges	Supplies - GEAR UP (Std Svcs)	12,040.11
21000317	Gideon Taylor Consulting LLC	Software maintenance (Std Equity)	10,400.00
21000319	Board of Registered Nursing	License fees (Nurs)	15,000.00
21000324	Aztec Containers	Equipment (Fac)	14,933.09
21000344	Shine Inc.	Contract services (Health Svcs)	24,992.00
21000362	S W School Supply Inc.	Supplies - CARES Act (AS)	23,804.18
21000369	James Hayes	Contract services (Adult Ed)	15,000.00
21000419	Verizon Wireless	Technology supplies (Lib)	10,701.51
21000430	Fisher Science Education	Instructional equipment (Biotech)	10,045.60
21000439	Carolina Biological Supply Co.	Instructional supplies (Chem)	13,571.98
21000466	Ovid Technologies Inc.	eResource subscription (Lib)	11,635.00
21000476	Fisher Scientific Company	Instructional equipment (Biotech)	12,911.28

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include use of pre-existing contracts or negotiation to provide maximum value to the district.

POs from $5,000 – $9,999			
PO #	**Vendor**	**Description**	**Amount**
21000392	CollegeSource Inc.	Contract services (A&R)	8,315.84
21000414	CDW Government Inc.	Technology equipment (Std Svcs)	5,626.68
21000431	OneSource Distributors LLC	Instructional equipment (Biotech)	8,157.72
21000433	salesforce.com Inc.	Software licenses (Career Ed)	6,478.00
21000435	Oracle America Inc.	Software maintenance (AIS)	8,966.63
21000440	Advantage Mailing Inc.	Printing (PIO)	8,908.23
21000454	Hai Hoang	Consulting (Career Ed)	5,005.00
21000457	CDW Government Inc.	Software and maintenance (AIS)	6,633.72
21000460	BSN Sports	Athletic supplies (KHAN)	8,325.43

21000461	Phi Theta Kappa Honor Society	Membership (Std Svcs)	6,080.00
21000467	Pearson Education	eResource subscription (Adult Ed)	5,999.00
21000470	Jeffery Anderson	Advertising (PIO)	5,000.00

In accordance with Public Contract Code Sections 20651, 20655, 20659, Education Code Section 81656, and Board Agenda Item VIII.L (12/9/15), the following transactions were entered into and approved by the vice president, administrative services.

Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000649	Vaught Irrigation Services Inc.	Additional services	10,290.00
20000623	Seagge Loy Abella	Additional services	7,500.00
20000694	Robert Chu	Additional services	10,000.00
21000168	3Play Media Inc	Additional services	10,000.00

In accordance with Public Contract Code Sections 20651, 20655, 20659, Education Code Section 81656, and Board Agenda Item VIII.L (12/9/15), the following transactions were entered into and approved by the vice president, administrative services.

Construction Contract Change Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

In accordance with BP/AP 6330—Purchasing and Contracts, and Public Contract Code Sections 20651 and 20662, the following transactions were executed or amended as follows.

MOUs and Grants			
PO #	**Vendor**	**Description**	**Amount**
N/A	No Entries This Month		None

Total Contract Expenditures: $668,438.83
Ratify MCC purchase orders 21000309 through 21000492.

Capital Improvement Program Contract and Purchase Order Ratification List
February 26 through March 19, 2021

In accordance with Board Resolutions #13-10/11 and 14-10/11, the following public works transactions were procured in compliance with the California Uniform Public Construction Cost Accounting Act (CUPCCAA) per PCC §220000 et seq.

CUPCCAA POs from $5,000 – $200,000			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include solicitation of at least three (3) competitive written quotes, pre-existing contracts, or negotiation to provide maximum value to the district.

POs from $25,000			
PO #	**Vendor**	**Description**	**Amount**
21000385	Parron Hall Office Interiors	04109 Furniture & Equipment (SAN)	52,428.43

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include solicitation of at least three (3) competitive informal quotes (e.g. telephone quotes), pre-existing contracts, or negotiation to provide maximum value to the district.

POs from $10,000 – $24,999			
PO #	**Vendor**	**Description**	**Amount**
21000387	Vantage Technology Consulting Group	04202 Security Consulting (OCN)	12,280.00

In accordance with BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various methods of award. This may include use of pre-existing contracts or negotiation to provide maximum value to the district.

POs from $0 – $9,999			
PO #	**Vendor**	**Description**	**Amount**
21000386	CDW Government Inc.	04101 Furniture & Equipment (SAN)	2,477.73

In accordance with Public Contract Code Sections 20651, 20655, 20659, Education Code Section 81656, and Board Agenda Item VIII.L (12/9/15), the following transactions were entered into and approved by the vice president, administrative services.

Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000576	Vantage Technology Consulting Group	03722 Change Order 1 (OCN)	15,470.00
20001671	Parron Hall Office Interiors	04001 Change Order 1 (CLC)	3,920.23
21000066	Dudek	04115 Change Order 1 (SAN)	19,260.00

In accordance with Public Contract Code Sections 20651, 20655, 20659, Education Code Section 81656, and Board Agenda Item VIII.L (12/9/15), the following transactions were entered into and approved by the vice president, administrative services.

Construction Contract Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000594	Balfour Beatty Construction LLC	04208 Change Order 3 (OCN)	(35,000.00)
20000600	CW Driver	04202 Change Order 2 (OCN)	50,642.00
20000602	First-Citizens Bank & Trust Company	04101 Change Order 12 (SAN)	5,206.95
20000604	Align Builders	04001 Change Order 3 (CLC)	47,474.17
20000605	Straight Line General Contractors Inc.	04105 Change Order 10 (SAN)	15,470.00

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item IX.I (10/19/17); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-17-001 is $35,593,000.

MM-17-001 – Architectural and Engineering Services Task Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

MM-17-001 – Architectural and Engineering Services Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000585	Wolff Lang Christopher Architects Inc.	04002 Change Order 7 (CLC)	9,438.50
20000613	Little Diversified Architects	04105 Change Order 9 (SAN)	7,118.00
20000612	SGPA Architecture & Planning - SD	04105 Change Order 5 (SAN)	24,017.43

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item IX.J (10/19/17); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-17-002 is $4,300,000.

MM-17-002 – Geotechnical Engineering Task Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

MM-17-002 – Geotechnical Engineering Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000566	SMS Geotechnical Solutions Inc.	04105 Change Order 1 (SAN)	2,104.22
20000599	MTGL Inc.	04210 Change Order 1 (OCN)	(43,738.25)
20000833	RMA Group Inc.	04001 Change Order 3 (CLC)	10,072.00

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item IX.K (10/19/17); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-17-001 is $1,200,000.

MM-17-003 – Civil Engineering Task Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

MM-17-003 – Civil Engineering Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item VIII.K (06/13/19); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-19-012 is $2,252,892.

MM-19-012 – Commissioning Services Task Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

MM-19-012 – Commissioning Services Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item VIII.L (06/13/19); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-19-013 is $6,663,954.

MM-19-013 – Inspector of Record Task Orders			
PO #	**Vendor**	**Description**	**Amount**
21000388	Alliance Engineering of CA Inc.	04203 Inspection Services (OCN)	10,000.00

MM-19-013 – Inspector of Record Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
20000668	Vital Inspection Services Inc.	04105 Change Order 1 (SAN)	23,404.00
20000668	Vital Inspection Services Inc.	04105 Change Order 2 (SAN)	24,576.00

In accordance with Government Code Sections 4526, 4527, and 53060; and Education Code Sections 81655 and 81656, applicable district policies regarding professional service procurements; and Board Agenda Item VIII.M (06/13/19); and other applicable law, the following transactions were entered into and approved by the vice president, administrative services. The total approved funding authority under MM-19-014 is $6,193,914.

MM-19-014 – Special Inspection Task Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

MM-19-014 – Special Inspection Task Change Orders			
PO #	**Vendor**	**Description**	**Amount**
	No Entries This Month		

Total Contract Expenditures: $256,621.41
Ratify purchase orders — 21000385 - 21000387.
Ratify purchase orders (Task Orders) — 21000388.
Ratify purchase orders (Contracts) — No Entries This Month.

Subject:	Attachment:
Appoint Independent Citizens' Bond Oversight Committee Member	None
Category:	**Type of Board Consideration:**
Action Items	Information Consent Action ✓
Recommended:	**Approved for Consideration:**
Tim Flood Vice President, Administrative Services	Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

After the passage of Measure MM on November 8, 2016, the board established an Independent Citizens' Bond Oversight (ICBOC) committee on March 9, 2017, as required by state law. The purpose of the committee is to keep the public informed about the expenditure of bond revenues, review and report on the proper expenditure of taxpayers' money for school construction, and advise the public as to the MiraCosta Community College District's compliance with Proposition 39 requirements, as contained in the California Constitution. The committee consists of seven (7) members as follows:

- One (1) member active in a business organization representing the business community located in the district
- One (1) member active in a senior citizens' organization
- One (1) member active in a bona-fide taxpayers association
- One (1) student enrolled and active in a community college support group
- One (1) member active in a support organization for the district, such as a foundation
- Two (2) members of the community at large

Per the Independent Citizens' Bond Oversight Committee Bylaws, Section 5. Membership, 5.4 Term, "…each member shall serve a term of two (2) years, commencing as of the date of appointment by the board. No member may serve more than three (3) consecutive terms…"

STATUS

Members Josh Mazur, who represents the business community and chairs the ICBOC, and William Howe, who represents the community at-large, have served for an initial two-year term and have filed applications to serve a second term during the open recruitment process. It is recommended that they be reappointed for a second two-year term.

RECOMMENDATION

Appoint Independent Citizens' Bond Oversight committee member, as stated above.

Subject: **Board Policy 3515 – Reporting of Crimes**	**Attachment:** **Board Policy 3515 – Reporting of Crimes**
Category: **Board Policies – Periodic Review**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

A periodic review of Board Policy 3515 – Reporting of Crimes has been approved by College Council, and the policy is now presented for adoption by the board of trustees.

Administrative Procedure 3515 is provided for information only.

RECOMMENDATION

Adopt Board Policy 3515 – Reporting of Crimes.

The superintendent/president shall assure that, as required by law, reports are prepared of all occurrences reported to the MiraCosta College ~~Campus~~ Police of and arrests for crimes committed on campus that involve violence, hate crimes, theft or destruction of property, illegal drugs, or alcohol intoxication. Such reports shall be made available as required by law.

See Administrative Procedure 3515.

Adoption Date:	10/6/09
CCLC Update:	#20, 3/12
Periodic Review:	
References:	Education Code §67380
Steering:	VPA~~S~~S / N/A

Members of the MiraCosta Community College District who are witnesses to or victims of a crime on college property should immediately report the crime to the MiraCosta College Police Department (MCPD).

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify their supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault to the MCPD. The supervisor shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the district of its obligation to investigate all complaints of harassment.

The district will instruct members of the MCPD to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the district, in addition to filing a criminal complaint, and to report incidents of sexual violence to the MiraCosta College Title IX coordinator if the complainant consents.

In the event that a situation arises, either on or off campus, that in the judgment of the MCPD Chief of Police or designee constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued via email through the college emergency alert system to students, faculty and staff. The college's student newspaper will also be notified. The information shall be disseminated by the MCPD Chief of Police or designee in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the MCPD Chief of Police or designee may also use the college emergency alert system to text and call students, faculty, and staff, plus post a notice on the front page of the college website and/or on the MCPD website at miracosta.edu/police. Local news media may also be notified.

Anyone with information warranting a timely warning should report the circumstances to the MCPD by phone, (760) 795-6640, or in person at Building 1100.

Effective Date:	10/6/09, 9/16/16
CCLC Update:	#4, 2/03; #19, 8/11; #20, 3/12; #22, 6/13; #26, 4/15; #27, 10/15; #28, 4/16; #29, 10/16
Periodic Review:	
References:	Penal Code §245 Education Code §§212, 87014 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 20 U.S.C. §1232g 34 C.F.R. §668.46 34 C.F.R. §99.31(a)(13), (14) Campus Security Act of 1990
Steering:	VPAS / N/A

The district shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the district shall follow its emergency notification procedures.

The district shall annually collect and distribute statistics concerning crimes on campus. All college staff with significant responsibility for student and campus activities (e.g., coaches, counselors, health-services staff members, activities directors, and instructors) shall report crimes that occur on district property about which they receive information.

The district shall publish an annual security report (Clery Act) every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The annual security report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. The district shall make the report available to all current students and employees. The district will also provide prospective students and employees with a copy of the annual security report upon request. A copy of the annual security report can be obtained by contacting the MCPD or at the website address published in http://www.miracosta.edu/police. Postcards will be sent out to all students advising them where and how to obtain this report.

To Report a Crime

Contact the MiraCosta College Police Department at (760) 795-6640 (nonemergencies) and dial 6-9-1-1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the MCPD. In addition you may report a crime to the following areas:

- Dean of Student Life and Judicial Affairs
  (760) 795-6804

- Vice President of Student Services
  (760) 795-6898

- Dean of Counseling and Student Development
  (760) 795-6892

- Health Services Coordinator
  (760) 760- 6676

- Director of Labor Relations and Title IX Coordinator
  (760) 795-6672

If you are the victim of a crime and do not want to pursue action within the district's system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the director of labor relations and Title IX coordinator can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the district can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential

danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The MCPD encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the MCPD cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to the director of labor relations and Title IX coordinator at (760) 795-6872. The district may disclose the final results of a disciplinary proceeding to a victim of a crime of violence or a nonforcible sex offense (e.g. indecent exposure) regardless of the outcome.

If the disciplinary proceeding results in a finding that a student violated college policy regarding crimes of violence or nonforcible sex offenses, anyone is permitted access to the results of the disciplinary proceeding.

The offenses that apply to this permissible disclosure are:

- Arson
- Assault offenses
- Burglary
- Criminal homicide–manslaughter by negligence
- Criminal homicide–murder and non-negligent manslaughter
- Destruction, damage, or vandalism of property
- Kidnapping or abduction
- Robbery
- Forcible sex offenses

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The district shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his or her right to confidentiality.

Required Reports to Local Law Enforcement Agency

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime, committed on or off campus, that is received by a campus security authority and made by the victim for the purposes of notifying the institution or law enforcement must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of their right to have their personally-identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency unless the institution determines that both of the following apply, in which case the institution shall disclose the identity of the alleged assailant to the local law enforcement agency and notify the victim of the disclosure:

- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution.

- The immediate assistance of the local law enforcement agency is necessary to contact or detain the assailant.

Subject: **Board Policy 3600 – Auxiliary Organizations**	**Attachment:** **Board Policy 3600 – Auxiliary Organizations**
Category: **Board Policies – Periodic Review**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

A periodic review of Board Policy 3600 – Auxiliary Organizations has been approved by College Council, and the policy is now presented for adoption by the board of trustees.

Administrative Procedure 3600 is provided for information only.

RECOMMENDATION

Adopt Board Policy 3600 – Auxiliary Organizations.

The Board of Trustees may recognize and approve auxiliary organizations established for the purpose of providing to the district any and all supportive services, specialized programs, and functions identified in Title 5.

The superintendent/president shall establish the administrative procedures necessary to fully comply with California law relating to auxiliary organizations and to submit this policy and those procedures to the Chancellor's Office for the California Community Colleges as required by law. At a minimum, the procedures shall address the subjects required by Title 5.

Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization, board approval of the auxiliary organization, and approval of a written agreement between the district and the auxiliary organization describing the services, programs, or functions to be performed. All such written agreements shall comply fully with the requirements of Title 5 §59257(j).

Any auxiliary organization recognized by the board shall conduct its business in accordance with the administrative procedures adopted by the superintendent/president pursuant to this policy. Notwithstanding anything contained in the administrative procedures, any auxiliary organization recognized by the board shall comply with Education Code provisions regarding:

A. The composition of a board of directors and the way in which it conducts its meetings.

B. Conducting an annual audit.

C. Employing its work force.

D. Expending and appropriating its funds and keeping its records.

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the district to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the district with an unfair advantage with respect to any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

See Administrative Procedure 3600.

Adoption Date:	2/16/10
CCLC Update:	--
Periodic Review	
References:	Education Code §§72670, et seq. Title 5, §§59250, et seq.
Steering:	VPAS / N/A

A. Definitions

1. Board of Directors: The term board of directors as used herein means the governing board of an auxiliary organization.

2. Board of Trustees: The term board of trustees as used herein means the Board of Trustees of the MiraCosta Community College District.

3. Board of Governors: The term board of governors as used herein means the Board of Governors of the California Community Colleges.

4. Superintendent/President: The term superintendent/president as used herein means the superintendent/president of the district.

5. District: The term district as used herein means the MiraCosta Community College District.

6. Associated Student Government: The term Associated Student Government as used herein means an organization formed by any group of students from a college of the district in accordance with the provisions of Education Code §76060. All clubs and organizations recognized by an Associated Student Government shall be included in any auxiliary organization established by the Associated Student Government.

B. Recognition and Establishment of Auxiliary Organizations

The superintendent/president shall submit a recommendation to the Board of Trustees to establish an auxiliary organization when the organization will serve the district. The recommendation includes, but is not limited to, the following:

1. The purpose(s) for which the auxiliary organization is to be established.

2. Whether the proposed auxiliary organization will primarily serve the district or a particular site.

3. The functions that the auxiliary organization is intended to perform.

Effective Date:	2/16/10
CCLC Update:	#8, 2/05; #10, 2/06; #11, 8/06; #14, 2/08; #20, 3/12
Periodic Review:	
References:	Education Code §§72670 et seq. Government Code §§12580 et seq. Title 5, §§59250 et seq.
Steering:	VPAS / N/A

4. The proposed written agreement between the auxiliary organization and the district, as required in Title 5, §59259.

5. The proposed bylaws and articles of incorporation for the auxiliary organization, including the size and composition of the board of directors.

The process of recognition shall be as follows:

1. When the superintendent/president receives a request to establish an auxiliary organization, the superintendent/president shall submit a recommendation concerning the establishment of said organization to the Board of Trustees within three months.

2. The Board of Trustees shall hold a public hearing on each recommendation concerning the establishment of an auxiliary organization.

3. At a subsequent scheduled meeting after the public hearing, the board shall announce its decision concerning the establishment of the organization, and if approved, authorize the functions it may perform, identify the number and category or categories of the board of directors, and approve contractual arrangements.

At such time that the district recognizes an auxiliary organization, it shall submit to the California Community Colleges Chancellor's Office any written agreements with the auxiliary organization, as well as the articles of incorporation, bylaws, or other governing instruments.

C. Recognized Services, Programs, and Functions

Auxiliary organizations may be recognized and established by the Board of Trustees to perform the following services, programs, and functions:

1. Student association or organization activities.

2. Bookstores.

3. Food and campus services.

4. Student-union programs.

5. Facilities and equipment, including parking.

6. Loans, scholarships, grants-in-aid.

7. Workshops, conferences, institutes, and federal and specially funded projects.

8. Alumni activities.

9. Supplementary health services.

10. Gifts, bequests, devises, endowments, and trusts.

11. Public-relations programs.

No auxiliary organization shall be authorized by the Board of Trustees to engage in any other function unless the Board of Governors amends §59259 of Title 5 by adding said function to the list of approved functions of auxiliary organizations. This section shall not be construed to prohibit an auxiliary organization from taking actions essential to satisfy the nonprofit corporation or tax laws of the state of California or the federal tax laws.

Operations of commercial services on a campus shall be self supporting when operated by an auxiliary organization.

D. Authority and Responsibility of Auxiliary Organizations

Participation in workshops, conferences, or institutes offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.

All services, programs, and activities that may be undertaken by an auxiliary organization shall be maintained for the general benefit of the educational program of the district. Upon Board of Trustees approval, an auxiliary organization may assume any of the services, programs, and activities listed in these procedures in order:

1. To provide the fiscal means and the management procedures that allow the district to carry on educationally related activities not normally funded by state apportionment.

2. To eliminate the undue difficulty that would otherwise arise under the usual governmental budgetary, purchasing, and other fiscal controls, except as expressly prohibited by the Education Code or Title 5, or the district's procedures.

3. To provide fiscal procedures and management systems that allow effective coordination of the auxiliary activities with the district in accordance with sound business practices.

E. Composition of Boards of Directors

The board of directors of each auxiliary organization shall have the following composition:

1. Student Associations or Organizations: The board of directors shall consist primarily of students. The Vice President of Student Services, or designee may attend and participate in meetings of the board of directors in order to advise on policy and to provide for the control and regulation required by Education Code §76060.

2. Other Auxiliary Organizations: Any other district-approved auxiliary organization that is established pursuant to Education Code §§72670 et seq. shall have a board of directors appointed in accordance with the organization's articles of incorporation or bylaws and consisting of voting membership from one or more of the following categories–administration, staff, members of the community, and students.

The size of the board of directors of an auxiliary organization shall be at least large enough to accommodate the one or more categories from which board members are selected.

The board of directors shall have the advice and counsel of at least one attorney admitted to practice in California and at least one certified public accountant. Upon being notified of the certified public accountant selected by an auxiliary organization, the district shall forward the applicable auditing and reporting procedures to the selected certified public accountant.

F. Conduct of Boards of Directors

No member of the board of directors of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the board of which he/she is a member. Any contract or transaction entered into in violation of this section is void.

No contract or other transaction entered into by the board of directors of an auxiliary organization is void under the provisions of Education Code §72677, nor shall any member of such board be disqualified or deemed guilty of misconduct in office under such provisions, if pursuant to Education Code §72678 both of the following conditions are met:

1. The fact of such financial interest is disclosed or known to the board of directors and noted in the minutes, and the board thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members.

2. The contract or transaction is just and reasonable as to the auxiliary organization at the time it is authorized or approved.

The provisions of Education Code §72678 above shall not be applicable if any of the following conditions are met:

1. The contract or transaction is between an auxiliary organization and a member of the board of directors of that auxiliary organization.

2. The contract or transaction is between an auxiliary organization and a partnership or unincorporated association of which any member of the governing board of that auxiliary organization is a partner or in which he or she is the owner or holder, directly or indirectly, of a proprietorship interest.

3. The contract or transaction is between an auxiliary organization and a corporation in which any member of the board of directors of that auxiliary organization is the owner or holder, directly or indirectly, of five percent or more of the outstanding common stock.

4. A member of the board of directors of an auxiliary organization is interested in a contract or transaction within the meaning of Education Code §72677 and without first disclosing such interest to the governing board at a public meeting of the board, influences or attempts to influence another member or members of the board to enter into the contract or transaction.

It is unlawful for any person to utilize any information not a matter of public record that is received by the person by reason of his/her membership on the board of directors of an auxiliary organization, for personal pecuniary gain regardless of whether he or she is or is not a member of the board at the time such gain is realized.

G. Bylaws

The bylaws of an auxiliary organization shall include, but not be limited to, specifying:

1. The number of members of the board of directors, the categories from which members shall be selected, and the method by which they shall be selected.

2. The size of the board of directors.

3. That at least one public business meeting will be held each quarter.

4. The timetable for the preparation and adoption of its program and annual budget and the submission of both for review to the superintendent/president.

5. That an attorney admitted to practice in this state and a licensed certified public accountant shall be selected to provide advice and counsel to the board of directors. Each shall have experience appropriate to the responsibility and shall have no financial interest in any contract or other transaction entered into by the board that he/she serves. Neither the attorney nor the certified public accountant needs to be a member of the board of directors.

6. The procedures for approving expenditures.

7. The procedures for accepting gifts, donations, bequests, trusts, and specially funded grants and other income.

H. Master Agreement between District and Auxiliary Organizations

In the recognition and establishment of an auxiliary organization, there shall be a written agreement between the district and the auxiliary organization that sets forth the purposes of the auxiliary organization as permitted under this administrative procedure and Title 5, §59259.

Should an auxiliary organization provide more than one service, program, or function, such service, program, or function may be authorized in one of more written contracts with the district. Such services, programs, and functions thereby performed by an auxiliary organization may also be part of a joint-powers agreement in accordance with Education Code §72671 and Government Code §§6500 et seq.

An auxiliary organization shall provide only those services, programs, or functions authorized by a written agreement. No other service, program, or function shall be permitted or performed unless a written agreement between the district and the auxiliary organization is amended to provide otherwise.

The agreement shall include, but is not limited to, the following provisions:

1. The services, programs, or functions the auxiliary organization is to manage, operate, or administer.

2. A statement of the reasons for administration of the functions by the auxiliary organization instead of by the district under usual district procedures.

3. The areas of authority and responsibility of the auxiliary organization and the district or college.

4. The facilities and services to be made available by the district to permit the auxiliary organization to perform the services, programs, or functions specified in the written agreement.

5. The charge or rental to be paid to the district by the auxiliary organization for the facilities used or services provided in connection with the performance of its function. The charge or rental specified shall be identified in sufficient time before it is incurred so that the organization may determine to what extent it is liable.

6. Full reimbursement to the district for services performed by the district or by district employees in support of the auxiliary organization. No more than 50 percent of the reimbursement may be made in the form of nonmonetary benefits that the auxiliary organization provides to the district, such as increased community awareness or other such benefits that are agreed upon by authorized district officials and the auxiliary organization. The district shall assign a good-faith reimbursement value to such nonmonetary benefits. Student-body auxiliary organizations may be exempt from reimbursing all or any portion of the costs for such services. Methods of proration where services are performed by district employees for the organization shall be as mutually determined.

7. A mutually agreed upon method of determining in advance to what extent the organization shall be liable for indirect costs relating to specially funded programs (including federally sponsored programs).

8. The responsibility for maintenance and payment of operating expenses.

9. Proposed expenditures for public relations or other purposes that would serve to augment district appropriations for operation of the district. With respect to these expenditures, the auxiliary organization may expend funds in such amount and for such purposes as are approved by the board of directors of the auxiliary organization. The board of directors shall file with the superintendent/president a statement of such policy on accumulation and use of public-relations funds. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purpose for which the funds will be used, allowable expenditures, and procedures of control.

10. The disposition to be made of net earnings derived from the operation of the auxiliary organization, including earnings derived from facilities owned or leased by the auxiliary organization and provisions for reserves.

11. The disposition to be made of net assets and liabilities on dissolution of the auxiliary organization or cessation of the operations under the agreement.

12. The covenant of the auxiliary organization to maintain its organization and to operate in accordance with Education Code §§72670 through 72682 and with the regulations contained in Title 5, §§59250 et seq., as well as district board policy.

13. The understanding that the auxiliary organization shall obtain the services and counsel of an attorney admitted to practice in the state of California whenever the need arises.

14. The understanding that the auxiliary organization shall not enter into any contract or other business arrangement involving real property either by lease involving payments of more than $25,000 per annum and duration terms of more than one year or by purchase without prior notification and consultation with the superintendent/president.

I. Personnel

Each auxiliary organization shall develop general regulations to govern its operations, including policies and regulations concerning the salaries, working conditions, and benefits of its employees.

The aforesaid regulations shall not conflict with the implementing policies adopted by the Board of Trustees or with these procedures.

Except as otherwise provided in any board rules, the board of directors of each auxiliary organization shall, pursuant to Education Code §72672, provide salaries, working conditions, and benefits for its full-time employees that are comparable to those provided district employees performing substantially similar services. For those full-time employees who perform services that are not substantially similar to the services performed by district employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.

Regular district employees may be employed by the auxiliary organization. District employees must resign or request a personal leave of absence from the district in order to accept employment with the auxiliary organization. District officers and employees who are required by the district's Conflict of Interest Code (Administrative Procedure 2712) to file disclosure of financial information are responsible to determine whether or not they are eligible to accept employment with the auxiliary organization immediately upon resignation from the district.

1. Educational administrators or other management employees may be granted a personal leave of absence for two semesters, which may be extended to a maximum of ten consecutive semesters.

2. Classified management employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.

3. Academic (faculty) employees may be granted personal leave of absence for two semesters. The leave may be extended for not more than six consecutive semesters.

4. Classified employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.

The board of directors of each auxiliary organization may provide retirement benefits different from those provided comparable district employees and may withhold retirement benefits or permanent-status benefits or both from temporary employees. For the purposes of this administrative procedure, a temporary employee is:

1. An employee employed for a specific research project, workshop, institute, or other special project funded by any grant, contract, or gift.

2. An employee whose contract of employment is for a fixed term not exceeding three years.

The board of directors of each auxiliary organization may withhold permanent-status benefits from executive employees. For the purposes of this procedure, an executive employee is any management employee with responsibility for the development and execution of the auxiliary organization's policies and includes, but is not limited to, general managers, managers, directors, and the like, as determined by the board of directors of each auxiliary organization.

Should retirement benefits be provided, they may but need not be provided by the Public Employees' Retirement System. Any newly created auxiliary organization is exempted from the requirement of providing retirement benefits for a period not to exceed three years from the date on which the Board of Trustees recognizes the establishment of such auxiliary organization.

An auxiliary organization may contract with the district for the services of a district employee and reimburse the district for that portion of the employee's full-time assignment (and corresponding benefits) that is spent in providing said services.

J. Accounting and Reporting for Auxiliary Organizations

The fiscal year of the auxiliary organization shall coincide with that of the district.

Each auxiliary organization shall develop an accounting system that is in accordance with generally accepted accounting principles.

The auxiliary organization shall implement financial practices that will assure its fiscal viability. Such standards shall include professional management, adequate working capital, adequate reserve funds for current operations, capital replacements, contingencies, and adequate provisions for new business requirements.

Each auxiliary organization serving the district shall submit its programs and budgets for review at a time and in a manner specified by the superintendent/ president.

Funds derived from indirect cost payments shall only be appropriated with the specific approval of the superintendent/president. All uses of such funds shall be regularly reported to the district Board of Trustees.

Should the superintendent/president determine that any program or appropriation planned by an auxiliary organization is not consistent with district policy, the program or appropriation shall not be implemented. Further, should a program or appropriation that has received approval, upon review, be determined by the superintendent/president to be operating outside the acceptable policy of the Board of Governors or the district, that program or appropriation shall be discontinued by direction of the superintendent/ president until further review is accomplished and an appropriate adjustment is made.

The board of directors of an auxiliary organization shall approve all expenditure authorizations.

If the auxiliary organization receives or accrues in any fiscal year gross revenue of two million dollars ($2,000,000) or more, it shall also include in its bylaws an audit committee appointed by the board of directors. The audit committee may include persons who are not members of the board of directors, but the member or members of the audit committee shall not include any members of the staff, including the president or chief executive officer and the treasurer or chief financial officer. If the auxiliary committee has a finance committee, it must be separate from the audit committee.

Members of the audit committee shall not receive any compensation from the corporation in excess of the compensation, if any, received by members of the board of directors for service on the board and shall not have a material financial interest in any entity doing business with the corporation. Subject to the supervision of the board of directors, the audit committee shall be responsible for recommending to the board of directors the retention and termination of the independent auditor and may negotiate the independent auditor's compensation on behalf of the board of directors.

The audited financial statements shall be available for inspection by the Attorney General and shall be made available to members of the public.

The board of directors or an authorized committee of the board shall review and approve the compensation, including benefits, of the president or chief executive officer and the treasurer or chief financial officer to assure that it is just and reasonable. This review and approval shall occur initially upon the hiring of the officer, whenever the term of employment, if any, of the officer is renewed or extended, and whenever the officer's compensation is modified. Separate review and approval shall not be required if a modification of compensation extends to substantially all employees.

K. Records and Annual Report of Auxiliary Organizations

Personnel and payroll records shall be maintained as permanent records by each auxiliary organization.

Adequate records of all other transactions of an auxiliary organization shall be maintained for a minimum of five years. Transactions of the organization include, but are not limited to, purchases, disbursements, and investments.

An annual report shall be submitted to the board of directors of the auxiliary organization and to the superintendent/president by September 15. The report shall include, but is not limited to, the following:

1. All financial statements required to be filed with the California Community Colleges Chancellor’s Office.

2. A comparison of budgeted and actual expenditures.

3. A description of major accomplishments of the organization.

4. A description of improvements proposed for operation of the organization.

L. Annual Audit

Each auxiliary organization shall have an annual fiscal audit of any and all funds. The audit shall be performed by a certified public accountant in accordance with procedures

prescribed by the California Community Colleges Chancellor. Copies of the annual audit report shall be submitted to the Board of Trustees and to the California Community Colleges Chancellor's Office within thirty days after it is received by the auxiliary organization. Thereafter, it shall be a public record, except as otherwise provided by law. Such audits may be conducted as part of a fiscal audit of the district itself.

Auxiliary organizations shall annually publish an audited statement of their financial condition, which shall be disseminated as widely as feasible and be available to any person on request. A reasonable fee may be charged to cover the costs of providing a copy. An auxiliary organization shall comply with this requirement by:

1. Publishing the audited financial statement in a campus newspaper.

2. Publishing a notice in a campus newspaper indicating the on-campus location where copies of the financial statement may be obtained or reviewed.

3. Publishing or noticing the audited statement in a campus bulletin or other appropriate medium if a campus newspaper is unavailable.

M. Insurance

An auxiliary organization shall secure and maintain insurance adequate to protect its operations from catastrophic losses and as required by law, including but not limited to, the following:

1. Comprehensive liability.

2. Property and extended coverage, when applicable.

3. All risks, money, and securities.

4. Fidelity and performance bonds covering its chief fiscal officer.

5. Automotive liability, when applicable.

6. Workers' Compensation.

In any insurance policy secured by the auxiliary organization, the district shall be named as additional insured.

A copy of each policy or endorsement or insurance certificates setting forth the coverage and limits shall be provided to the district within thirty days from the receipt of the document.

In obtaining the insurance coverage, the auxiliary organization may secure the insurance directly through its own broker or through the district.

N. Auxiliary Organizations – Use of Facilities

Facilities may be made available by the district to an auxiliary organization to perform the functions specified in these regulations or in an agreement under the following circumstances:

1. The auxiliary organization may occupy, operate, and use such district facilities as are mutually identified as appropriate for the functions and/or activities that have been undertaken by the auxiliary organization.

2. The auxiliary organization shall pay to the district a charge or rental for the district facilities to be used by it in connection with the performance of its function or functions.

3. The charge or rental to be paid by the auxiliary organization shall not require involved methods of computation and shall be identified by the district and the auxiliary organization in sufficient time before it is incurred so that the auxiliary organization may determine to what extent it shall be liable.

4. The charge or rental to be incurred by an auxiliary organization for use of district facilities in excess of five days shall be incorporated into the agreement between the parties.

5. An auxiliary organization shall provide full reimbursement to the district for any services performed by district employees under the direction of the auxiliary organization. Methods of proration where services are performed by district employees for the auxiliary organization shall be simple and equitable.

O. List of Auxiliary Organizations in Good Standing

Each year the superintendent/president shall provide to the Board of Trustees a list of all auxiliary organizations in good standing. All auxiliary organizations that, after periodic review in the manner specified hereinafter in these regulations, are found to be in compliance with applicable laws, policies, and regulations shall be included in the list.

When the superintendent/president has reason to believe that a particular organization should be removed from the list of auxiliary organizations in good standing, a conference shall be held to determine whether such grounds for removal do in fact exist. The board of directors of such organization shall be entitled to participate in this conference and shall have a minimum of one month's notice to prepare a response to the issues that have been raised.

Based upon such conference, the superintendent/president shall decide whether the particular organization shall be removed from the list of auxiliary organizations in good standing.

An organization so removed shall not be permitted to do any of the following:

1. Use the name of the district.

2. Have as a director any official in the district acting in his/her official capacity.

3. Operate a commercial service for the benefit of the district or any of its colleges.

4. Receive gifts, property, or funds to be used for the benefit of the district or any of its sites.

If the auxiliary organization is dissolved or ceases operations upon removal from the list of organizations in good standing, its net assets and liabilities shall be distributed according to the terms of the written agreement between the organization and the district.

P. Limitation on Transfer of Funds to Auxiliary Organizations

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the district to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the district with an unfair advantage with respect to the application of any state-funding mechanism. Such state-funding mechanisms include, but are not limited to, general-apportionment funding, capital-outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

Q. Compliance Review by Superintendent/President

All auxiliary organization procedures and practices shall be reviewed to determine compliance with Education Code §§72670 et seq., and the policies, rules, and regulations of the California Community Colleges Board of Governors, and of the district. The superintendent/president shall designate the individual to conduct this review, which shall be conducted at the end of the first complete fiscal year after its establishment and at least once every three years thereafter.

When the superintendent/president's designee determines, after inspection and review, that certain auxiliary organization procedures and practices are not in compliance with policies, rules, and regulations of the California Community Colleges Board of Governors and the district, a recommendation concerning the items of noncompliance shall be communicated in writing to the superintendent/ president and to the board of directors of the auxiliary organization. The board of directors shall reply in writing within one month, either describing the actions that will be taken, including a timetable, to bring said procedures and practices into compliance or describing the reasons why the board considers the procedures already to be in compliance.

If the superintendent/president's designee considers the proposed corrective actions to be acceptable, the auxiliary organization shall be so informed. A second compliance review shall be held at the end of the time agreed to and the results communicated in writing to the superintendent/president and to the board of directors.

When the auxiliary organization fails to provide an acceptable proposal for corrective actions or fails to implement successful corrective actions within the agreed upon time, the superintendent/president shall inform the board of directors of such further action as he/she considers appropriate, which may include a recommendation to the Board of Trustees for termination of the contract.

R. Revision of Rules and Procedures and Reports to the California Community Colleges System Office

Rules and procedures for the administration of auxiliary organizations may be revised as necessary by the superintendent/president or designee. The board of directors of each auxiliary organization in good standing shall be promptly notified in writing of such revisions and be informed of the date by which any changes in the organization's procedures must be accomplished.

S. Any such revisions shall be submitted to the California Community Colleges System Office for approval.

The district shall report, as may be required from time to time, on the operation of its auxiliary organizations.

Subject: **Board Policy 5205 – Student Accident Insurance**	**Attachment:** **Board Policy 5205 – Student Accident Insurance**
Category: **Board Policies – Periodic Review**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

A periodic review of Board Policy 5205 – Student Accident Insurance has been approved by College Council, and the policy is now presented for adoption by the board of trustees.

There is not an Administrative Procedure 5205.

RECOMMENDATION

Adopt Board Policy 5205 – Student Accident Insurance.

The district shall assure that students are covered by accident insurance in those instances required by law or contract.

Adoption History:	5/5/09
References:	Education Code §72506
CCLC Update:	--
Steering:	VPHR~~BAS~~

Subject: **Board Policy 6530 – Vehicle Use/Driver Authorization**	**Attachment:** **Board Policy 6530 – Vehicle Use/Driver Authorization**
Category: **Board Policies – Periodic Review**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

A periodic review of Board Policy 6530 – Vehicle Use/Driver Authorization has been approved by College Council, and the policy is now presented for adoption by the board of trustees.

Administrative Procedure 6530 is provided for information only.

RECOMMENDATION

Adopt Board Policy 6530 – Vehicle Use/Driver Authorization.

All district vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety).

The Board of Trustees delegates to the superintendent/president or designee the authority to establish procedures for the use of all district vehicles and vehicles used to conduct any district business.

The superintendent/president shall develop procedures to ensure that these requirements are in compliance with all federal and California state laws.

See Administrative Procedures 6530, 7400–Employee Travel, and 7500–Volunteers.

Adoption Date:	6/7/11
References:	Title 13, California Code of Regulations, Division 1 Education Code §§ 87706, 70902, 72056, 35330 (d) and 35021 Vehicle Code §§12502 (c), 16000, 16004
CCLC Update:	--
Steering:	VPAS

A. Driver Requirements/Authorization

The district expects all authorized drivers to be conscientious and courteous drivers and understand the importance of driving safely as representatives of the district. Drivers are expected to report any accident or damage that may occur involving a district vehicle or a personal vehicle used conducting district business. Driver's records will be reviewed on a periodic basis. Any changes to the status of the driver's license must be reported immediately to the district risk management officer.

1. New employees who are required to possess a valid license to drive in the state of California as a condition of their employment must submit to the Human Resources Department the following:

    a. A completed Motor Vehicle Authorization Request Form B-167, together with a two-color copy of their current driving record, available for a fee from the California Department of Motor Vehicles (DMV), at the time they are hired so that the report can be reviewed and, if acceptable, the new employee can be authorized to drive immediately.

    b. An out-of-state licensed driver, when becoming a California resident, must apply for a California driver license within ten days under Vehicle Code §12502 (c).

2. Employees who are not required to drive a district or private vehicle on authorized district business but wish to do so must submit to the Risk Management Office the following:

    a. A completed District Motor Vehicle Driver Authorization Request Form B-167 (see this section for qualifications).

    b. An Authorization for Use of Private Vehicles for District Business Form B-165 prior to being granted this privilege or requesting mileage reimbursement.

    c. Current automobile liability declaration page (see Section I of this administrative procedure).

Effective Date:	6/7/11
Periodic Review:	
References:	Title 13, California Code of Regulations, Division 1, Chapter 1 Education Code §§ 87706, 70902, 72056, 35330 (d) and 35021 Vehicle Code §§12502 (c), 16000, 16004g
CCLC Update:	#6, 2/04; #22, 6/13
Steering:	VPAS

District vehicles will not be released or mileage reimbursement paid to employees or other eligible persons who have not complied with all of the above-applicable requirements (a-c).

All new and existing employees should reference the Risk Management Office Web site for the procedures to follow, including completion of forms: https://portal.miracosta.edu/Resources/knowledgebase/helpdesk/default.aspx

The required completed paperwork (a-c) is to be submitted to the Risk Management Office located in Building 1000, Mail Stop 14.

The Risk Management Office shall maintain a current record of all currently authorized drivers. The Risk Management Office will request the DMV motor-vehicle report on all authorized drivers at least once each year under the DMV Employer Pull Notification Program.

Whenever it is verified an employee who is required to have a valid driver license does not possess one, they will be denied placement in or may be subject to transfer, demotion, or dismissal for inability to meet requirements of the job description.

Qualified disabled employees will be given reasonable accommodation consideration, unless the license was not issued, was suspended, or was revoked for reasons unrelated to the employee's disability.

The vice president, administrative services, shall determine district driving eligibility using the following minimum qualifications:

1. Valid California driver license

2. Driver is age 18 or over

3. A DMV record may not show any convictions during the previous three-year period (starting at the end of the last conviction date) for any of the following offenses:

    a. Driving under the influence of an alcoholic beverage or drugs (illegal, controlled substances)

    b. Driving while license is suspended or revoked

    c. Vehicular manslaughter

    d. Reckless driving

    e. Speed in excess of 100 mph

    f. Participation in a speed contest or exhibition of speed

    g. Evading a peace officer

    h. Hit-and-run with injury or property damage

    i. Driving on the wrong side of a divided highway

j. Drinking alcohol, using drugs (illegal or controlled substances), or possessing an open container while driving

k. Minor driving with blood-alcohol content (BAC) of 0.05 percent or more

4. A DMV record that shows more than two convictions of any of the following offenses during the previous three-year period will be reviewed by the Risk Management Office for further authorization. The three-year period is starting with the last conviction date; examples include, but are not limited to the following:

a. Careless driving

b. Speeding

c. Failure to yield

d. Failure to obey traffic sign or signal

e. Failure to obey/yield to school bus signals or crossing guard

f. Following too closely

g. Improper lane change

h. Illegal passing

i. At-fault accident

Due to DMV processing timelines the authorization process may take four to six weeks to complete.

B. Authorization to Drive on District Business

All drivers must have a valid California driver license before driving either a district or private vehicle on district business or field trips. Authorized drivers shall conform to state and local vehicle-operation laws and regulations and all local safety regulations.

Violation of these laws and regulations, whether or not the driver is cited, may result in suspension of driver authorization.

Drivers on district business may be employees, student workers, or volunteers. Volunteers may be currently enrolled as students. Volunteers may be authorized to drive or operate district vehicles (see section P). Only authorized drivers of the district shall be reimbursed for mileage.

Employees, student workers or volunteers who have not been approved to drive will not be allowed to drive a district vehicle or be reimbursed for mileage driving their personal vehicle on district business.

The Accounts Payable Department will maintain a current record of all currently authorized drivers of privately owned vehicles for district business who are eligible for mileage reimbursement. A fully completed Authorization for Use of Privately Owned Vehicles for District Business Form (B-165) signed by the employee and department

chairperson and/or vice president, along with the district's required minimum automobile liability insurance limits, are to be forwarded to the Risk Management Office and will be the basis for mileage reimbursement claims.

A new Form B-165 is to be completed if the employee has changed insurance carriers and is requesting mileage reimbursement; otherwise, an updated declaration page can be submitted once every two (2) years in order to maintain mileage-reimbursement privileges.

C. Supervisor's Responsibility

It is essential for those faculty and staff members who are charged with supervising student and/or employee drivers to take an active role in assuring the safe operation of motor vehicles. Any report of unsafe operation of a vehicle received by the Risk Management Office will be communicated directly to the supervisor, department head, or vice president of the area involved. Supervisors should be aware of all trips taken and driving assignments made (see Section 12).

Transportation services shall be provided only for functions authorized by the superintendent/president or the vice president of the division requesting the services.

1. Overnight trips and trips outside San Diego County

   Daily trips outside San Diego, Orange, Los Angeles, and Riverside counties and trips to all overnight meetings or conferences must be authorized by a signed travel request. A copy of the travel request must accompany the request for use of a vehicle. Recurring meetings during one fiscal year may be covered by one travel request and referenced when the reservation is made.

2. Day trips

   Vehicles may be issued for daily trips within San Diego, Orange, Los Angeles, and Riverside Counties without a travel request.

3. Student use of district vehicles

   Vehicles may be reserved by the vice president, student services, or their designee for Associated Student Government trips for either overnight or daily trips. An administrator, faculty sponsor, or classified employee designated by the vice president, students services, must accompany students on field trips. Student ambassadors and student workers, as paid employees, need to be approved district drivers and can operate the vehicle alone to conduct district business with prior written approval by the vice president, student services. Students are not authorized to drive district vehicles unless they are authorized volunteers (see Section P).

D. Use of District-Insured Vehicles

1. Assigned vehicles

   Transportation services in support of district activities are provided by the Facilities Department. The vice president, administrative services, through the director of

facilities, is responsible for the management of these services and the enforcement of state and local regulations for the operation of motor vehicles.

2. Use of private vehicles on district business

The vice president, administrative services, is authorized to approve requests to use privately owned vehicles on district business. These vehicles used on district business must be insured for at least the required district's minimum automobile-liability-insurance coverage. Proof of this coverage must be furnished to the district risk management officer prior to the transportation of district employees or other persons on district business or field trips (see Section I). The district automobile-liability insurance will provide secondary coverage beyond the layer of insurance provided by the owner of the authorized vehicles and drivers. The district does not provide physical-damage coverage for privately owned vehicles and accepts no responsibility for damage (comprehensive, collision, maintenance, or repair) to these vehicles used on district business or field trips (see Form B-165).

E. District Vehicle Reservation and Scheduling

Vehicles may be reserved in advance with the Facilities Department or on the Web site: https://portal.miracosta.edu/Resources/knowledgebase/helpdesk/default.aspx, followed up with a signed travel-request form, if necessary.

Automobiles and vans are available for issue. While specific vehicles may be requested, the assignment is at the discretion of the director of facilities. Any request for reserving a vehicle for more than three consecutive days will require approval of the director of facilities and will be based on availability of vehicles.

The following priorities shall apply in the reservation and issuance of district vehicles:

1. Administrative priority assignment by the superintendent/president or Board of Trustees; U.S. mail distribution; payroll and other runs to the San Diego County Office of Education.

2. Same-day travel priority assignment by the Facilities Department of vehicles checked out and returned in the same day, typically on a first-come basis. Vehicles are normally not rented to supplement the pool for these uses, but if rental is determined by the director of facilities to be necessary, the requesting department will normally be charged for the rental.

3. Overnight priority assignment by the Facilities Department for vehicles is available. If none is available, the Facilities Department may rent additional vehicles to supplement the district pool. The requesting department is charged for the rental unless the need has resulted from a block reservation (see Section 6; see same-day priorities above). Vehicles may not be kept overnight except for out-of-county travel requiring an overnight stay. District vehicles are not to be issued for overnight trips within San Diego County, unless approved in advance and in writing by the vice president, administrative services, or designee.

F. Rental of Vehicles

Vehicles may be rented by the Facilities Department for authorized district business and field trips originating from a district campus location. If the type of vehicle requested is

unavailable in the pool, or if the request may possibly require the rental of vehicles beyond what is available, the request must be submitted to the Facilities Department no less than five working days before the anticipated need. Any rental request must be accompanied by an approved travel-request form.

Every driver of a rental vehicle for conducting district business must be an authorized approved driver for the district and appropriately licensed for the type of vehicle. Only the Facilities Department may rent local vehicles for the district. The Facilities Department will make all rental arrangements and will notify the user department of the place and time the vehicle is to be picked up and returned.

Under some circumstances, when anticipated and approved in advance on a travel request, a vehicle may be rented by the authorized district-approved driver at an airport or other intermediate trip destination. The following two specific actions need to occur in these vehicle-rental agreements:

1. The authorized district driver (renter) should purchase the collision-damage waiver (CDW) from the rental agency as a reimbursable expense under the travel request.

2. The authorized district driver (renter) renting the vehicle should verify that it is rented in both the employee's and the district's names to tie the rental to the district in a claim situation, per insurance carrier requirements, i.e. John Doe for MiraCosta College.

Rental charges will not be reimbursed to non-authorized drivers (see Section A).

Prior to leaving the rental agency, a physical inspection of the rental vehicle should be made, noting any defects on the rental agreement and confirmed by the rental agency. A final inspection should be conducted upon return of the rental vehicle. Charges made by the rental agency for pre-existing damage not noted by district's authorized driver renting the vehicle will be the responsibility of the driver.

For international rentals, purchasing the liability coverage offered by the rental agency is recommended.

All accidents involving any rental vehicles should be reported promptly to the rental agency and to the Risk Management Office for proper insurance-notification purposes.

Use of Chartered Transportation for Field Trips/Bus or Motor Coach Rental: Motor coach common carriers must maintain commercial automobile liability insurance and provide a certificate of insurance as evidence of coverage. MiraCosta Community College District shall be named as additional insured. A copy of the certificate should be sent to the Risk Management Office, prior to the event.

G. Vehicle Insurance

The district maintains commercial-automobile-insurance coverage for district-insured and hired vehicles. This coverage includes liability, auto physical damage (comprehensive and collision), uninsured and underinsured motorist. Authorized drivers are covered while driving a district vehicle. The district reserves the right to remove any driver from coverage based on their motor-vehicle report (MVR) (see Section A).

H. Automobile Proof-of-Insurance Card

All district owned vehicles shall carry an automobile-liability-insurance identification card issued by the district's insurance carrier indicating proof of insurance. These identification cards are kept in the vehicle's glove box. Additional identification cards are available whenever the Facilities Department directly arranges for a local rental or leased vehicle and photocopies of the identification card need to be carried by the authorized district driver of the locally rented vehicle.

I. Use of Personal Vehicles

Personal vehicles may be used to conduct district business at the employee's option and at their own risk and must be insured by the owner. The owner's automobile-liability insurance is the primary coverage, with the district's policy responding as an excess layer. There is no physical damage (comprehensive and collision) coverage through the district on a personal vehicle operated for district business.

District employees who drive their own vehicles and who receive mileage reimbursement must provide proof-of-insurance coverage biannually (every two years) to the Risk Management Office (see Section B). Physical damage (comprehensive and collision) limits and deductible are at the discretion of the owner.

J. Use of Private Vehicles on Field Trips

The use of private vehicles for field trips must be approved for each driver and vehicle, except that the approval for multiple trips during a semester may be approved by appending a list of the trips to one request.

If mileage reimbursement is to be claimed, the approvals for either a conference (if other than mileage is to be claimed) or daily travel must supplement the approval of the driver and the vehicle.

Employees should check their automobile-liability-insurance policies to be sure their policy does not exclude coverage by defining mileage reimbursement as being within the meaning of vehicles-for-hire.

The employee originating the field trip is responsible for seeing that these approval requests have been submitted to the vice president, administrative services, at least five working days before the trip.

Students driving their own vehicles to scheduled events or practices are entirely dependent upon their personal-automobile-insurance coverage. The district does not take any responsibility in arranging for student transportation other than as discussed in these procedures. (Education Code §35330 (d))

K. Proof of Insurance for Personal Vehicles Used on District Business

Persons operating privately owned vehicles on district business must furnish proof of automobile-liability insurance that meets or exceeds the district's established minimum policy-limit requirements.

1. Employee

When claiming mileage for daily trips or conferences, drivers must file with the district risk management officer evidence of insurance on the vehicle for which mileage is to be claimed. A copy of the employee's current automobile-liability-insurance declaration page accompanying a Form B-165 is sufficient evidence of insurance.

2. Volunteer

A person volunteering the use of their automobiles for field trips must furnish proof their automobile is insured to meet the district's minimum-liability requirements. The volunteer must also be approved as authorized driver (see Section A and P).

L. Proof of Insurance on Private Vehicles Used on District Business

Persons using their private vehicles for travel on district business must, as a condition of reimbursement for mileage, furnish evidence that the vehicles are insured for the district's minimum automobile-insurance-liability-policy-limit requirement for driver accountability. The following minimum automobile insurance limits are:

1. Bodily-injury limit of $100,000 per person/$300,000 per accident or combined single limit of $300,000

2. Property damage of $50,000 per accident

3. Medical payments coverage of $2,000 per person

The above limits are subject to change based upon the district's insurance-carrier requirements.

A copy of the current automobile-liability-insurance declaration page, clearly showing driver's name and the limits of liability required as evidence of insurance, will accompany Form B-167, District Motor Vehicle Authorization Request, and Form B-165, Authorization for Use of Privately Owned Vehicles for District Business.

M. Mileage Reimbursement

Drivers authorized to use private vehicles for district business will be reimbursed for mileage incurred at the rate per mile allowed by the Internal Revenue Service or established by the director of fiscal services as deductible for business travel.

1. Claiming Mileage for Daily Trips

As a condition for mileage reimbursement of private vehicles for travel on district business, the driver may be an employee of the district, student, or volunteer authorized to drive on district business and properly insured.

a. Required Authorization

Employees, students, and volunteers may claim reimbursement for mileage incurred on district business if the vice president of the division responsible

for the activity approves a driver authorization (Form B-165) within the past year certifying to the superintendent/ president that the travel is necessary for the completion of the employee's assignment.

b. Method of Filing

Reimbursement for nonconference travel is to be claimed on daily mileage forms (Form B-46, Mileage Claimed for Use of Private Car) furnished by Fiscal Services. The claim is to be signed by the employee and supervisor and submitted to Fiscal Services.

N. Claiming Mileage for Conferences

Mileage for conference travel is authorized by the approval of the travel-request claim, Form B-86, and is to be submitted with the reimbursement claims for the conference. Prior to the trip, the driver is to have filed and approved by the vice president, administrative services, or designee, the following:

1. Form B-167, Motor Vehicle Driver Authorization Request

2. Form B-165, Authorization for Use of Privately Owned Vehicles for District Business

3. Proof of insurance on private vehicles used on district business (see Section I)

Without prior approval for separate travel, only one mileage claim may be submitted for each conference. Employees traveling to the same conference are expected to travel in one vehicle unless specifically exempted in the travel approval authorizing their attendance. The claim is to be submitted with the claim for reimbursement for the conference, not as regular daily mileage.

O. Safety Issues

1. Smoking, Alcohol, and Drug Use

Smoking is not allowed in district vehicles. No alcoholic beverages, illegal drugs, or illegal controlled substances are to be used or consumed by the driver or any passenger at any time while operating or riding in a district-insured vehicle or a private vehicle used to conduct district business.

2. Seat Belt Use

Use of seat belts is mandatory and required for all persons occupying the vehicle in compliance with the California Vehicle Code. It is the driver's responsibility to ensure that all persons are properly secured before the vehicle is put into motion.

3. Cell Phone Use

Drivers are to refrain from any use of cell phones, texting, or other personal devices when the vehicle is in motion as required by the California Vehicle Code.

4. Traffic Laws

Driver must operate the vehicle in accordance with all sections of the California Vehicle Code and other applicable state and federal traffic laws, ordinances, and regulations. Any fines or fees resulting from violations, including parking tickets, are the responsibility of the driver and not the district.

5. Safe Operation

All authorized drivers are expected to operate vehicles safely and with great care. Smoking is not allowed in district vehicles and all vehicles must be in a clean condition when they are checked in.

6. Hazardous Materials

Hazardous materials may not be transported in either a district-insured vehicle or a private vehicle under a mileage reimbursement claim unless approved both in advance and in writing by the vice president, administrative Services.

7. Other Prohibited Transportation

District vehicles are not authorized to transport any animals unless they are service animals as described by law.

P. Accident Reporting Procedures: Insurance and Accident Reports

The district carries automobile-liability insurance on all district vehicles. A document describing the coverage is in the glove compartment of each vehicle, along with an accident-report form and instructions on what to do in case of an accident.

Q. Vehicle Maintenance: Checkout, Maintenance and Return of Vehicles

Vehicles may be checked out between 8 a.m. and 4:30 p.m., Monday through Friday. The Facilities Department will provide the authorized driver with a vehicle-operation record, a set of keys, and a gasoline credit card, if needed. Check-out, return, operating, and maintenance procedures will be provided to the authorized driver at the time of check out.

R. Use of Gasoline Credit Cards

Gasoline credit cards are intended for purchase of gasoline, oil, and necessary minor repairs only. The cards may only be used for district vehicles and those vehicles rented by the Facilities Department. The authorized driver is to verify the accuracy of the invoice before signing it. All credit-card invoices must be returned to the Facilities Department with the credit card when the vehicle is returned.

S. Volunteer Drivers/Motor-Vehicle Report Program

Reference Board Policy and Administrative Procedure 7500 for the complete policy and procedure.

A volunteer is a person who:

1. Performs services for the district

2. Serves without compensation of any kind

3. Is under direct supervision of a district employee

Volunteers must complete the required forms and be approved by the superintendent/president or his/her designee.

Volunteers who have completed the proper volunteer forms and received approval by the Risk Management Office are covered under the district's Workers' Compensation policy.

Complete instructions and applicable forms can be found on the Risk Management Web site at:
http://www.miracosta.edu/administrative/riskmanagement/programs.html

T. Motor-Vehicle Report (MVR) Program

Volunteer drivers may be students or any other properly licensed person with an acceptable driving record (see Section A).

The basic requirements of approval are a current valid California driver's license for the type of vehicle to be used and the signature of a MiraCosta department head or administrator certifying the need for the individual to act as a volunteer driver.

Volunteer drivers must submit the required volunteer-authorization forms (available from the Risk Management Office). The approved volunteer form entitles the volunteer to Workers' Compensation coverage and benefits while acting as a volunteer performing service for the district. Volunteers driving their own automobiles on field trips or district business must furnish proof that they carry at least the district's required minimum automobile-liability insurance and complete Form B-165, Volunteer Authorization for Use of Privately Owned Vehicles for District Business, and provide proof of insurance as required under Section I.

The district will obtain MVRs for volunteers following federal and state laws. Volunteers must also agree not to transport more than the number of persons allowed by the design of their vehicle and their license class, as stated in California Vehicle Code, and follow all safety rules in Section K.

Because the turnover of volunteers is much higher than for district employees, and because the volunteers are primarily recruited at the class or department level, volunteers must renew annually their volunteer-authorization forms, Form B-165V for mileage reimbursement, and the required MVR release and authorization form prior to driving on district business.

District staff arranging for field trips or the supervisors of volunteers driving on district business are responsible for seeing that volunteer drivers have been approved to drive their own vehicles and that they have been certified as volunteers through the Risk Management Office. Volunteers may be authorized to drive district vehicles when a district employee accompanies the volunteer on the same road trip.

U. Utility Cart Safety Training

Before being authorized to operate a district utility cart, an employee or volunteer must take the district's utility cart safety training class and pass the utility cart operating test. The Risk Management Office will maintain a record of all approved utility-cart instructors and drivers.

Subject: **Board Policy 6750 – Parking**	**Attachment:** **Board Policy 6750 – Parking**
Category: **Board Policies – First Reading**	**Type of Board Consideration:** **Information** ✓ **Consent** **Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

Revisions to Board Policy 6750 – Parking have been approved by College Council, and the policy is now presented for a first reading by the board of trustees.

Administrative Procedure 6750 is provided for information only.

RECOMMENDATION

For information only.

The superintendent/president shall establish such administrative procedures regarding vehicles and parking on campus as are necessary for the orderly operation of the instructional program. No person shall drive any vehicle or leave any vehicle unattended on the campus except in accordance with such procedures.

Parking fees may be established in accordance with these board policies. (See Board Policy 5030–Fees)

Vehicles and Contents

The district accepts no responsibility for damage to vehicles parked on district property or for their contents.

See Administrative Procedures 6750.

Adoption History:	5/18/10
Periodic Review:	5/18/16
References:	Education Code §76360
	Vehicle Code §21113 and 40220
CCLC Update:	#33, 10/18–
Steering:	VPASS

These procedures are intended to promote safe and orderly movement of traffic within district property for the safe and orderly parking of vehicles and bicycles.

All applicable provisions of the California Vehicle Code are expressly applicable both on and off paved roadways.

Parking of motor vehicles and bicycles is limited to specially designated areas. Automobile fee permits are required. Vehicles or bicycles parked in violation of the provisions of this code are subject to fines, towing, or impoundment.

All persons who enter on the college are charged with knowledge of the provisions of this procedure and are subject to the penalties for violations of such provisions.

The operation of a motor vehicle or bicycle on MiraCosta College property is a privilege granted by California Vehicle Code §21113a and §22507.8 and California Education Code §15801. For the purpose of enforcing parking regulations, all student and staff vehicles parked on the Oceanside Campus, the San Elijo Campus, or the Community Learning Center must be registered with MiraCosta College Police.

All vehicles parked on any MiraCosta College site must display a valid parking permit. Student and faculty/staff parking permits can be obtained from College Police or the Student Accounts Office at the Oceanside Campus (Admissions and Records at the San Elijo Campus). Students may pay parking fees online via SURF or in person at the Student Accounts Office at the Oceanside Campus or the Admissions and Records Office at the San Elijo Campus. Oceanside Campus, San Elijo Campus, and Community Learning Center students must either have a decal or use the daily permit dispenser. Infraction tickets must be paid at the MiraCosta College Police Office.

Effective Date:	5/18/10, 2/19/16
References:	Education Code §76360 Vehicle Code §21113
CCLC Update:	--
Steering:	VPAS

Subject: **Board Policy 6800 – Occupational Safety**	**Attachment:** **Board Policy 6800 – Occupational Safety**
Category: **Board Policies – First Reading**	**Type of Board Consideration:** **Information** ✓ **Consent** **Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

Revisions to Board Policy 6800 – Occupational Safety have been approved by College Council, and the policy is now presented for a first reading by the board of trustees.

Administrative Procedure 6800 is provided for information only.

RECOMMENDATION

For information only.

The superintendent/president shall establish administrative procedures to ensure the safety of employees, student workers, students, and volunteers on district sites, including the following:

A. Compliance with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the district shall comply with the regulations of the Federal Highway Administration (FHWA) and, if applicable, the Federal Transit Administration (FTA). Compliance with these policies and procedures may be a condition of employment.

B. Establishment of an Injury and Illness Prevention Program in compliance with applicable Cal/OSHA regulations and state law. These procedures shall promote an active and aggressive program to reduce and/or control safety and health risks.

C. Establishment of a Hazardous Material Communications Program, which shall include review of all chemicals or materials received by the district for hazardous properties, instruction for employees, student workers, students, and volunteers on the safe handling of such materials, proper disposal methods for hazardous materials, and effective management and administration of Material Safety Data Sheets/Safety Data Sheets (MSDS/SDS).

D. Prohibition of the use of tobacco in all public buildings.

See Administrative Procedure 3570 and 6800.

Adoption History:	2/16/10
References:	49 Code of Federal Regulations, Part 40, Part 655 Title 8, §3203 29 Code of Federal Regulations 1910.101 et seq. Health and Safety Code §104420 California Code of Regulations Title 19, Public Safety Division, §2570.2 California Department of Industrial Relations, Division of Safety and Health Administration Cal/OSHA California Code of Regulations Title 8, General Industry Safety Orders Labor Code §§142.3; 6300 et seq Code of Civil Procedure §527.8 Penal Code §§273.6, 626.9, 626.10, 12021
CCLC Update:	#11, 8/06
Steering:	VP~~B~~AS

Definitions

Prevention activities are activities that increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early-warning signs so that appropriate intervention can be provided for identified areas of conflict in the workplace.

Crisis or conflict is any inappropriate or unreasonable disruption that interferes with the normal functioning of the workplace.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

Workplace includes off-campus locations, as well as college-sponsored activities where faculty, staff, or student employees are engaged in college business, or locations where incidents occur as a result of the person's relationship to the college community.

Emergencies

Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire, or medical personnel by first dialing 911 and then notifying law enforcement.

Effective Date: 2/16/10
Periodic Review:
References: 49 Code of Federal Regulations, Part 40
49 Code of Federal Regulations, Part 655
Title 8, §3203
29 Code of Federal Regulations, 1910.101 et seq.
Health and Safety Code §104420
California Code of Regulations Title 19, Public Safety Division, §2570.2
California Department of Industrial Relations, Division of Safety and Health Administration Cal/OSHA California Code of Regulations Title 8, General Industry Safety Orders
Labor Code §§6300 et seq.
Code of Civil Procedure §527.8
Penal Code §273.6
Board Policy/Administrative Procedure 7330-Communicable Disease
CCLC Update: #11, 8/06
Steering: VPAS

Equipment and Sanitation

Should the duties of an employee require the use of equipment to ensure the safety of the employee, the district shall furnish such equipment. Complaints related to health safety, sanitation, and working conditions shall be forwarded to district risk management officer for review and recommendation.

Crisis and Conflict Intervention

Any employee experiencing an unsafe work condition should immediately contact their supervisor or the district risk management officer. The supervisor shall immediately notify campus police about any acts or threats of violence. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees to immediately report threats, acts of violence, or any other behavior that deliberately hurts or harms another person at the district to their immediate supervisor and campus police. Such reports will be promptly and thoroughly investigated.

Face or Eye Protection

Employees working in locations where there is a risk of receiving eye injuries, such as punctures, abrasions, contusions, or burns as a result of contact with flying particles, hazardous substances, projections, or injurious light rays that are inherent in the work or environment, shall be safeguarded by means of face or eye protection. Locations include, but are not limited to, laboratories of chemistry, physics, and biology, art and drama activity areas, horticultural sciences, and the auto-technology center. Suitable screens or shields isolating the hazardous exposure may be considered adequate safeguarding for nearby employees. The district shall provide and ensure that employees use protection suitable for the exposure.

Where eye protection is required and the employee requires vision correction, such eye protection shall be provided as follows:

A. Safety spectacles with suitable corrected lenses.

B. Safety goggles designed to fit over spectacles.

C. Protective goggles with corrective lenses mounted behind the protective lenses.

Eye protection shall be in accordance with American National Standard, Practice for Occupational and Educational Eye and Face Protection, Z87.1-1989, which is hereby incorporated by reference, except that integral lens and frame design will be allowed if the lens frame combination provides unit strength, as well as impact, penetration, heat, and flammability resistance, optical qualities and eye-zone coverage equal to or greater than is required by ANSI Z87.1-1989. Side-shield protection shall be used whenever the hazard of flying objects is angular as well as frontal. Reference: CCR Title 8 §3382.

Each faculty member has a direct responsibility to assure that all students, teachers, and visitors wear approved eye-protection devices in classrooms where activities or the use of hazardous substances are likely to cause injury to the eyes. Hazardous substances include working with hot molten metal; milling, sawing of solid materials; heat treating, tempering or kiln firing of any metal or other materials; gas or electric arc welding; repairing, servicing, or operating vehicles or other equipment; working with hot liquids or solids or with chemicals that are flammable, toxic,

corrosive to living tissues, radioactive, or irritating. The district will install and maintain eyewash stations where appropriate.

Safety Footwear

Appropriate foot protection shall be required for employees who are exposed to foot injuries from electrical hazards; hot, corrosive, poisonous substances; falling objects; crushing or penetrating actions that may cause injuries; or who are required to work in abnormally wet locations.

Protective footwear for employees purchased after January 26, 2007, shall meet the requirements and specifications in American Society for Testing and Materials (ASTM) F 2412-05, Standard Test Methods for Foot Protection and ASTM F 2413-05, Standard Specification for Performance Requirements for Foot Protection, which are hereby incorporated by reference. Reference: CCR title 8, §3385; Labor Code §142.3.

For district safety purposes, employee shall refer to permanent and probationary employees and temporary workers who are assigned to work activities that may expose them to foot injury and/or exposure to related hazards. This class shall wear steel-toed safety boots or other footwear at all times that meet or exceeds standards stated above.

Permanent and probationary employees who are required to wear safety shoes will be provided with or reimbursed up to the current maximum for the purchase of new safety shoes and foot liners each fiscal year. The maximum annual allowance amount is $170 (total allowance including tax).

Permanent and probationary employees who are eligible may obtain new safety shoes and foot liners using either of the methods described below:

A. The employee shall present a receipt to their supervisor for reimbursement of the actual expenses incurred up to the current fiscal year annual maximum allowed. Said receipt shall indicate the date and full price of the safety shoe purchased. The supervisor will verify that the safety shoes meet or exceed ASTMF 2413.05 and will promptly prepare and submit a purchase request to their budget manager for approval.

B. The employee shall obtain a signed voucher from their supervisor that they may use to purchase new safety shoes and foot liners from an approved vendor. A list of vendors approved by the district's Purchasing Department shall be available in the Facilities Department and the list will be updated annually.

Costs incurred in excess of the fiscal year maximum annual allowance shall be borne by the employee or, with budget manager approval, from the department's supply allowance.

SAFETY PROGRAM

Accident Reviews and Recommendations

The district risk management officer shall review reports of accidents that have occurred on district property or have involved staff, students, volunteers, or members of the public at a district function. Emphasis of the review is to be on the development of recommendations for prevention of future occurrences of accidents. Recommendations requiring changes in traffic and parking regulations or facilities will be referred to campus committee. All other recommendations will be transmitted for disposition to the district risk management officer.

Health Hazard Reviews and Recommendations

The district risk management officer shall consider reports of existing or potential health hazards in the college environment. The hazards may be to staff, students, volunteers, or members of the public. Recommendations of the district risk management officer will be directed to the Campus Committee, and if the hazard includes students, to Health Services. (See Board Policy/Administrative Procedure 7330–Communicable Diseases.)

Security Hazard Reviews and Recommendations

The campus police shall consider reports of security hazards to the security and personal safety of staff, students, volunteers, or members of the public. Recommendations are to be made to the Campus Committee and the vice president, administrative services, as the division vice president responsible for security matters. The campus committee will consider security topics relating to property protection.

Handicapped Access Reviews and Recommendations

Although the Campus Committee is not the initial evaluator of handicapped access conditions, the ADA Coordinator and the Coordinator of Disabled Student Services may occasionally bring to the committee's attention access issues if there are evident health-and-safety implications. Since most access issues entail physical plant, recommendations of the Campus Committee will be made to the Vice President, Business and Administrative Services, as the responsible division vice president.

Safety Awareness and Education

A major objective of the Campus Committee is to heighten awareness among staff and students of safety practices. The principal means of doing this is through review and approval of workshops and other staff development activities and through circulation of minutes of the committee's meetings.

Cal/OSHA Requirements

MiraCosta College as an employer is required to comply with Occupational Safety and Health Administration regulations and to maintain health-and-safety records for Cal/OSHA (state) and OSHA (federal). Maintenance of these records and liaison with Cal/OSHA is the responsibility of the Risk Management Department. Questions, issues, and regulations relating to Cal/OSHA will be brought to the Campus Committee as a means of informing employees of general issues relating to occupational health and safety. Occasionally the Campus Committee may recommend district policy on Cal/OSHA topics.

Subject: **Board Policy 7600 – College Police Department**	**Attachment:** **Board Policy 7600 – College Police Department**
Category: **Board Policies – First Reading**	**Type of Board Consideration:** ✓ **Information** **Consent** **Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board policies and administrative procedures receive periodic review. New board policies and revisions to board policies are presented to the board of trustees for review and approval.

STATUS

Revisions to Board Policy 7600 – College Police Department have been approved by College Council, and the policy is now presented for a first reading by the board of trustees.

Administrative Procedure 7600 is provided for information only.

RECOMMENDATION

For information only.

The Board of Trustees has established the MiraCosta College Police under the supervision of a Chief of Police, who shall report directly to the Vice President of ~~Student~~ Administrative Services. The purpose of the department is to enforce the law on or near the campuses, centers, and other grounds or properties owned, operated, controlled, or administered by the district or by the state acting on behalf of the district.

District police officers shall be employed as members of the classified staff, but shall, when duly sworn, be peace officers as defined by law. Prior to employment, they shall satisfy the training requirements set out in Government Code §1031 and Penal Code §§830.32 (a), et seq.

The superintendent/president shall establish minimum qualifications of employment for the Chief of Police, including, but not limited to, prior employment as a peace officer or completion of a peace-officer-training course approved by the Commission on Peace Officers' Standards and Training (POST).

The superintendent/president shall ensure that every member of the College Police first employed by the district before July 1, 1999, satisfies the requirements of state law regarding qualifications for continued employment.

Every member of the College Police shall be issued a suitable identification card and badge bearing the words "MiraCosta College Police."

The superintendent/president, in cooperation with the Chief of Police, shall issue such other regulations as may be necessary for the administration of the College Police. Sworn police officers and dispatchers of the College Police shall comply with all POST requirements.

See Administrative Procedures 7600.

Adoption History:	11/3/09
Periodic Review:	7/7/15, 3/16/16
References:	Education Code §§72330 et seq. Government Code §§3300 et seq.
CCLC Update:	#16, 4/09, #28, 4/16, #36, 4/20
Steering:	VPAS

Human Resources is delegated the responsibility to establish minimum qualifications of employment for the College Chief of College Police, including but not limited to, the conditions contained in Board Policy 7600.

Every member of the College Police first employed by the district before July 1, 1999, must, in order to retain their employment, meet the requirements of Education Code section 72330.2, including but not limited to:

A. Submission of one copy of their fingerprints, which shall be forwarded to the Federal Bureau of Investigation.

B. A determination that the employee is not a person prohibited from employment by a California community college district.

C. If the employee is required to carry a firearm, is not a person prohibited from possessing a firearm.

Every sworn officer of the College Police shall be supplied with, and authorized to wear, a badge bearing words “MiraCosta College Police.” Every member of the college police shall be issued a suitable identification card.

Salaries for College Police shall be established after appropriate negotiations with their exclusive representative. If no such unit is established, salaries shall be recommended by the Classified Senate and Classified Administrators.

The district, in cooperation with the Chief of College Police, shall issue such other regulations as may be necessary for the administration of the College Police, including:

A. Schedules and shifts.

B. Hiring procedures in compliance of Peace Officers’ Standards and Training (POST) standards.

C. Call-back procedures.

D. Weapons practices and weapons retention.

E. Use of vehicles.

Effective Date:	11/3/09, 2/19/16
Periodic Review:	7/7/15
References:	Education Code §72330 Government Code §§3300 et seq. Penal Code §830.32 (a)
CCLC Update:	#28, 4/16
Steering:	VPHR / N/A

F. Pursuit practices.

G. Discipline procedures.

H. Department of Justice, California Law Enforcement Telecommunications System (CLETS) Training. Complete CLETS use and training information can be found in the MiraCosta College Police Procedures Manual.

MOU/Clery

The College Police shall maintain Memoranda of Understanding with appropriate local law enforcement agencies in accordance with the requirements of Education Code section 67381 and the federal Clery Act. The agreement shall address, but not be limited to, the following:

A. Operational responsibilities for investigations of the following violent crimes:

1. Willful homicide.

2. Forcible rape.

3. Robbery.

4. Aggravated assault.

5. Sexual assault.

6. Domestic violence.

7. Stalking.

8. Other sexual assaults at any college site.

B. Geographical boundaries of the operational responsibilities.

C. Mutual-aid procedures.

Subject: **Human Resources Update**	**Attachment:** **None**
Category: **Information**	**Type of Board Consideration:** ✓ **Information Consent Action**
Recommended: **Charlie Ng** **Vice President, Human Resources**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

COVID-19 and Safety

Human Resources has been working with the President's Office and all three divisional vice presidents to research and plan for determining COVID-19-related safety protocols. Impacts of safety protocols will go through a meet-and-confer process with the employee groups. As previously reported, some of these protocols include coordinating reporting to county health officials and the district's workers' compensation provider and implementing a self-screening and contact-tracing application (web and mobile app). Recent developments include providing updates to employees on vaccine eligibility and availability, and partnering with VEBA (California Schools VEBA) to provide MiraCosta College employees with a specific allocation of vaccines for San Diego County community college employees.

Professional Development

Human Resources has been working with various constituencies to increase access to professional development opportunities. As previously reported, the district partnered with Academic Impressions, which provides professional development opportunities on student and faculty success, diversity, equity, and inclusion, and leadership, among other areas for students and employees. Through February 2021, popular training events have included:

- Get Comfortable Being Uncomfortable: Engaging in Dialogue About Race and Bias
- Understanding and Addressing Microaggressions
- Time Management: Focusing Your Priorities and Purpose
- See Something, Say Something: Building Your Capacity to Respond to Bias

As reported from Academic Impressions, compared "to other institutions, your usage is really strong so I'm happy with the direction we're going. The area I'm most impressed is the faculty engagement at this stage. Normally we don't see this level of faculty engagement this quickly; they traditionally tend to be later adopters and require quite a bit of a push, so your statistics are honestly really refreshing."

Human Resources has also continued working on a project that will integrate access to the Chancellor's Office Vision Resource Center (VRC) professional development portal with the district's campus system. The VRC provides a library of training and professional development opportunities for employees of California's community college system. Once integrated, the district will have additional customizable options and features including custom reports, the ability to collaborate professional development opportunities across various employee groups,

and scheduled email reminders with follow-ups for workshop attendees. This project is expected to be complete in terms of system availability towards the end of April.

Campus Climate

The Climate Survey Working Group (CSWG) continue to review highlights of the Campus Climate Survey forums. Some issues that were identified and addressed through the Campus Climate Survey process included the following:

- Confusion, misconception, or unawareness around hiring chair responsibilities.
  Human Resources has developed and posted hiring committee chair responsibilities on the Human Resources portal for hiring committee members and other employees of the district to address this concern.
- Lack of inclusive restroom.
  Facilities modified campus maps to identify gender-neutral/inclusive restrooms and this concern has been considered with future bond construction projects.
- Recognition of all faculty including associate faculty at events.
  Although COVID-19 has impacted the occurrences of on-campus events, the district is making strides to improve recognition for all faculty including the presence of associate faculty at events.
- Confusion regarding the role and composition of the bias team.
  The bias team, now named the Bias Education Support Team (BEST) has clarified its name and role, has published a website with information on what the team does and who is on the team, and representatives now attend the President's Alliance for Diversity, Equity, and Inclusion (PADEI).
- Timing of events not considerate of evening students.
  Although COVID-19 has impacted the occurrences of on-campus events, Student Services has taken opportunities to schedule Zoom events with consideration of evening students.
- Racial tension on campus.
  Although COVID-19 has limited the number of students and employees on campus, the district has implemented various professional development and trainings including book readings (e.g. *So You Want to Talk About Race* and *How to be an Anti-Racist*), guest speakers (e.g. Dr. Kendi) and trainers, and access to training and events through Academic Impressions.

Workday Phase I and II

Both phases I and II of Workday for Human Resources are complete. The Human Resources/Payroll Team continue to progress through stabilization, which includes decentralizing personnel requisitions, retirement reporting, and further rollouts of performance management to remaining employee groups. Accenture's remaining scope for human resources stabilization includes retirement and miscellaneous reporting support.