MIRACOSTA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

REGULAR MEETING
4 P.M. – THURSDAY – OCTOBER 21, 2021
ZOOM Webinar Access
Or Dial: +1 669 900 6833
Webinar ID: 978 0976 0278
How to Provide Public Comment

AGENDA

I. CALL TO ORDER

II. FLAG SALUTE / ROLL CALL

III. TELECONFERENCING OF MEETINGS (Action Required)

A. Adopt Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361

IV. APPROVE MEETING MINUTES

A. Board Workshop of September 2, 2021
B. Regular Meeting of September 9, 2021

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

PLEASE NOTE: In accordance with AB 361, board meetings will continue to be conducted in an online format. Members of the public may access the meeting at the link above, and may request to make public comments by using the "raise your hand" feature at the bottom of the webinar screen. Written comments to the board will not be read aloud during the meeting. Instead, a copy of written comments will be provided to each of the trustees. All public comments must continue to adhere to the Decorum outlined below. Specific instructions on how to provide public comment during a Zoom board meeting can be accessed at the link above.
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 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.

VI. CHANGES IN AGENDA ORDER

VII. PRESENTATIONS

A. Update on the U.S. Census and Redistricting of Trustee Areas Pursuant to Education Code § 5019.5
B. Online Education Update
C. Student Conduct and Police Advisory Committee (SCPAC) Update

VIII. CONSENT ITEMS

A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
B. Approve Health-and-Welfare Benefits Program for the 2022 Benefit Year
C. Approve 2021/22 Legal Services
D. Approve Update to Titles and Job Descriptions for Superintendent/President and Vice Presidents
E. Approve Reorganization of the School of Career Education
F. Approve Classification of New Position
G. Ratify MOU 21-06, with the Faculty Assembly (Cultural Curriculum Collective)
H. Ratify MOU 21-07 with the Faculty Assembly (Core Competency Assessment)
I. Ratify MOU 21-08 with the Faculty Assembly (COVID-19)
J. Approve 2022/23 Academic Calendar and Revised 2021/22 Academic Calendar
K. Approval of Cooperative Agreement for Nursing and Allied Health Equipment Purchase
L. Approve and Execute Notice of Completion for Bid #MM-19-102 OC Track and Field Renovation Project No. 04210
M. Ratify and Approve Contracts and Purchase Orders—August 19, 2021, through September 29, 2021

IX. ACTION ITEMS

A. Adopt Resolution No. 5-21/22 Declaring Support for the Infrastructure and Jobs Act
B. Approve Award of Design-Build Services Contract for RFQ/P #MM-20-021 Communications Hub, Equity Village and Student Center; Approve Resolution No. 2-21/22
C. Authorize District Staff to Exercise the Second (and Final) One-Year Extension to Term of Architectural and Engineering Services, Geotechnical Engineering Services and Civil Engineering and Related Services Master Services Agreements
D. Approval of the Replenishment of Threshold of the Vice President for Administrative Services' Authority to Approve Program Reserve Fund Transfer Requests
E. Adopt Resolution No. 03-21/22: Authorizing Carolina Biological Supply Company's Chemistry Kits as a Single Source Procurement for the Chemistry Department

F. Adopt Resolution 6-21/22 Specifying Criteria to Guide the Realignment of Trustee Areas for MiraCosta Community College District Board Members

X. PERIODIC REVIEW – BOARD POLICIES (Action Required)

A. Board Policy 7700 – Whistleblower Protection

XI. SECOND READING – BOARD POLICIES (Action Required)

A. Board Policy 2200 – Board Duties and Responsibilities
B. Board Policy 4030 – Academic Freedom

XII. 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

XIII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

XIV. ADJOURNMENT

UPCOMING MEETING

4 p.m. – November 18, 2021
Regular Meeting
Zoom Webinar

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). Additionally, with the passing of AB 361, 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.

Audio recordings of board meetings are available upon request. Please contact the MiraCosta College Office of the President at 760.795.6610 or at jbollerud@miracosta.edu.

Subject: **Adopt Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361**	**Attachment:** **Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361**
Category: **Action Items**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency to enable state and local agencies to more effectively respond to the threat of COVID-19. ON March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which extended the provisions of Executive Order N-29-20's authorization for holding virtual meetings, with an expiration date of September 30, 2021. On September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions.

STATUS

In an effort to safeguard the health of our students, employees, and community members, and in an effort to provide greater access to meetings of the board of trustees, the board is presented with MiraCosta Community College District Resolution No. 4-21/22, declaring emergency conditions exist throughout the district campuses and facilities as a result of the continued State of Emergency under Government Code section 54943. The board has been provided regular updates on this matter.

RECOMMENDATION

Adopt Resolution No. 4-21/22 – authorizing teleconferencing for meetings pursuant to AB 361 as stated above.

MIRACOSTA COLLEGE COMMUNITY DISTRICT

RESOLUTION NO. 4-21/22

RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the legislative body of the District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The Board of Trustees of the MiraCosta Community College District finds, by a majority vote, the following:

    a. That there exists a proclaimed state of emergency;

    AND either:

    b. The Board is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board met and determined one of the following, and the Board now re-determines one of the following:
        i. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

ii. State or local officials have imposed or recommended measures to promote social distancing; OR

OR

c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
   i. The Board has reconsidered the circumstances of the state of emergency; AND
   ii. Any of the following circumstances exist:
      1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
      2. State or local officials continue to impose or recommend measures to promote social distancing.

3. The District's superintendent/president or their designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.

4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Trustees of the MiraCosta Community College District, this 21st day of October, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

CERTIFICATION

I hereby certify, on this 21st day of October, 2021, that the foregoing document is a true and correct copy of the Resolution To Implement Teleconferencing Requirements During a Proclaimed State of Emergency by the Board of Trustees of MiraCosta Community College District at its meeting on October 21, 2021.

By: _____

Secretary to the Board of Trustees
MiraCosta Community College District

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

MINUTES OF REGULAR MEETING / WORKSHOP **September 2, 2021**
(DRAFT)

I. CALL TO ORDER
The Board of Trustees of the MiraCosta Community College District met in a special meeting/workshop on Thursday, September 2, 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	

Administrators present:
Superintendent/President Sunny Cooke
Vice President Tim Flood
Vice President Diane Dieckmeyer
Vice President Charlie Ng (arrived at 4:29 p.m.)
Vice President Alketa Wojcik

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

IV. CHANGES IN AGENDA ORDER
None.

V. PRESENTATIONS AND DISCUSSIONS

A. Fiscal Year 2022 Final Budget Workshop
Vice President of Administrative Services Tim Flood reviewed the district's budget priorities for fiscal year 2020/21 and also reviewed projections for fiscal year 2021/22. Funding allocations supported the district's highest-priority goals and objectives (enrollment, programs, and services), consistent with the MCCCD Comprehensive Master Plan, the MCCCD Strategic Plan, and institutional program review activities. Flood noted that $2.1 million in Student Emergency Grants have been provided in 2020/21 to 2,899 students, and over $4 million in emergency grants have been provided to students since the start of the pandemic.

Flood provided the status of the facilities and infrastructure projects at the college, with an overview of projects completed, those in process, and those that have yet to be completed.

Flood provided a synopsis of the 2020/21 revenues and expenditures. He noted that total expenditures for fiscal year 2020/21 came in lower than initial budget projections. This resulted from Federal CARES Act funding and lower expenses due to mostly working remote. As a result, the fiscal year ended on a positive note.

An overview of the 2021/22 state budget, as it pertains to the district, was provided. The Covid support allocations were reviewed, including federal and state block grants, institutional grants, Minority Serving Institution (MSI) grants, and student emergency grants, totaling approximately $43 million. In addition to providing emergency grants to students, these funds have been used for ventilation upgrades, and is also funding technology to increase social distancing. Flood noted that all of the money that was deferred by the state last year, has now been reimbursed to the district.

Flood reviewed the Guided Pathways 3-year budget projection that is implemented in our 5-year plan to ensure it is sustainable and successful. He added that Guided Pathways implementation will receive one-time funding of $50 million, and the Strong Workforce Program will receive ongoing funding of $42.4 million. Instructional Dean Zhenya Lindstrom joined the meeting and provided additional details about the Guided Pathways budget projection. A consulting firm has been secured to help us manage interactions with students via a software program. The technology can bring early alerts, ensure that communication and processes are aligned, and assign students to pathways. An annual comprehensive Guided Pathways update will be provided to the board in spring 2022.

Flood acknowledged the entire college for their efforts made with the budget process. The college is working through retirement and healthcare cost increases, as well as technology and support increases. The property tax revenue growth of 3.9 percent is lower than previous years; this modest growth is anticipated to continue for the next 3-5 years. A COLA was negotiated at three percent, and the cost of CalSTRS and CalPERS is increasing. The district will continue to take a conservative approach with budgeting, which continues to provide a bright future. Flood specifically acknowledged Katie White and the Fiscal Services team, and the board thanked Flood for presenting the budget in a meaningful, comprehensive way. Katie White thanked the board for supporting the implementation of Workday, which is providing a tremendous amount of efficiency in our processes and for our future. Flood added that especially during working remotely, Workday has proven to be especially valuable.

Board members addressed questions with the superintendent/president and provided input. The board will be asked to adopt the final budget on September 9, 2021.

VI. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

Trustee Broad reported the criteria for redistricting trustee electoral areas, as well as demographics of the existing areas, will be reviewed at the September 9, 2021, board meeting.

VII. ADJOURNMENT

The board workshop adjourned at 5:34 p.m.

MINUTES APPROVAL:

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

MIRACOSTA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

MINUTES OF REGULAR MEETING **September 9, 2021**
(*DRAFT*)

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, September 9, 2021, via Zoom conference. President Rick Cassar called the meeting to order at 4:01 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

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

Administrators present:
Superintendent/President Sunny Cooke
Vice President Tim Flood
Vice President Charlie Ng
Vice President Alketa Wojcik
Acting Administrator Jonathan Fohrman

III. APPROVE MEETING MINUTES

A. Special Meeting/Closed Session of August 19, 2021
B. Regular Meeting of August 19, 2021

By motion of Trustee McNeil, seconded by Trustee Fischer, the minutes of the special meeting/closed session of August 19, 2021, and the regular meeting of August 19, 2021, were approved.

Vote:	7/0/0
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. Update on the U.S. Census and Redistricting of Trustee Areas Pursuant to Education Code § 5019.5

Christopher Skinnell, partner at Nielsen Merksamer Parrinello Gross & Leoni, LLP, Attorneys at Law, provided the board with an overview of the redistricting process and preliminary demographics of the current areas and noted the goal is to finish this process by the January 2022 board meeting. Skinnell added the current trustees will serve their term as they were voted in, and the new changes will be implemented in the new election cycle.

B. ASG Leadership Introductions

Student Life and Leadership Program Manager Chelsea Kott introduced the 2021/22 Associated Student Government leaders.

C. Facilities Update

Vice President Tim Flood, as well as district and Kitchell staff, provided an update on the progress of the district's Capital Construction Program. Capital Improvement Program values were reviewed, along with budget information. Overall, there are 42 board approved projects; 25 are currently active, 6 are completed, and 11 have yet to begin.

At the CLC over the last six months, we have completed the new Student Services Building. Renovations of Buildings A and B are in progress and should be completed by late fall, and some classes will be held on campus starting in October. Design work continues on site projects, which includes demolition of Building C, landscaping, parking lot improvements, and a few other smaller projects.

The San Elijo Campus had a total of 12 projects; five are completed or in the close out process, four are in construction, one is on-going, and one is in the design phase. A tremendous amount of work has been completed as a result of the campus being closed due to Covid.

On the Oceanside Campus, one project is completed, four projects are currently in construction, six are in the design phase, six are in the procurement process, three are ongoing, and four have yet to be started. The Athletic Field is complete and in use, the Administration Building renovation project has started, the swing space is completed and in use, and Parking Lot 5A is well underway and will be operable in spring 2022. The new Student Services Building in Pedley Park is also well under way.

The District reported on contract volume and Small and Historically Underutilized Business Enterprise (S/HUBE) awards. To date, 83.7 percent of all contracts have been awarded to local firms totaling over $110 million. Small and Historically Underutilized Business Enterprises (S/HUBE) were awarded 28.86 percent of all contracts, totaling $37.9 million. Due to the commitment to our local community and to supporting historically marginalized populations, the District continues to proactively outreach to local and S/HUBE firms.

VII. CONSENT ITEMS

A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions

B. Ratify Appointment of Acting Administrator
C. Approve Employment Contract for Vice President
D. Ratify Memorandum of Understanding 21-04 with Academic Associate Faculty
E. Adopt Sole Source Exceptions Findings and Approve Resolution No. 1-21/22
F. Approve and Execute Notice of Completion for Bid #MM-19-127 SAN B200 Renovation Project No. 04105
G. Approve Agreement with Dovetail for Fixtures, Furniture & Equipment Coordination Services
H. Ratification of Purchase of COVID-19 Support for Fall 2021 Return
I. Ratify and Approve Contracts and Purchase Orders—July 29, 2021, through August 18, 2021

Consent Items F and I were pulled for consideration:

By motion of Trustee Merchat seconded by Trustee Simon, consent items A through E, and G and H were approved.

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

By motion of Trustee McNeil, seconded by Trustee Simon, consent item F was approved.

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

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

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

VIII. ACTION ITEMS

A. Public Hearing 4:30 p.m. – FY2021/22 Final Budget

The public hearing began at 5:19 p.m., and there were no public comments.

B. Adopt Fiscal Year 2021/22 Final Budget

By motion of Trustee Broad, seconded by Trustee Merchat, the board adopted the 2021/22 fiscal year budget.

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

C. Approve Food Services Contract Renewal

By motion of Trustee McNeil, seconded by Trustee Fischer, the board approved the reissuance of a new two-year contract with CulinArt Group.

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

IX. PERIODIC REVIEW – BOARD POLICIES (Action Required)

A. Board Policy 2220 – Committees of the Board

By motion of Trustee McNeil, seconded by Trustee Fischer, the board adopted Board Policy 2220 – Committees of the Board.

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

B. Board Policy 2305 – Annual Organizational Meeting

By motion of Trustee McNeil, seconded by Trustee Fischer, the board adopted Board Policy 2305 – Annual Organizational Meeting.

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

C. Board Policy 2340 – Agendas

By motion of Trustee McNeil, seconded by Trustee Merchat, the board adopted Board Policy 2340 – Agendas.

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

D. Board Policy 2345 – Public Participation at Board Meetings

By motion of Trustee McNeil, seconded by Trustee Fischer, the board adopted Board Policy 2345 – Public Participation at Board Meetings.

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

E. Board Policy 2350 – Speakers

By motion of Trustee McNeil, seconded by Trustee Merchat, the board adopted Board Policy 2350 – Speakers.

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

F. Board Policy 2355 – Decorum

By motion of Trustee McNeil, seconded by Trustee Merchat, the board adopted Board Policy 2355 – Decorum.

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

G. Board Policy 2360 – Minutes

By motion of Trustee McNeil, seconded by Trustee Fischer, the board adopted Board Policy 2360 – Minutes.

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

H. Board Policy 2365 – Recording

By motion of Trustee McNeil, seconded by Trustee Fischer, the board adopted Board Policy 2365 – Recording.

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

I. Board Policy 2430 – Delegation of Authority to the Superintendent/President

By motion of Trustee McNeil, seconded by Trustee Merchat, the board adopted Board Policy 2430 – Delegation of Authority to the Superintendent/President.

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

X. FIRST READING – BOARD POLICIES

A. Board Policy 2200 – Board Duties and Responsibilities
B. Board Policy 4030 – Academic Freedom

Proposed edits to Board Policy 2200 and Board Policy 4030 were reviewed and discussed, and the policies will be placed on a future agenda for adoption.

XI. COLLEGE-RELATED REPORTS

A. Trustee Activities

Trustee Simon attended Oceanside's First Friday Art Walk. Trustee Pedroza attended the redistricting information meeting. Trustee Merchat attended the Carlsbad State of the City and All College Day. Trustee McNeil went to several MiraCosta soccer games. Trustees Broad, Cassar, and Fischer attended All College Day. Trustee Broad also attended the BioCom DEI workshop and the second Futures session.

B. Students

Student Trustee Alma Cuevas reported she is working on many projects, including the MiraCosta Virtual Tour, writing two articles for The Chariot, co-chairing the Latina Leadership Network, and working with the Oceanside community to create bike paths in the community. She is also a current Phi Theta Kappa member.

C. Classified Employees

Classified Senate President Carl Banks reported the members of the Classified Senate are glad to be back on campus safely.

D. Faculty

Academic Senate President Luke Lara reported Professor Zika Perovic, for the second year in a row, placed second place at the American Mathematical Association of Two-Year Colleges (AMATYC) competition. Next week is national Hispanic Serving Institution week, and several faculty members have organized events. He reported the Academic Senate is closely monitoring the situation with the Brown Act and AB361 as it moves forward in the Senate.

E. Vice Presidents

1. Instructional Services

Acting Administrator Jonathan Fohrman reported that classes that are back on campus are looking good. The Office of Instruction is already working on the spring schedule, and he appreciates the opportunity to fill in as Acting Vice President of Instruction.

2. Student Services

Vice President Wojcik reported the Student Services Division continues to meet with students face-to-face, as well as online. Processing of emergency grants and rental assistance has begun, with $380,000 being distributed for rental assistance thus far.

3. Administrative Services

Vice President Tim Flood thanked the board for passing the budget and thanked the many folks who worked to put together the fully adopted budget book. The ICBOC continues to meet, and the student representative, Austin Quandt, recently join the group.

4. Human Resources

Vice President Ng gave an update on the Climate Survey. One of the next steps was to convene the working group to start discussing items that were in the presentation from the consultants and the forums that were conducted this past year. That meeting took place this week with discussion on how to move things forward. The EOC Committee also met this week, and he thanked Payroll for their work with the STRS and PERS upgrade.

F. Office of the President

Superintendent/President Cooke reported the college had a smooth start to the semester, mostly due to good planning and work that was done all through the summer. She thanked all for their hard work. The Public Information Office has been involved in communication, marketing, and the virtual tour. The Office of Advancement currently

has many openings, but staff continue to work with our donors while the search continues for the Vice President of Advancement. The Research, Planning, and Institutional Effectiveness Office is busy working on creating dashboards and obtaining information on the 12 percent of students that were lost from last fall to this fall. The cycle to prepare for the District's Institutional Self-Evaluation Report (ISER) has begun, and many will be going through training with ACCJC for that process on September 13; with our actual visit scheduled for fall of 2023. The Board of Registered Nursing visit is next week. There currently is a region-wide shortage in healthcare with close to a 40 percent shortage in nursing alone, and our region is pushing to prepare more nurses. However, unless we can increase the capacity of the clinical space at local hospitals, that is impossible at this time. The region is actively advocating for the needs of our healthcare workforce and trying to be creative working with universities and hospital partners to increase capacity.

XII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.

XIII. ADJOURNMENT

The meeting adjourned at 6:06 p.m.

MINUTES APPROVAL:

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

Subject: **Update on the U.S. Census and Redistricting of Trustee Areas Pursuant to Education Code § 5019.5**	**Attachment:** **PowerPoint Presentation**
Category: **Presentations**	**Type of Board Consideration:** **Information** ✓ **Consent** **Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

MiraCosta Community College District has engaged the services of Nielsen Merksamer Parrinello Gross & Leoni, LLP, Attorneys at Law to represent the District with its post-Census readjustment of Board of Trustee electoral areas, in compliance with Education Code §5019.5 and state and federal laws.

STATUS

Christopher Skinnell, partner at Nielsen Merksamer Parrinello Gross & Leoni, LLP, Attorneys at Law, will provide the board with an update on the redistricting process and the demographics of the current areas. The Board will then be asked to adopt criteria to guide the demographic consultants, National Demographics Corporation, in the preparation of draft maps to be considered by the Board at future hearings per the timeline previously adopted.

RECOMMENDATION

For information only.

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2021 Redistricting Update
MiraCosta Community College District

October 21, 2021

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Redistricting Process: Key Dates

September 9, 2021	Presentations at Board meeting re (1) legal and policy criteria governing redistricting, and (2) demographics of existing trustee areas. Receive public comment on appropriate criteria.
September 27, 2021	California Statewide Database releases final adjusted redistricting data
October 21, 2021	Board receives further public input and additional testimony regarding appropriate criteria; adopts criteria and provides instructions for the preparation of alternative draft redistricting plans.
November 18, 2021	Demographic consultant to present initial draft trustee area plans; Board receives public input and additional testimony regarding draft plans; holds first public hearing on draft plans; Board may order modifications to any of the plans.
January 27, 2022 (est)	Board holds second public hearing on alternate plans, votes to choose one plan. If Board orders further modifications, another public hearing will be required.
February 28, 2022	Legal deadline for adoption of realigned trustee areas

*** Dates are subject to change**

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Federal Criteria: Equal Population

Total Population:	414,076		1	2	3	4	5
Ideal:	82,815	Pop.	84,683	82,167	83,661	80,568	82,997
Deviation Range:	4,115	Dev.	1,868	-648	846	-2,247	182
Total Deviation %:	4.97%	Dev. %	2.26%	-0.78%	1.02%	-2.71%	0.22%

1. Divide the **total population** by the **number of seats** to get the **ideal population**
2. Subtract the **smallest district's population** from the **largest** to get the **deviation range**
3. Divide #2 by #1 to get the **total plan deviation**

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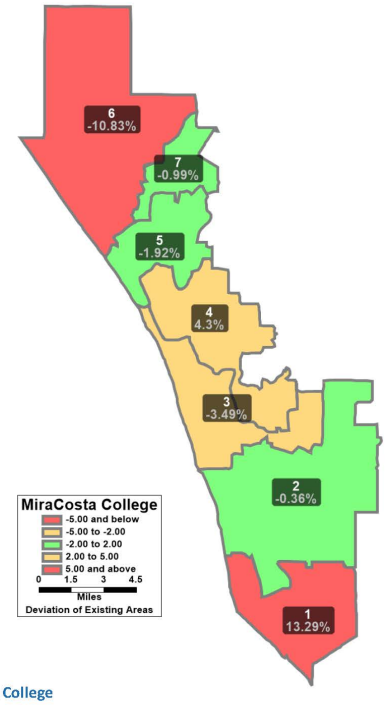
Updated Demographics

Dist.	Est. Pop.	Dev.*	% Dev.
1	65,963	7,736	13.29%
2	58,020	-207	-0.36%
3	56,197	-2,030	-3.49%
4	60,733	2,506	4.30%
5	57,108	-1,119	-1.92%
6	51,920	-6,307	-10.83%
7	57,649	-577	-0.99%
Total	407,591	14,043	**24.12%**

* Ideal Trustee Area Population: 58,227 total persons



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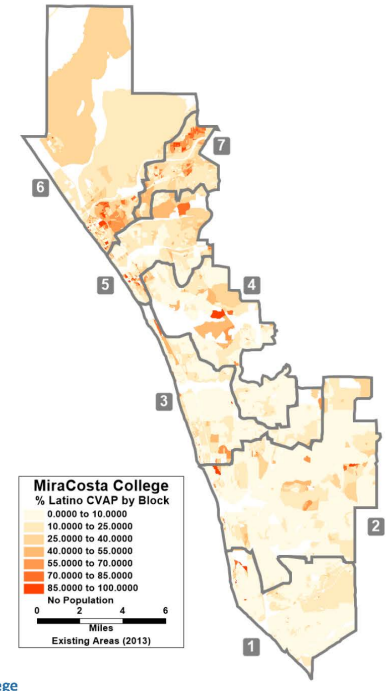
Federal Criteria: Voting Rights Act

- Section 2 of the federal Voting Rights Act prohibits electoral systems (including district plans), which dilute racial and language minority voting rights by denying them an equal opportunity to nominate and elect candidates of their choice.
- Creation of minority districts required only if the minority group can form the majority in a single member district that otherwise complies with the law. *Bartlett v. Strickland*, 556 U.S. 1 (2009).
- The Fourteenth Amendment restricts the use of race as the "predominant" criterion in drawing districts and the subordination of other considerations.

Updated Demographics

Dist.	% Latino CVAP	% NH Black CVAP	% NH Asian CVAP	% NH White CVAP
1	7.45%	1.58%	22.69%	67.17%
2	9.39%	0.73%	6.10%	82.97%
3	10.05%	0.75%	6.55%	81.99%
4	11.72%	2.06%	8.49%	76.90%
5	18.69%	2.15%	6.78%	70.54%
6	29.62%	8.38%	6.48%	53.01%
7	33.79%	7.44%	9.74%	47.22%
Total	16.87%	3.15%	9.51%	69.13%

"CVAP" = citizen voting age population



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Other Permissible Criteria Identified in Statute

- Topography.
- Geography.
- Cohesiveness, contiguity, compactness and integrity of territory.
- Communities of interest.

(See Elec. Code § 22000)

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Other Permissible Criteria Identified by Courts

Some other legitimate criteria include:

- Minimize shifting voters from one election year to another/retaining core of existing districts
  - Voters currently in districts scheduled to vote in 2022 could be redistricted into a 2024 district, meaning there would be a six-year gap between their voting in Board elections
- Keep trustees in their current areas / avoid head-to-head contests
- Other political subdivisions' boundaries (*e.g.*, attendance areas, cities, school districts, etc.)

Particular Criteria Considered in 2013

- Preference for map based on elementary school district boundaries over maps based on city boundaries and major roads
- Unification of communities of interest that were identified during the process, such as La Colonia

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Questions?

Subject: **Online Education Update**	**Attachment:** **PowerPoint Presentation**
Category: **Information**	**Type of Board Consideration:** ✓ **Information Consent Action**
Recommended: **Kristina Denée Pescarmona** **Vice President, Instructional Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Title 5 of the California Code of Regulations (CCR 55210) requires districts that offer one or more course sections through distance education to provide to the local board an annual report on distance education activity.

STATUS

Faculty Director of Online Education Dr. Jim Julius will provide a report on distance education. The report will include an update on the transition to primarily online instruction. An overview will be provided of faculty professional learning and the opportunities and challenges in the work ahead as MiraCosta College prepares for the 2021/22 academic year.

RECOMMENDATION

For information only.

MiraCosta College Online Education Board Report 2021

Jim Julius
Faculty Director, Online Education

Report Outline

1. Distance Education Background/Overview
2. Key Data
3. Highlights
4. Next Steps

Key Terms *(External)*

Distance Education (DE): Instruction in which students and instructor are separate, but have regular and substantive interaction through technology (*Federal*)

DE Class: A class where over 50% of instructional class time occurs via Distance Education. (*state/ACCJC*)

DE Program: A program where 50% or more of the required courses have been approved for offering as DE classes. (*ACCJC*)

Key Terms *(Local)*

Online Class: The entire class may be completed online, asynchronously.

Scheduled Online Class: The entire class may be completed online, including scheduled synchronous meetings.

Hybrid Class: Some instructional time occurs outside of the classroom. May be DE or non-DE. May be entirely online except exams.

HyFlex Class: Class is taught in a classroom and online simultaneously. Students choose how to attend.

Vision

MiraCosta's Online Education leverages an increasingly rich array of teaching and learning resources, experiences, and environments. MiraCosta College will lead in providing effective and innovative Online Education as an integral means of equitable access and student success.

Mission

MiraCosta College embraces student-centered, engaging, and accessible Online Education that meets student needs, enhances the learning experience, and broadens access to superior educational opportunities and support services.

DE Participation at MiraCosta
All Programs

	2016-17	2017-18	2018-19	2019-20	2020-21
# of DE Course Sections	673	702	734	832	2,964
% of FTES from DE	19.9%	20.9%	21.8%	25.6%	98.7%
% Students Enrolled in ***at least one*** DE Section	44.6%	46.3%	48.5%	53.6%	99.4%
% Students Enrolled in ***only*** DE Sections	15.1%	15.7%	17.0%	19.8%	97.7%

Note: 2020-21 data includes 85 AHS and 284 noncredit course sections; prior year DE participation in those programs was minimal.

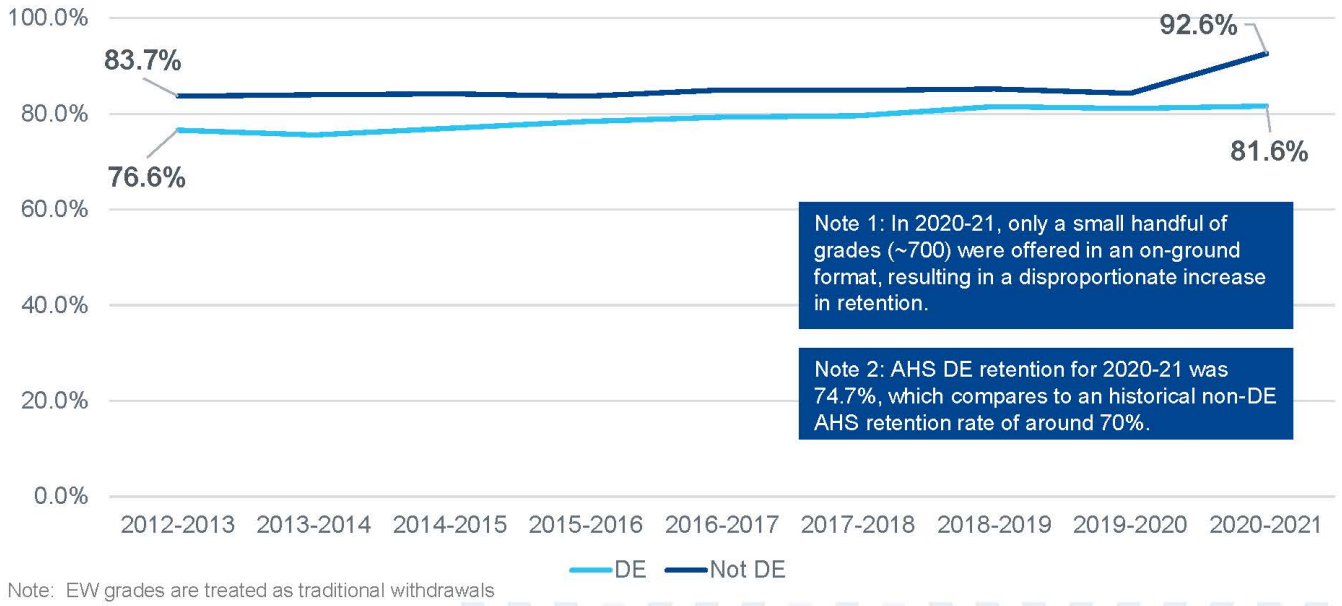
Source: MiraCosta Data Warehouse

DE Participation at MiraCosta
Credit Only

	2016-17	2017-18	2018-19	2019-20	2020-21
# of DE Course Sections	662	694	724	820	2,595
% of FTES from DE	22.9%	23.7%	24.7%	28.7%	99.0%
% Students Enrolled in ***at least one*** DE Section	52.9%	54.9%	58.3%	64.7%	99.3%
% Students Enrolled in ***only*** DE Sections	18.1%	18.8%	20.4%	23.9%	97.3%

Source: MiraCosta Data Warehouse

MiraCosta Course Retention Rates
Credit Only



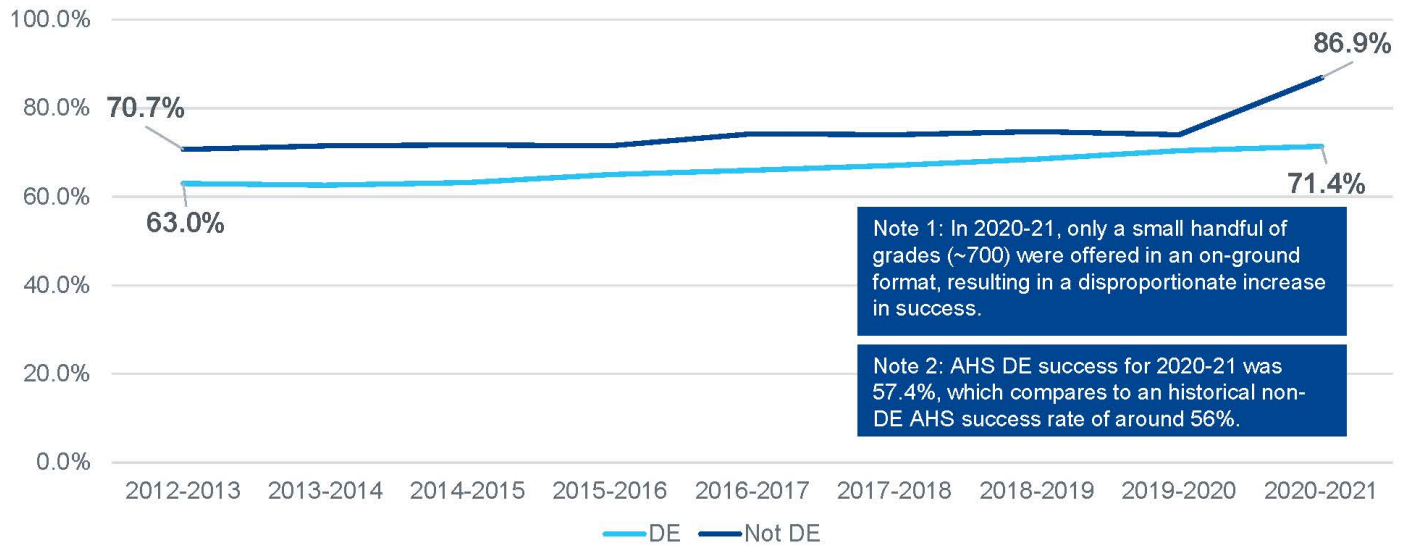
Note 1: In 2020-21, only a small handful of grades (~700) were offered in an on-ground format, resulting in a disproportionate increase in retention.

Note 2: AHS DE retention for 2020-21 was 74.7%, which compares to an historical non-DE AHS retention rate of around 70%.

Note: EW grades are treated as traditional withdrawals

8

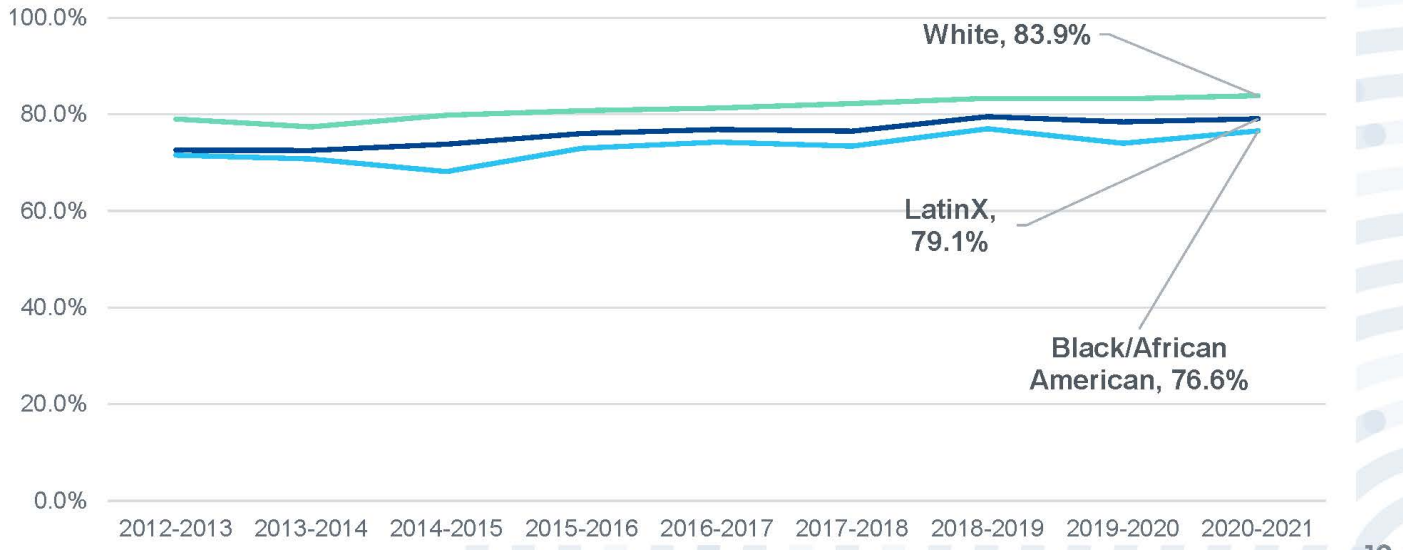
MiraCosta Course Success Rates
Credit Only



Note: EW grades are treated as traditional withdrawals.

9

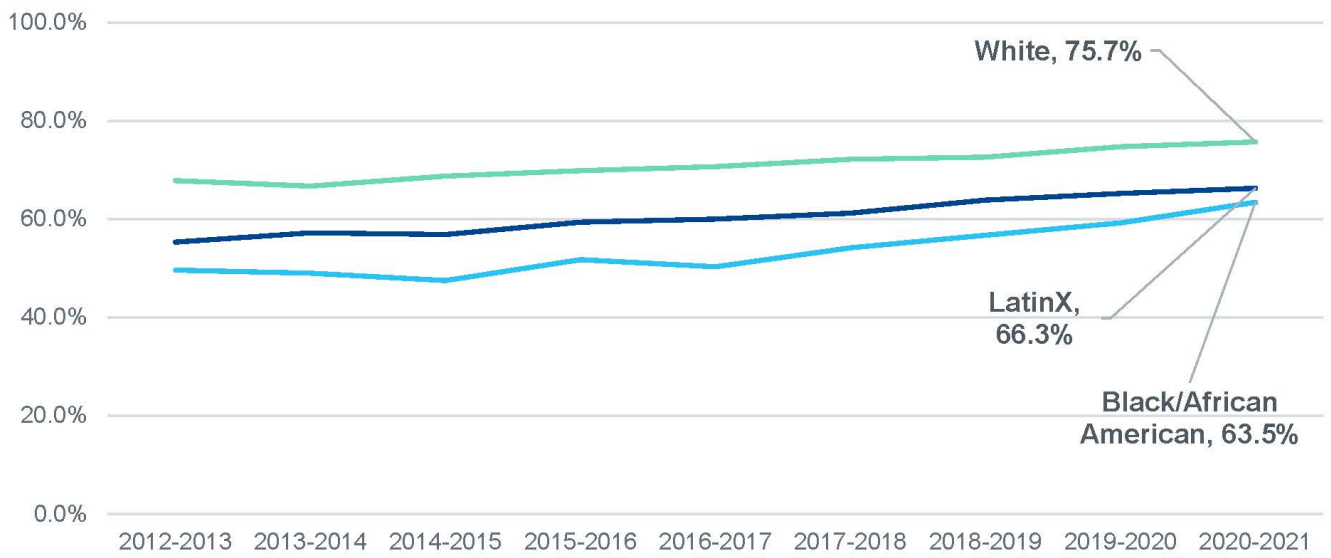
MiraCosta DE Equity Data – Retention
Credit Only



Note: EW grades are treated as traditional withdrawals.

10

MiraCosta DE Equity Data – Success *Credit Only*



Note: EW grades are treated as traditional withdrawals.

11

Highlights

1. Providing innovative faculty support in partnership with the C³ TLC :
   - *MiraCosta Online Mentor* Peer Faculty
   - Equity Online: *Celebrating Our Collaborative Work in Progress* event
2. Hiring of permanent Instructional Designer
3. Recognition of Student Support Hub

Highlights

4. Updating foundational DE documents to reflect equity emphasis and regulation updates
5. Expanding student participation in Student Orientation to Online Learning workshops

Next Steps

1. Building on sustained and expanding online education innovation and interest
2. Expanding course and program offerings that support broad student needs and interests, including synchronous online and HyFlex options
3. Updating Online Ed Plan in alignment with Educational Master Plan and Tech Plan

Next Steps

4. Building faculty support that dovetails with the new faculty contractual obligation for online education compliance training
5. Continued expansion of low and zero cost courses and programs ($115 million in state funding)

Thanks!

Discussion / questions?

Credits

- Presentation template by SlidesCarnival

Subject: **Student Conduct and Police Advisory Committee Update**	**Attachment:** **PowerPoint Presentation**
Category: **Information**	**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

In fall 2020, the Student Conduct and Police Advisory Committee was formed as an advisory group to the superintendent/president on promoting equity and continuous improvement in the college processes of implementing the student code of conduct and police matters. The committee's charge is to promote effective communication, collaboration, and understanding between constituent groups' members, community members, and areas of the college charged with keeping the campus a welcoming, safe, and productive learning environment.

STATUS

Vice President Tim Flood, committee facilitator, and committee member Abby Burd, mental health counselor, will provide an overview of the committee's work in 2020/21.

RECOMMENDATION

For information only.

Student Conduct and Police Advisory Committee Presentation

October 21, 2021

Student Conduct and Police Advisory Committee (SCPAC) Members 2020/21

- **Facilitator**
  - Tim Flood (Vice President, Administrative Services)
- **PADEI Representatives**
  - Eric Bishop (Faculty - Theater and Film)
  - Kristina Londy (Classified Professional - Program Manager Student Success & Equity)
- **DEqCC Representative**
  - Don Love (Faculty – Umoja Counselor)
- **Full Faculty Representatives**
  - Thao Ha (Faculty - Sociology)
  - Ruben Gomez (Faculty - Administration of Justice)
- **Associate Faculty Representative**
  - Al Nyman (Faculty - Administration of Justice)
- **Mental Health Counseling Representative**
  - Abby Burd (Faculty - Health Services)
- **SAS Representative**
  - Krystle Taylor (Faculty - SAS Counselor)
- **Community Representatives**
  - Jimmy Figueroa (Resilience)
  - Rev. Kadri J. Webb (St. John Church)
  - Tonga Ross Mau (Kainga Music)
  - Anna Pedroza (MiraCosta CCD Board of Trustees)
  - Aaron Giron - (North County LGBTQ Resource Center)
  - Captain Matt Magro (Carlsbad Police Department)
- **Resource Members**
  - Sgt. Ralph Garcia (MCCPD)
  - Dr. Nick Mortaloni (Dean, Student Affairs)
  - Sgt. Benny Perez (MCCPD)

2

Committee Charge

SCPAC is a standing committee that serves in an advisory role to **promote equity and continuous improvement** in the MiraCosta College processes of implementing the student code of conduct and police matters. The advisory committee operates through the President's Alliance on Diversity, Equity and Inclusion (PADEI) and makes recommendations to the superintendent/president and executive management team.

The committee's purpose is to **promote effective communication, collaboration, and understanding** between constituent groups members, community members, and areas of the college charged with keeping the campus a welcoming, safe and productive learning environment for all members. The committee will **assist in creating a racially just campus climate** where individuals and their diverse cultures and identities are welcomed, nurtured, and validated. The committee will **review pertinent data and provide feedback** for improving the quality and level of service provided to the campus community.

3

Committee Charge and Activities 2020/21

- Review arrest, citation, and complaints trends and statistics over regular intervals to determine the effectiveness of community policing programs. Highlight issues that may need to be addressed.
- Review disaggregated (race/ethnicity, gender, credit vs non-credit) student conduct data.
- Review and make recommendations for consideration regarding police department and student conduct policies, procedures, and training.

4

Committee Charge and Activities 2020/21

- Review and make recommendations regarding Board Policies and Administrative Procedures related to campus policing, safety and security and student conduct processes.
- Identify ways to enhance positive interactions between the College Police and its constituents.
- Develop ways to increase student, faculty, and staff input in and understanding of college police and student conduct functions and initiatives.

5

Committee Charge and Activities 2020/21

- Provide advice on other police or student conduct related issues brought to it by the superintendent/president or vice presidents.
- Provide recommendations to the superintendent/president or the vice presidents about mechanisms to enhance these areas.
- Provide presentations to college constituent groups, other community groups, and governing board periodically as needed or requested.

6

Major Accomplishments for 2020/21

- Reviewed trends and statistics.
- Reviewed disaggregated student conduct data.
- Reviewed disaggregated police interaction data.
- Reviewed policies, procedures and training.
- Made recommendations to College Police Department on outreach and events.
- Reviewed BP/APs.
- Provided input on interim police chief job description and hiring process. Committee received multiple presentations from College Police and Student Affairs regarding services, policies, procedures, data, training, etc

7

Committee Goals/Objectives 2021/22

- As part of transitioning back to campus, work on building community and re-engaging.
- Continue to review trends and statistics.
- Continue to review disaggregated student conduct data.
- Continue to review policies, procedures, and training and make recommendations to College Police Department on outreach and events.
- Meet and get to know interim chief of police.
- Review and provide recommendation on BP/APs related to College Police and Student Conduct.
- Provided input on permanent police chief job description and hiring process.
- Received presentations from College Police and Student Conduct regarding services, policies, procedures, data, training, etc., as needed/requested.

8

Subject: **Ratify Recommendations of Superintendent/President in Approving Personnel Actions**	**Attachment:** **None**
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**

STATUS

1. Retirement of the following employees:

   Asha Prasad, Accountant II, position P-00014, effective December 30, 2021.

   Brent Pickett, Instructor - Math, position P-00570, effective May 27, 2022.

   Victoria Noddings, Instructor - Math, position P-00564, effective May 27, 2022.

   Mark Whitney, Instructor - Child Development, position P-00499, effective May 27, 2022.

   Richard Cassoni, Instructor - Computer Studies, position P-00511, effective May 31, 2022.

2. Resignation of Sonia Gonzales, Health Services Assistant, position P-00186, effective September 22, 2021.

3. Employment of the following regular classified employees:

   Jorge Ramirez Ibanez, Financial Aid Assistant, position P-06188, salary range 17, step 1, $4,789.33 per month, full-time, 12 months per year, effective September 1, 2021. Jorge was selected through an open recruitment process.

   Arleen Palafox, Testing Services Specialist, position P-06218, salary range 19, step 1, $4,057.80 per month, 32 hours per week, 12 months per year, effective September 2, 2021. Arleen was selected through an open recruitment process.

   Yadimir Mendoza Garcia, Support Assistant, Noncredit Adult Education, position P-08528, salary range 12, step 1, $4,147.50 per month, full-time, 12 months per year, effective September 15, 2021. Yadimir was selected through an open recruitment process.

Nadia Khan, Instructional Designer, Instructional Services, position P-08564, salary range 30, step 2, $7,354.25 per month, full-time, 12 months per year, effective October 15, 2021. Nadia was selected through an open recruitment process.

4. Kaarina Towey, Testing Services Assistant, position P-00393, has accepted the position of Testing Services Specialist, position P-00394, salary range 19, step 3, $5,631.08 per month, full-time, effective August 27, 2021. Kaarina was selected through an open recruitment process.

5. Temporary change of assignment for Esther Vasquez, Administrative Assistant III, Human Resources, increase in hours from 18 to 32 hours per week, effective October 1, 2021 - February 28, 2022.

6. Temporary additional assignment for Harrison Haynes, Locker Room Safety Assistant, Police, position P-08300, will serve as a Campus Aide III, Instructional Support Systems, $18 per hour, as needed, effective October 22, 2021 – June 30, 2022.

7. Temporary reclassification per Section H.5.0, Classified Senate Employee Manual, for the following employees:

   Ubense Perez, Police Sergeant, position P-00315, will serve as acting Chief of Police and Campus Safety, classified administrator salary range 14, step 1, $ 12,464.50 per month, full-time, effective October 1 - October 31, 2021.

   Tori Fishinger, Development Officer, P-00345, will serve as Associate Director of Development, salary range 32, Longevity Year 7, $9,368.75 per month, full-time, effective October 1, 2021 – June 30, 2022.

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

Jacqueline	Gomez	Counseling
Xiao	Kuang	Counseling
Marisela	Sanchez Garzon	Counseling
Alice	Gallagher	Music
Emilia	Lopez-Yanez	Music
Elena	Yarritu	Music

9. 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
Ryan Frazer Laurie Byrd Kristen Gengenbacher Donald Smith Frank Zimmerman Jr	Facilities Event Support Assistant	Short-term	Athletics and Intramurals	$25/hr	10/22/21	6/30/22
Kolinusi Ross-Ma'u	Rugby Club Coach	Short-term	Athletics and Intramurals	$2,500 stipend	10/22/21	5/31/22

Neal Keith	Surf Club Coach	Short-term	Athletics and Intramurals	$2,500 stipend	10/22/21	5/31/22
Daniel X Phair	Campus Aide III	Short-term	Athletics and Intramurals	$18/hr	10/22/21	4/30/22
Danielle Borm	Assistant Athletic Trainer	Substitute	Athletics and Intramurals	$33.81/hr	9/27/21	6/30/22
Guillermo Yamasaki Luz Martin	Apprentice III	Substitute	Child Development Center	$16/hr	8/26/21	5/31/22
Tanessa Sanchez	Early Childhood Education Instructional Specialist	Substitute	Child Development Center	$29.26/hr	8/26/21	5/31/22
Jaimee Siron	Administrative Support Assistant II	Short-term	Community Education and Workforce Development	$26.84/hr	10/22/21	6/30/22
Carissa Root	Campus Aide III	Substitute	Community Education and Workforce Development	$18/hr	9/7/21	12/23/21
Tiani Mora	Campus Aide III	Short-term	Counseling and Student Development	$18/hr	8/2/21	6/30/22
Kristopher Apple	Accompanist I	Short-term	Dance	$26/hr	10/22/21	12/18/21
Rosendo Bretado	Administrative Support Assistant I	Substitute	Student Accessibility Services	$21.29/hr	9/6/21	6/30/22
Charles Trevino	GEAR UP Support Staff I	Short-term	GEAR UP	$14/hr	8/23/21	6/30/22
Pedro Luis Alvarez	GEAR UP Support Staff I	Short-term	GEAR UP	$14/hr	10/22/21	6/30/22
Daniel Gonzalez Duenas	GEAR UP Support Staff II	Substitute	GEAR UP	$15/hr	8/9/21	6/30/22
Teya Pamela Searles	GEAR UP Support Staff III	Substitute	GEAR UP	$16/hr	8/5/21	6/30/22
Claudia Perkett Lucia Prinyotarn Kimberly Perry	College Health Nurse	Substitute	Health Services	$37.96/hr	9/27/21	6/30/22
Sauafao Safotu	Health Services Assistant	Substitute	Health Services	$29.26/hr	10/18/21	6/30/22
Alyna Perez	Administrative Support Assistant I	Substitute	Health Services	$21.92/hr	10/18/21	6/30/22
Katya Drew Quionna Pullum Harrison Haynes Sonya Ogirala Parker Bennett	Campus Aide III	Short-term	Instructional Services	$18/hr	10/22/21	6/30/22
Gregory DePies	Administrative Assistant to the Dean	Short-term	Instructional Services	$33.81/hr	10/25/21	6/30/22
Galit Zeevi	Campus Aide II	Short-term	Instructional Support Systems	$16/hr	10/22/21	6/30/22
Ana Sierra Elan Williams	Campus Aide III	Short-term	Library	$18/hr	8/20/21	12/16/21
Michael Munson Nancy Cochran	Accompanist II	Short-term	Music	$45/hr	9/2/21	5/31/22
Blake Armstrong	Campus Aide II	Short-term	Music	$16/hr	10/22/21	5/27/22
Kanoa York Inayah Abdulmateen Yesica Zafra Lopez Ezra Gonzalez Craig Person	Campus Aide II	Short-term	School Relations/ Diversity Recruitment	$16/hr	10/22/21	6/30/22
Kenya Bradley Raymond Wight Jr. Lesley Morales Vanessa Jumalon Allyson Evers Zaleia Bullock Jaime Tamariz Israel Gutierrez Hernandez Eliazar Lozano	Campus Aide III	Short-term	School Relations/ Diversity Recruitment	$18/hr	10/22/21	6/30/22
Ebony Koger	Campus Aide III	Substitute	School Relations/ Diversity Recruitment	$18/hr	9/27/21	6/30/22

Jazmyne Chavez	Campus Aide III	Substitute	School Relations/ Diversity Recruitment	$18/hr	10/11/21	6/30/22
Elan Williams Ana Sierra Brianna De La Mora Andrea Amezquita Tran Anh Thu (Thu Tran)	Campus Aide III	Short-term	STEM and Math Learning Center	$18/hr	10/22/21	6/30/22
Armon Hodaee	Apprentice I	Substitute	STEM and Math Learning Center	$14/hr	9/1/21	6/30/22
Lauren Claire Reinhart	Apprentice I	Substitute	STEM and Math Learning Center	$14/hr	9/17/21	6/30/22
Andrea Amezquita	Apprentice I	Substitute	STEM and Math Learning Center	$14/hr	9/27/21	6/30/22
Brianna Morris	Apprentice III	Substitute	STEM and Math Learning Center	$16/hr	8/16/21	6/30/22
Kayla Phan	Apprentice III	Substitute	STEM and Math Learning Center	$16/hr	9/1/21	6/30/22
Carlos Rodriguez Domingues	Campus Aide III	Short-term	Student Equity	$18/hr	10/22/21	6/30/22
Danielle Williams	Administrative Support Assistant I	Substitute	Student Life and Leadership	$21.29/hr	9/20/21	6/30/22
Jeremiah Johnson	Administrative Support Assistant III	Substitute	Student Life and Leadership	$30.12/hr	9/20/21	6/30/22
Laura Hiesener	Campus Aide III	Short-term	Testing Services	$18/hr	10/22/21	6/30/22
Shelby Caughron Melissa Bonilla	Campus Aide III	Short-term	Theatre and Film	$18/hr	9/27/21	5/20/22
Zachary Elliott	Campus Aide III	Short-term	Theatre and Film	$18/hr	10/22/21	5/20/22
Juan Carlos Velasco	Campus Aide III	Short-term	Transfer Center	$18/hr	10/22/21	6/30/22
Joanna Medina	Campus Aide III	Short-term	Transfer Center	$18/hr	1/1/22	6/30/22
Stephen Dykes	Apprentice III	Substitute	Tutoring and Academic Support	$16/hr	9/27/21	6/30/22
Ana Aragon	Administrative Support Assistant III	Substitute	Workforce IOA	$30.12/hr	10/1/21	6/30/22

RECOMMENDATION

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

Subject: **Approve Health-and-Welfare Benefits Program for the 2022 Benefit Year**	**Attachment:** **None**
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

Members of the Fringe Benefits Committee (FBC) met to review enrollment data, cost projections, and the 2022 renewal rates for the various plan offerings of the district's benefits program.

STATUS

Premiums for both health plans will increase; Kaiser by 6.9 percent and PPO by 4 percent due to health insurance cost trends nationwide due to COVID related healthcare costs. The DeltaCare dental plan rate will increase by two percent, which includes a three-year rate guarantee. MHN, Delta PPO, VSP, and all non-discretionary benefits, as well as the district contribution for voluntary benefit elections, will remain the same for the 2022 benefit year.

The FBC recommends the following plan changes effective January 1, 2022:

1. **Delta Dental PPO – Coverage Enhancement**
   The FBC recommends adding mouth guards as a covered benefit under the Delta PPO plan. Mouth guards are already a covered benefit under the DeltaCare plan. This benefit enhancement will not affect the Delta PPO rates for 2022 due to self-funding. The current dental fund is sufficient to accommodate this benefit enhancement.

2. **VSP – Coverage Enhancement**
   The FBC recommends increasing the annual allowance for contact lenses from $160 to $180. This benefit enhancement will not affect the VSP rate for 2022 due to self-funding. The current vision fund is sufficient to accommodate the increase in allowance.

3. **Health Care FSA Annual Maximum**
   The FBC recommends an increase to the health care flexible spending account annual contribution limit from $2,750 to $2,850 in accordance with IRS guidelines. This change will not affect district costs.

The average annual cost per benefited employee from 2021 to 2022 will increase from $22,232 to $23,803, or an average of a 7.06 percent increase per employee. Assuming: 1) the average increased cost, 2) all positions being filled throughout the year, and 3) total enrollment increases in benefited employees; then it is anticipated that the overall benefit program costs will increase from $13,584,069 to $14,308,686, a difference of $724,617, or 5.33 percent increase for the 2022 benefit year. The program will continue to provide for 100 percent, district-paid medical, dental, and vision premiums for all eligible employees/retirees and their eligible dependents.

RECOMMENDATION

Approve health-and-welfare benefits program for the 2022 benefit year effective January 1, 2022, and ending December 31, 2022, as stated above.

Subject: **Approve 2021/22 Legal Services**	**Attachment:** **None**
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

There is a need for legal counsel on a variety of subjects at the college for ongoing and potential litigation. Employment liability and tort-claim issues are generally handled by the San Diego County Office of Education Risk Management Joint Powers Authority (JPA). Individual contracts are not required for JPA-assigned legal services.

STATUS

All current contracts for non-JPA legal services expired on June 30, 2021. In order to have board-approved legal counsel on call, it is necessary for the board of trustees to approve contracts for the 2021/22 fiscal year.

- Rutan & Tucker – general legal services, collective bargaining, and negotiations, and specialized legal services.
  - Hourly rates
    - Blended rate $280
      (all support staff included in that rate)

Note that in addition to the hourly rates cited above, the firms would be reimbursed for costs of overnight mail, copying, travel, and research services.

RECOMMENDATION

Approve 2021/22 legal services, as stated above.

Subject: **Approve Update to Titles and Job Descriptions for Superintendent/ President and Vice Presidents**	**Attachment:** **Superintendent/President** **Assistant Superintendent/VPAS** **Assistant Superintendent/VPHR** **Assistant Superintendent/VPIS** **Assistant Superintendent/VPSS** **Vice President Institutional Advancement**
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

Human Resources reviewed the titles and job descriptions for the superintendent/president and vice presidents resulting in the following recommendation.

STATUS

In keeping with the District's commitment to diversity, equity and inclusion, and becoming a racially just campus, Human Resources recommends updating the job descriptions for the superintendent/ president and the vice presidents to include diversity, equity and inclusion responsibilities.

Additionally, the designation of assistant superintendent was added to the title and job description for the Vice President, Administrative Services, Vice President, Human Resources, Vice President, Instructional Services, and Vice President, Student Services, who may be designated to serve as the acting superintendent/president and/or designated "in charge" of organizational oversight with the authority to act on behalf of the superintendent/president in the event of their absence. There is no associated cost to the district.

RECOMMENDATION

Approve the update to titles and job descriptions for the superintendent/president and vice presidents, as stated above.

Subject: **Approve Reorganization of the School of Career Education**	**Attachment:** **None**
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

The purpose of this reorganization is to align Strong Workforce Program goals, objectives, and mission more closely with the Center for Career Studies and Services that will result in a more cohesive, effective, and efficient relationship. The two programs have been organically aligned and connected by way of the regional and local strong workforce program purpose that includes work-based learning, internships, work experience and, most recently, job placement.

The proposed change has the associate dean of career education overseeing, supervising, and directing the work that includes human resources and financial resources of the Center for Career Studies and Services, while continuing to report to the dean of the school of career education.

STATUS

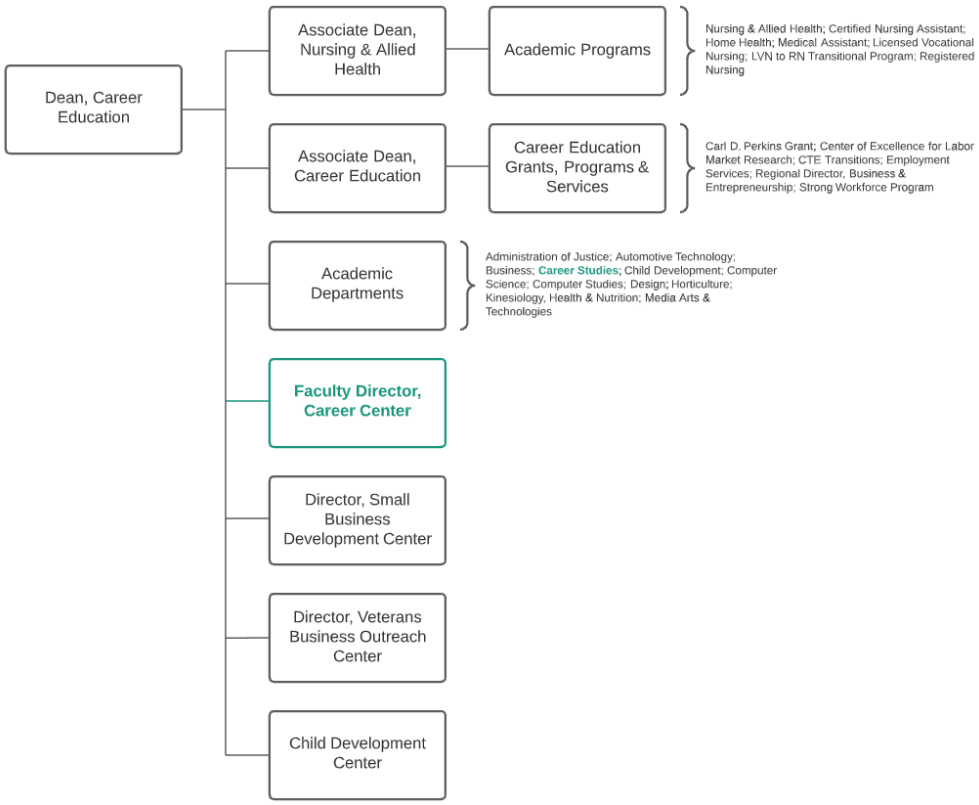
The Center for Career Studies and Services faculty director, faculty, and classified professionals will benefit from a direct connection to the knowledge, skills, abilities, as well as resources required to operate and provide services to students and faculty related to work-based learning that closely results in all forms of experiential education and job placement.

This proposal includes a change in the reporting structure of the following positions from the dean of career services to the associate dean of career education *(see current vs. proposed organizational charts below)*:

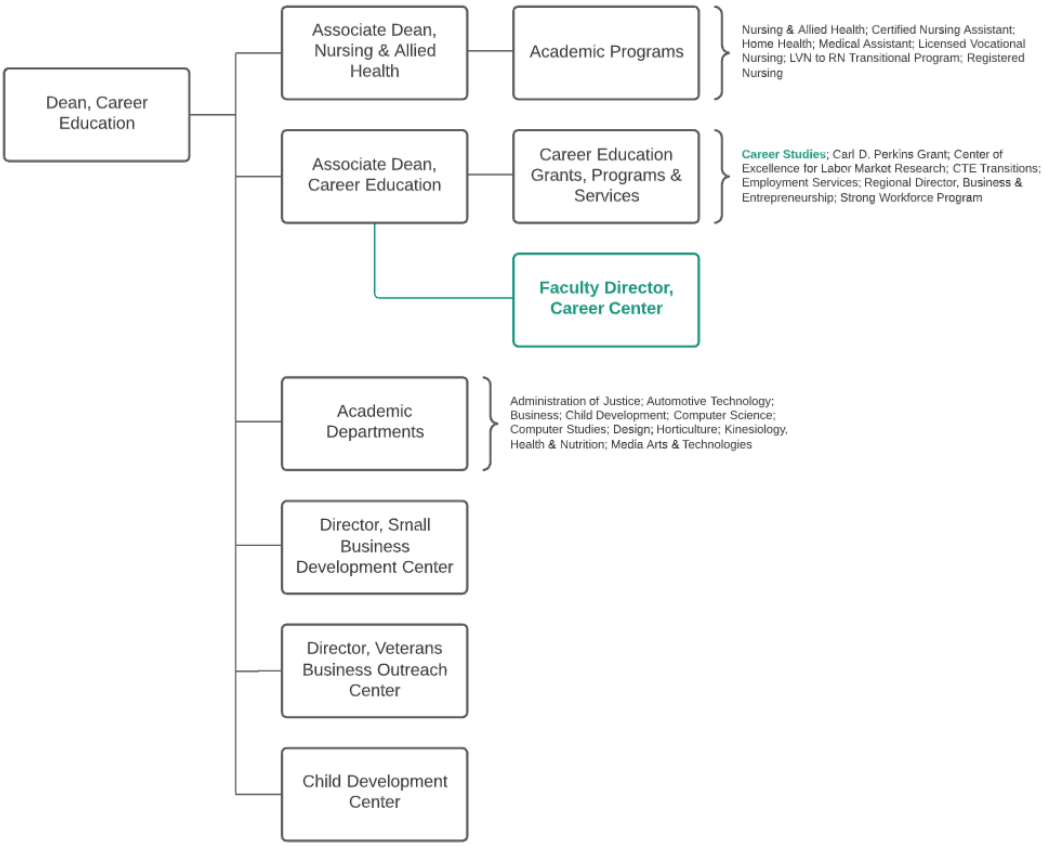
- Faculty Director and Chair, Center for Career Studies and Services
- Career Counselor
- Associate Faculty, Career Studies (*career counseling, work experience and internships*)
- Classified Professionals

There is no change in FTE or budget associated with the recommended reorganization.

Current Organization Chart



Proposed Organization Chart



RECOMMENDATION

Approve the recommended reorganization within the School of Career Education.

Subject: **Approve Classification of New Position**	**Attachment:** **Program Manager, Academic and Career Pathways**
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

A job description for the new position of Program Manager, Academic and Career Pathways (ACP) has been evaluated by the Classification Review Committee (CRC). The Program Manager, ACP position was created to oversee the ACP Success Teams in providing case management services to students through their onboarding, pathway participation, education planning, community building, applied learning, and other activities. The Program Manager, ACP will collaborate with other District programs on innovative, student-centered services, activities, and events to advance the equity goals of the ACP Success Teams.

STATUS

The CRC recommended to the superintendent/president, classification of range 31 for the Program Manager, Academic and Career Pathways, effective November 1, 2021. Entry level salary is $86,097.

RECOMMENDATION

Approve classification of new position, as stated above.

Subject: **Ratify Memorandum of Understanding 21-06 with the Faculty Assembly**	**Attachment:** **Memorandum of Understanding 21-06**
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

The district determined that a need existed to create a Cultural Curriculum Collective (CCC) to align with several college-wide initiatives and goals during the 2020/21 school year. There is a need to continue this work during the 2021/22 academic year. A workgroup was established to define the project, collaborate on a strategy to engage interested faculty participants, and establish the goals of the CCC to support on-going college initiatives. The workgroup shall select up to 28 faculty participants from a broad range of disciplines and departments of the college. Each faculty member will make a commitment to complete the project specified below for the CCC by the end of the 2021/22 academic year.

STATUS

The district and the Faculty Assembly have negotiated the terms and conditions of work to be performed and compensation to be paid, and agreed to in the attached memorandum of understanding (MOU).

RECOMMENDATION

Ratify Memorandum of Understanding 21-06 between the MiraCosta Community College District and Faculty Assembly, as stated.

MOU Between the
MiraCosta Community College District and
MiraCosta Community College District – Faculty Assembly
21-06

This MOU modifies the terms of section C.11.0 of the Faculty Assembly 2021-2022 contract to allow for the specific project identified below:

1) During the 2020-2021 school year, the District determined that a need existed to create a Cultural Curriculum Collective ("CCC") to align with several college-wide initiatives and goals.

2) In order to facilitate the CCC, a workgroup was created which consisted of the Teaching and Learning Coordinator, Courses and Programs Chair, Academic Senate President, Director of Student Equity, Associate Dean of Career Education, and the Vice President of Instruction ("Workgroup").

3) The Workgroup is responsible for defining the project, collaborating on a strategy to engage interested faculty participants, and establishing the goals of the CCC to support on-going college initiatives.

4) The Workgroup determined that whenever practicable, the CCC will focus on distance education teaching and learning given the course delivery format for the 2021-2022 academic year.

5) The Workgroup shall select up to 28 faculty participants from a broad range of disciplines and departments of the college. Each faculty member will make a commitment to complete the project specified below for the CCC by the end of the 2021-2022 academic year.

6) The purpose of the CCC is to engage in a collaborative reflection and enhancement process for each faculty member's respective courses. The focus is on developing culturally responsive, inclusive, and relevant materials that will guide the implementation of effective teaching and equity practices. Faculty participants will update the Course Outline of Record, syllabus, course assignments, and methods of providing feedback to students, culminating in creation of a presentation that showcases their work.

7) The Teaching and Learning Coordinator and the Courses and Programs Chair ("Faculty Coordinators") will be responsible for the long-term design and management of the CCC. The Faculty Coordinators will provide direction and leadership throughout the 2021-2022 academic year to the CCC participants. The other members of the Workgroup will continue to serve as a resource for the CCC participants.

8) Each CCC faculty participant will be required to complete a final presentation for this project. Faculty participants may be requested to present their project to the campus community, including to their respective departments, governance groups, or the Board of Trustees.

9) The Faculty Coordinators shall be provided with ten (10) hours to allocate to speakers for CCC workshops. The hours shall include both preparation and workshop time. Full-time faculty members selected as workshop speakers shall be compensated at their individual, non-contractual, non-teaching hourly rate. Full-time faculty members may also elect to claim this time as part of their Flex obligations during the 2021-2022 academic year.

10) Each full-time faculty member participating in the CCC shall receive a stipend of $1500 upon the conclusion of the project and submission of the final presentation to the Workgroup. This stipend will provide compensation for the faculty member's work on the CCC, including an initial kick-off meeting, five (5) training workshops, the final project, and two (2) optional project workshops. The stipend shall be paid by June 30, 2022 upon written confirmation by the Vice President of Instruction to the payroll supervisor of conclusion of the CCC project.

11) The Courses and Programs Chair, in their capacity as a Faculty Coordinator, shall also be eligible for a stipend of $1500. The stipend shall be paid by June 30, 2022 upon written confirmation by the Vice President of Instruction to the payroll supervisor of conclusion of the CCC project.

This agreement will become effective upon approval. It shall expire on June 30, 2022.

Sunita V. Cooke, Ph.D.	Brad Byrom, Ph.D.
_____	_____
Signature Date	Signature Date
Superintendent/President	President
MiraCosta Community College District	MCCCD Faculty Assembly

Subject: **Ratify Memorandum of Understanding 21-07 with the Faculty Assembly**	**Attachment:** **Memorandum of Understanding 21-07**
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

The district began conducting on-going Core Competency Assessments in spring of 2018. There is a need to continue this work during the 2021/22, 2022/23, and 2023/24 academic years. The assessments are required as part of the district's accreditation standards. Up to thirty-six (36) full-time and part-time faculty will participate in the assessments each semester during the assessment period.

STATUS

The district and the Faculty Assembly have negotiated the terms and conditions of work to be performed and compensation to be paid, and agreed to in the attached memorandum of understanding (MOU).

RECOMMENDATION

Ratify Memorandum of Understanding 21-07 between MiraCosta Community College District and Faculty Assembly, as stated.

MOU Between the
MiraCosta Community College District &
MiraCosta Community College District – Faculty Assembly
21-07

This agreement extends MOU 19-02 and modifies the terms of section C.11.0 of the Faculty Assembly 2021-2024 contract to allow for the specific project identified below:

1) The District began conducting ongoing Core Competency Assessments in spring 2018. There is a need to continue this work during the 2021-2022, 2022-2023, and 2023-2024 academic years.

2) The Academic Senate President, in consultation with Outcomes and Assessment Committee, shall appoint up to thirty-six (36) faculty members total to participate in the Core Competency Assessment each semester.

3) As part of an assessment team, each faculty member engaging in a Core Competency Assessment shall undertake the following responsibilities:

    a. Planning and preparation, including selecting and discussing assessment instruments;

    b. Collaboratively reviewing and norming the relevant VALUE rubric;

    c. Administering assessments to their students and scoring their respective assessments using the rubric;

    d. Meeting to discuss the results and collaboratively identifying key findings; and

    e. Contributing to an evaluation of the process and recommendations for future assessments.

4) Each full-time faculty member participating in the Core Competency Assessment shall be compensated at their respective non-contractual, non-teaching hourly rate. (C.11.0).

5) Each full-time faculty member shall submit an hourly timesheet for the actual hours worked on the project, not to exceed fourteen (14) hours per assessment. All timesheets must be submitted upon the conclusion of the project.

This agreement will become effective upon approval. It shall expire on June 30, 2024.

Sunita V. Cooke, Ph.D.	Brad Byrom, Ph.D.
_____	_____
Signature Date	Signature Date
Superintendent/President	President
MiraCosta Community College District	MCCCD Faculty Assembly

Subject: **Ratify Memorandum of Understanding 21-08 with the Faculty Assembly**	**Attachment:** **Memorandum of Understanding 21-08**
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

The district and the Faculty Assembly determined that a need existed to establish a pilot program for spring 2022 and fall 2022. The purpose of the pilot program is to explore the feasibility of expanding remote counseling opportunities and potential for reducing the thirty (30) hour "on-ground" requirement for counseling faculty. The district maintains its right to assign pilot participants based on the needs of students, the department, and best interests of the program.

STATUS

The district and the Faculty Assembly have negotiated the terms and conditions of work to be performed and compensation to be paid, and agreed to in the attached memorandum of understanding (MOU).

RECOMMENDATION

Ratify Memorandum of Understanding 21-08 between MiraCosta Community College District and Faculty Assembly, as stated.

MOU Between the
MiraCosta Community College District &
MiraCosta Community College District – Faculty Assembly
21-08

This MOU modifies the terms of section C.2.5 of the Faculty Assembly 2021-2022 contract to allow for the specific project identified below:

1) The District and the Assembly determined that a need existed to establish a pilot program for Spring 2022 and Fall 2022. The purpose of the pilot program is to explore the feasibility of expanding remote counseling opportunities and potential for reducing the thirty (30) hour "on-ground" requirement for counseling faculty.

2) For the purposes of the pilot, Spring 2022 is defined as January 1, 2022 through June 30, 2022 and Fall 2022 is defined as July 1, 2022 through December 31, 2022.

3) Eligibility criteria: Full-time Academic Counselors from the following programs are eligible to participate in the pilot program: EOPS, SAS, Transfer, and General Counseling. The District shall appoint ten (10) Academic Counselors to participate in the pilot program for Spring 2022, and ten (10) Academic Counselors to participate in the pilot program for Fall 2022.

4) Selection Process:

    a. Spring 2022 Participants: An interest form will be distributed by October 31, 2021 to all Full-time Academic Counselors to express interest in participating in the Spring 2022 pilot program. The Dean of Counseling will notify selected participants by November 30, 2021.
    b. Fall 2022 Participants: An interest form will be distributed by April 30, 2022 to all Full-time Academic Counselors to express interest in participating in the Fall 2022 pilot program. The Dean of Counseling will notify selected participants by May 31, 2022.
    c. Participants selected for Spring 2022 may re-apply to participate in Fall 2022, but are not guaranteed approval for continued participation.

5) The District maintains its right to assign pilot participants based on the needs of students, the department, and best interests of the program. The Dean of Counseling may authorize participants to work up to fifteen (15) hours remotely from the thirty (30) hour "on-ground" requirement. The hours approved to work remotely consist of student contact and/or preparation hours.

6) Each pilot participant shall undertake the following responsibilities:

    a. Maintain counseling notes and record all relevant data related to student contact hours (express counseling, appointments, workshops, etc.);

b. Meet and communicate regularly with their faculty director, department chair, and/or dean regarding the pilot program, feedback, challenges, concerns, and successes;
c. Participate in focus groups scheduled during the semester they are participating in the program (Spring 2022 and/or Fall 2022). The purpose of the focus group is to gather qualitative data and discuss quantitative data on the pilot program to discuss key findings; and
d. Utilize and provide feedback on the equipment required by the pilot program.

This agreement will become effective upon approval. It shall expire on December 31, 2022.

Sunita V. Cooke, Ph.D.	Brad Byrom, Ph.D.
_____	_____
Signature Date	Signature Date
Superintendent/President	President
MiraCosta Community College District	MCCCD Faculty Assembly

Subject: **Approve 2022/23 Academic Calendar and Revised 2021/22 Academic Calendar**	**Attachment:** **2022/23 Academic Calendar** **2021/22 Academic Calendar**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Board Policy/Administrative Procedure 4010, Academic Calendar, states that the superintendent/president will submit the Academic Senate-recommended academic calendar to the board of trustees for approval. Implementation will occur in the year following the next academic year.

STATUS

The Academic Affairs Committee prepared the attached academic calendar for 2022/23. The calendar was approved by the Academic Senate on September 17, 2021, and recommended for approval by the superintendent/president.

Additionally, on July 15, 2021, the Board of Trustees ratified the observance of Juneteenth on Friday, June 18, 2021. The 2021/22 calendar has been revised to reflect the approved holiday.

RECOMMENDATION

Approve the 2022/23 Academic Calendar and the revised 2021/22 Academic Calendar, as recommended by the superintendent/president.

MiraCosta College

2022-2023 Academic Calendar

Summer Session 2022

June 2022

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2022

S	M	T	W	Th	F	S
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17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

Fall Semester 2022

August 2022

S	M	T	W	Th	F	S
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28	29	30	31			

September 2022

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October 2022

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30	31					

November 2022

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27	28	29	30			

December 2022

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25	26	27	28	29	30	31

15+1 16+1 16+1 15+1 15 15+1

82 Days of Instruction • 5 Days of Flex

1 All-College Day

Spring Semester 2023

January 2023

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
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29	30	31				

February 2023

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March 2023

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April 2023

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23/30	24	25	26	27	28	29

May 2023

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28	29	30	31			

15+1 16+1 16+1 16+1 15+1 15

83 Days of Instruction • 5 Days of Flex

IMPORTANT DATES

SUMMER

June 13	Start of Summer 8-week Intersession
June 13	Start of Summer 6-week Intersession
August 6	End of Summer Intersession

FALL

Aug 19	All-College Day
Aug 22	Classes Begin
Sept 2	Last Day to Add Classes
Sept 2	No "W" Deadline*
Sept 6	First Census
Sept 26	Pass/No Pass Deadline**
Nov 18	75% Withdrawal Deadline***
Dec 13-15,17	Final Exams
Dec 17	End of Semester
Dec 23-Jan 2	Campus Closed

SPRING

Jan 23	Classes Begin
Feb 3	Last Day to Add Classes
Feb 3	No "W" Deadline*
Feb 6	First Census
Feb 27	30% Pass/No Pass Deadline**
Mar 20-25	Spring Break
Apr 27	75% Withdrawal Deadline***
May 22-26	Final Exams
May 26	Commencement

*Last day to withdraw from classes without a "W"
**Last day for exercising pass/no pass option
***Last day for exercising option to withdraw without an evaluative grade (A, B, C, D, F, Pass, No Pass)

July 4	Independence Day (Observance)
Sept 5	Labor Day
Nov 11	Veterans Day
Nov 24	Thanksgiving Day
Nov 25	Day after Thanksgiving (Local Holiday)
Dec 26	Christmas (Observance)
Dec 27-31	Winter Closure
Jan 2	New Year's Day (Observance)
Jan 16	Martin Luther King, Jr. Day
Feb 17	Lincoln Day (Observance)
Feb 20	Washington Day
Mar 23-24	Th/Fri of Spring Break (Local Holiday)
May 29	Memorial Day
June 20	Juneteenth

- Legal/Local Holidays
- Commencement
- Final Exams
- Summer Intersession
- Fall Semester
- Spring Semester
- Flex
- Spring Break
- Non-class days
- All-College Day

MIRACOSTA COLLEGE

Draft 9/3/2022

MiraCosta College

2021-2022 Academic Calendar

Summer Session 2021

June 2021

S	M	T	W	Th	F	S
		1	2	3	4	5
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20	21	22	23	24	25	26
27	28	29	30			

July 2021

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18	19	20	21	22	23	24
25	26	27	28	29	30	31

Fall Semester 2021

August 2021

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22	23	24	25	26	27	28
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September 2021

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26	27	28	29	30		

October 2021

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31						

November 2021

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28	29	30				

December 2021

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26	27	28	29	30	31	

15+1 16+1 16+1 15+1 15 15+1

82 Days of Instruction • 5 Days of Flex

1 All-College Day

Spring Semester 2022

January 2022

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
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February 2022

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20	21	22	23	24	25	26
27	28					

March 2022

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2022

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2022

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	25	27	28
29	30	31				

15+1 16+1 16+1 16+1 15+1 15

83 Days of Instruction • 5 Days of Flex

IMPORTANT DATES

SUMMER

June 14	Start of Summer 8-week Intersession
June 14	Start of Summer 6-week Intersession
August 6	End of Summer Intersession

FALL

Aug 20	All-College Day
Aug 23	Classes Begin
Sept 5	Last Day to Add Classes
Sept 5	No "W" Deadline*
Sept 7	First Census
Nov 19	75% Withdrawal Deadline***
Dec 13-16,18	Final Exams
Dec 18	Pass/No Pass Deadline**
Dec 18	End of Semester
Dec 24-Jan 3	Campus Closed

SPRING

Jan 24	Classes Begin
Feb 6	Last Day to Add Classes
Feb 6	No "W" Deadline*
Feb 7	First Census
Feb 28	30% Pass/No Pass Deadline**
Mar 21-26	Spring Break
Apr 28	75% Withdrawal Deadline***
May 21-27	Final Exams
May 27	Commencement

*Last day to withdraw from classes without a "W"
**Last day for exercising pass/no pass option
***Last day for exercising option to withdraw without an evaluative grade (A, B, C, D, F, Pass, No Pass)

July 5	Independence Day (Legal Holiday)
Sept 6	Labor Day (Legal Holiday)
Nov 12	Veterans Day (Observance)
Nov 25	Thanksgiving Day (Legal Holiday)
Nov 26	Day after Thanksgiving (Local Holiday)
Dec 24	Christmas (Observance)
Dec 27-31	Winter Closure
Jan 3	New Year's Day (Observance)
Jan 17	Martin Luther King, Jr. Day (Legal Holiday)
Feb 18	Lincoln Day (Observance)
Feb 21	Washington Day (Legal Holiday)
Mar 25	Friday of Spring Break (Local Holiday)
May 30	Memorial Day (Legal Holiday)
June 18	Juneteenth (Legal Holiday)

Adopted by the Board of Trustees 10/15/2020.
Fall P/NP date updated 2/17/2021.
Observance of Juneteenth on June 18 ratified by the Board of Trustees on 7/15/2021.

- Legal/Local Holidays
- Commencement
- Final Exams
- Summer Intersession
- Fall Semester
- Spring Semester
- Flex
- Spring Break
- Non-class days
- All-College Day

MIRACOSTA COLLEGE

Subject: **Approval of Cooperative Agreement for Nursing and Allied Health Equipment Purchase**	**Attachment:** **None**
Category: **Consent Items**	**Type of Board Consideration:** **Information** **Consent** ✓ **Action**
Recommended: **Kristina Denée Pescarmona** **Vice President, Instructional Services**	**Approved for Consideration:** **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Nursing and Allied Health students have faced unique challenges in fulfilling their clinical training requirements because of COVID-19 and the resulting limitations on access to training in local hospitals. To simulate the hospital environment within the district's labs, additional equipment and supplies are required. The Nursing and Allied Health Department has identified specific equipment that matches current instructional equipment, maintains consistency with products currently used by local medical environments, and allows students to meet their required clinical education hours during the pandemic.

STATUS

California Public Contract Code section 20652 allows public agencies to utilize bids awarded by other public agencies (also known as "piggyback") obtaining the same price and the same terms and conditions as the awarding agency when the awarding agency follows the statutory criteria for competitive bidding and when the pricing and terms have proven to be in the best interest of the district. District staff have reviewed the terms and conditions and find that purchases made from utilizing The Interlocal Purchasing System (TIPS) cooperative agreement #200804 awarded to Medical Shipment, LLC will provide the lowest cost and best overall value of medical equipment and supplies.

The expected cost for the medical equipment is not to exceed $140,000. Funds for this purchase will use the CARES Act money for use during COVID-19.

RECOMMENDATION

Authorize the Director of Purchasing and Material Management to proceed with the procurement with Medical Shipment, LLC in accordance with the terms and conditions of The Interlocal Purchasing System (TIPS) cooperative agreement, at the cost of an amount not to exceed $140,000.

Subject: **Approve and Execute Notice of Completion for Bid #MM-19-102 OC Track and Field Renovation Project No. 04210**	**Attachment:** **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

On September 17, 2021, Los Angeles Engineering, Inc. completed all the work associated with Bid #MM-19-102 OC Track and Field Renovation project No. 04210. The original construction contract amount for Los Angeles Engineering, Inc. was $7,689,355, and the total change order amount for this project was $178,346. This project had a final construction cost of $7,867,701.

STATUS

The project is currently 100 percent complete.

RECOMMENDATION

Approve and execute Notice of Completion for Bid #MM-19-102 OC Track and Field Renovation Project No. 04210.

Subject: **Ratify and Approve Contracts and Purchase Orders—August 19, 2021 through September 29, 2021**	**Attachment:** **Contract and Purchase Order Ratification List**
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

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
August 19, 2021 through September 29, 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**
21002248	Botsford Construction Inc	Electric and Water Install for Student Dining	8,270.00
21002267	Hoffman Engineering & Pipeline	Fire Main Leak Near OC1200	20,000.00
21002382	Maurice Gannon	Decorative Concrete Flatwork Repair	7,200.00
21002441	Maurice Gannon	B300 Sidewalk/B600 Fire Lane Repair	22,780.00
21002442	NSWC Mechanical Service LLC	CLC Compressor Drives Replacement	8,704.00
21002516	NSWC Mechanical Service LLC	Contactor Change Out at Central Plant	7,698.00
21002655	HCI Systems Inc	Fire Systems Repairs	14,104.00

In accordance with BP/AP 6340—Bids and Contracts, Emergency Repair Contracts Without Bid, the following transactions were procured when repairs or alternations are necessary to continue existing classes or to avoid danger of life or property.

Emergency Repair Contracts Without Bid			
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 – $96,700			
PO #	**Vendor**	**Description**	**Amount**
21002196	Accenture LLP	Contract Services (Admin Svs)	84,989.24
21002199	Pride Industries	Contract Services (Fac)	63,666.00
21002235	ASR Analytics LLC	Contract Services (Admin Serv)	60,840.00
21002247	Nielsen Merksamer Parrinello Gross & Leoni	Election Expenses (BOT)	75,000.00
21002255	Kelly Paper	Supplies (Pur)	27,062.50
21002291	RRL Enterprises, Inc.	Equipment (Auto Tech)	70,777.68
21002323	CampusLogic Inc	Softaware Maintenance (Fin Aid)	86,543.00
21002332	Occupational Health Centers of Southwest	Contract Services (HR)	50,000.00
21002333	CD Advantage Group	Consulting (Stud Serv)	94,475.00
21002334	Carahsoft Technology Corporation	Software Maintenance (AIS)	31,150.17
21002439	Dell Marketing L P	Tech Equipment (DSPS)	35,602.77
21002440	Downtown Ford Sales	Vehicle (Fac)	30,148.01
21002448	CDW-G (Punchout)	Instructional Equipment (Soc Sci)	29,337.11
21002452	Mira Mesa Driving School	Contract Service (Comm Ed)	55,000.00
21002453	CDW Government Inc	Tech supplies and Equipment (Police)	33,624.21
21002508	CoBro Consulting LLC	Consulting Services (Gear-Up)	28,500.00
21002528	Greenwood/Asher & Associates, LLC	Equipment (Fac)	55,000.00
21002543	Camfil USA Inc	Supplies (Fac)	35,487.20
21002584	Verizon Wireless	E-Resource (Lib)	34,551.36
21002641	Ascend Learning Holdings LLC	Blanket (Nurs)	64,950.00

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**
21002192	Pall Corporation	Supplies and Equipment (Bio Tech)	18,936.72
21002252	HCI Systems Inc	Contract Services (Fac)	14,872.00
21002277	South Orange County CCD	Contract Services (Bus Serv)	13,125.00
21002290	AudienceView Ticketing Corporation	Contract Services (Theatre)	20,000.00
21002292	Paul J. Ellins	Non-Cash Stud Financial (DSPS)	10,000.00
21002328	MiraCosta College Foundation	Membership (Pres)	10,400.00
21002354	Seagge Loy Abella	Contract Services (PIO)	15,000.00
21002393	CDW Government Inc	Equipment and Supplies (AIS)	12,207.95
21002414	Ex Libris (USA) Inc	E-Resource (Lib)	11,208.01
21002470	Shaw HR Consulting	Contract Services (HR)	10,000.00
21002511	Facilities Planning and Consulting	Contract Services (Fac)	13,000.00
21002514	Powerland Equipment Inc	Contract Services (Fac)	23,920.00
21002539	Sun Ridge Systems Inc	Software Agreement (Pol)	10,125.00
21002559	Ready Education Inc.	Software Agreement (AIS)	24,500.00
21002577	OverDrive	E-Resources (Lib)	15,000.00
21002579	Swank Motion Pictures Inc	E-Resources (Lib)	15,000.00
21002582	Carolina Biological Supply Co	Supplies (Bio)	11,385.20
21002622	Wenger Corp	Equipment (Theatre)	15,498.16
21002648	Amazon (Punchout)	Technology Equipment (Mus)	14,913.62
21002674	Jay Henges Enterprises, Inc.	Equipment (Biotech)	15,553.14
21002675	Air Exhaust Company Inc	Contract Services (Fac)	11,932.00
21002677	Kanopy LLC	E-Resource (Lib)	15,000.00
21002691	Computers 2 SD Kids	Tech Supplies (Lib)	10,825.00

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 $5,000 – $9,999			
PO #	**Vendor**	**Description**	**Amount**
21002194	ClearMask, LLC	Supplies (Bus Serv)	9,915.70
21002200	Healthy Adventures Foundation	Contract Services (HR)	5,500.00
21002213	Frank McRock	Contract Services (PIO)	5,000.00
21002223	Communication Wiring Specialists Inc	Services (KHAN)	6,020.34
21002224	ASAP Drain Guys	Contract Services (Fac)	5,000.00
21002225	McDannald Pump Systems Inc	Contract Service (Fac)	8,000.00
21002256	Diversified Business Solutions Inc	Maintenace Agreement (Pur)	5,498.10
21002261	Snap-on Inc	Equipment (Auto Tech)	9,005.73
21002264	Safety Kleen Corp	Contract Services (Fac)	5,000.00
21002268	Cable, Pipe & Leak Detection Inc	Contract Services (Fac)	5,000.00
21002326	Community College League of California	Membership (Pres)	6,075.00
21002353	Elizabeth V Varel	Contract Services (PIO)	5,000.00
21002374	Foundation for California Community Colleges	Membership (Fac)	9,608.83
21002385	CHC Refrigeration Inc	Contract Services (Fac)	5,000.00
21002434	Stanley Steemer	Contract Services (Fac)	5,500.00
21002473	CDW Government Inc	Tech Equipment (AIS)	6,487.16
21002489	VWR International LLC	Supplies (Biotech)	6,125.84
21002494	Fisher Scientific Company	Instructional Equip (Biotech)	6,436.74
21002538	Allied Path Consulting	Consulting Services (Pres)	8,000.00
21002544	Gavin D. Pringle	Consulting Services (Basic Skills)	6,000.00

21002556	Alchemer LLC	Software Agreement (AIS)	5,390.00
21002580	VWR International LLC	Supplies (Bio)	8,140.40
21002589	Scenario Learning LLC	Contract Services (HR)	7,276.85
21002621	Loomis Armored US, LLC	Contract Services (Cash)	7,000.00
21002688	Blackhawk Network Inc.	Gas Cards (EOPS)	5,010.00

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**
21001502_PO	Ace Uniforms	Blanket (Police)	8,000.00
21001848_PO	3Play Media Inc	Contract Services (DSPS)	7,000.00
21002434_PO	Stanley Steemer	Contract Services (Fac)	2,500.00

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**
21001163_PO	Frontier Fence Company Inc	Facilities Yard Expansion (Fac)	14,543.00
21001405_PO	Kirk Paving, Inc.	Oceanside Parking Lots (Fac)	9,223.00

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**
	No Entries This Month		

Total Contract Expenditures: $1,670,118.74
Ratify MCC purchase orders 2100192 through 21002690.

Capital Improvement Program Contract and Purchase Order Ratification List
August 19, 2021 through September 29, 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**
21002477	DICA Enterprises, Inc.	04244 Construction Services (OCN)	23,842.50

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**
21002281	Division of the State Architect	04005 Plan Check Fee (CLC)	30,600.00
21002478	NV5 Inc	04203 Site Survey (OCN)	34,850.00
21002321	Class Leasing LLC	04108 Temporary Facilities (SAN)	73,100.00

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**
21002322	Class Leasing LLC	04108 Temporary Facilities SAN	13,450.00

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**
21002236	Diversified Business Solutions, Inc.	04004 Moving Services (CLC)	220.00
21002436	Parron Hall Office Interiors	04001 Furniture (CLC)	634.63
21002376	Konica Minolta Business Solutions	03722 Maintenance Service Agreement (CLC)	1000.00
21002282	Parron Hall Office Interiors	04244 Furniture (OCN)	1,067.23
21002237	Anixter, In.	04109 Facilities/Custodial Supplies (SAN)	1,663.27
21002378	Konica Minolta Business Solutions	03722 Maintenance Service Agreement (SAN)	2,000.00
21002377	Konica Minolta Business Solutions	03722 Maintenance Service Agreement (OCN)	2,000.00
21002476	Elite Relocation Services	04103 Moving Services (SAN)	5,011.64
21002475	Aardvark Clay	04004 Equipment and Supplies (CLC)	7,029.10
21002238	BSN Sports	04210 Athletic Equipment (OCN)	8,173.94

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**
20001816	Mobile Mini	04004 Change Order 2 (CLC)	2,205.00

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**
20000591	Barnhart-Reese Construction Inc	04101 Change Order 16 (SAN)	11,459.00
20000594	Balfour Beatty Construction LLC	04208 Change Order 6 (OCN)	147,547.97

20000594	Balfour Beatty Construction LLC	04208 Change Order 7 (OCN)	24,165.07
20000595	Swinerton Builders	04203 Change Order 5 (OCN)	85,053.00
20000595	Swinerton Builders	04203 Change Order 8 (OCN)	11,709.50
20000604	Align Builders	04001 Change Order 7 (CLC)	53,248.06
20000673	Los Angeles Engineering Inc	04210 Change Order 4 (OCN)	8,747.60
21000214	Align Builders	04004 Change Order 4 (CLC)	212,651.85
21000214	Align Builders	04004 Change Order 5 (CLC)	387,003.98

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**
20000772	SGPA Architecture & Planning – SD	04004 Change Order 11 (CLC)	6,498.00
20000772	SGPA Architecture & Planning – SD	04004 Change Order 12 (CLC)	15,354.00

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.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**
21002280	SMS Geotechnical Solutions, Inc.	04115 Geotechnical Services (SAN)	24,870.00
21002406	Atlas Technical Consultants LLC	04203 Geotechnical Services (OCN)	73,989.00

MM-17-002 – Geotechnical 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 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**
21002279	Blue Coast Consulting	04115 Consulting and Inspection Services (SAN)	16,766.00

MM-19-013 – Inspector of Record 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.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**
21002155	Atlas Technical Consultants LLC	04203 Special Inspection (OCN)	70,904.00

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

Total Contract Expenditures: $1,356,814.34
Ratify purchase orders —21002236-21002238, 21002281-21002282, 21002321-21002322, 21002376-21002378, 21002436, 21002475-21442476, 21002478.
Ratify purchase orders (Task Orders) — 21002279-21002280, 21002406
Ratify purchase orders (Contracts) — 21002377.

Subject: **Adopt Resolution No. 5-21/22 Declaring Support for the Infrastructure and Jobs Act**	**Attachment:** **Resolution No. 5-21/22 Declaring Support for the Infrastructure and Jobs Act**
Category: **Action Items**	**Type of Board Consideration:** **Information** **Consent** **Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

Due to the importance of the 2021 Infrastructure and Jobs Act on community access to crucial infrastructure such as high-speed internet connectivity and also the expanded opportunity to higher education through the America's Promise Program, the MiraCosta College Board of Trustees is asked to consider Resolution No. 5-21/22 in support of and the Infrastructure and Jobs Act.

STATUS

As we have learned throughout the Covid-19 Pandemic and with the shift to online learning throughout the past nineteenth months, it is imperative that members of our community have reliable access to high-speed internet connectivity in order to learn and work. It is also crucial to the strength of the nation that all those in our community seeking access to higher education are able to attend at least two full-years of community college tuition-free. The MiraCosta College Promise has been expanding over the past five years and is open to all first-time, full-time college students. The America's Promise Program supported by the Infrastructure and Jobs Act would augment the federal-state partnership required to sustain such a program.

RECOMMENDATION

Adopt Resolution No. 5-21/22 – declaring support for the Infrastructure and Jobs Act as stated above.

MIRACOSTA COLLEGE COMMUNITY DISTRICT

RESOLUTION NO. 5-21/22
Resolution Declaring Support for the Infrastructure and Jobs Act

WHEREAS, California Community Colleges are the backbone of our nation's higher education system, serving nearly one-fourth of the nation's community college students; and

WHEREAS, the ongoing COVID-19 pandemic has disproportionately impacted low-income students, students of color, and those juggling multiple responsibilities, threatening their ability to stay enrolled and achieve their higher education goals; and

WHEREAS, the *Infrastructure and Jobs Act* represents a once in a generation opportunity to provide historic and transformational investments to enhance accessibility and affordability of a college education; and

WHEREAS, the *Infrastructure and Jobs Act* proposes to invest in higher education access through community colleges; and

WHEREAS, California has long been committed to providing free tuition for low-income community college students, and nearly half of all students today have their fees waived under California's College Promise grants and programs; and

WHEREAS, the *Infrastructure and Jobs Act* supports new and existing programs for two years of tuition free community college to all Americans, including DREAMERS, expanding equitable access to affordable postsecondary education;

WHEREAS, the creation of a federal-state partnership to provide tuition free community college should ensure consideration of states already making strong tuition free college commitments; and

WHEREAS, the Pell Grant is the cornerstone of the federal government's efforts to help low-income students afford college, and it is critical that Congress make the necessary investments to restore the purchasing power of the program; and

WHEREAS, non-tuition related costs, such as food, housing, transportation, and childcare present a persistent barrier for low-income students to complete their studies and achieve academic success; and

WHEREAS, a $1,500 increase in the maximum Pell Grant award, as proposed in the *Infrastructure and Jobs Act,* would help low-income students reduce their reliance on loan debt or excessive work hours in order to cover the total cost of attendance; and

WHEREAS, the U.S. has chronically underinvested in workforce development, and millions of jobs have been unfilled, failing to provide employers with the talent they need to succeed and grow in a fast-changing 21st century economy; and

WHEREAS, California Community Colleges Economic and Workforce Development Programs have demonstrated pivotal roles in meeting industry needs and providing a pathway to re-skill and up-skill underemployed and displaced workers to successfully obtain a high-quality job; and

WHEREAS, through the expansion of high-quality career and technical education pathways and Registered Apprenticeships, the *Infrastructure and Jobs Act* will invest in job-training programs that will equip millions of Americans with the skills needed to secure employment in growing and in-demand industry sectors; and

WHEREAS, our 115 physical campuses have a deferred maintenance need of over $1.1 billion, which negatively impacts educational quality and harms the health and safety of students and faculty; and

WHEREAS, $12 billion is proposed in the *Infrastructure and Jobs Act* for the renovation and modernization of community college facilities to invest in cutting-edge, energy-efficient, resilient, and innovative school building technologies to prepare students to be productive workers and enhance America's global competitiveness; and

WHEREAS, a 2020 study by Education Trust-West found that over 100,000 low-income California Community College students lack access to reliable high-speed internet, creating an inequitable digital divide that threatens student success; and

WHEREAS, the *Infrastructure Investment and Jobs Act* would provide $65 billion for the deployment of high-speed internet to unserved and underserved communities, and would provide a $30 voucher for a qualifying household's monthly broadband cost; and

WHEREAS, now is the time for the federal government to reverse decades of higher education underinvestment and recognize and reaffirm the essential contributions of community colleges in creating a strong and vibrant economy that benefits all Americans; and

WHEREAS, MiraCosta College has offered up to two years of free-tuition to cover the first two years of full-time enrollment for first-time college students; now, therefore, be it

RESOLVED that the MiraCosta Community College Board of Trustees calls on Congress to ensure the passage of the *Infrastructure Investment and Jobs Act,* so that:

- Inability to access reliable high-speed internet shall no longer be an inequitable barrier to pursuing higher education goals and achieving academic success;
- Equity gaps will be closed through opportunities for expanded college education for all;

PASSED AND ADOPTED by the Board of Trustees of the MiraCosta Community College District, this 21st day of October, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Subject:	Attachment:
Approve Award of Design-Build Services Contract for RFQ/P #MM-20-021 Communications Hub, Equity Village and Student Center; Approve Resolution No. 2-21/22	**Resolution No. 2-21/22**
Category: **Action 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

RFQ/P #MM-20-021 is a design-build procurement under the Measure MM program to design and renovate the existing Buildings 3000, 3100, 3200, 3300, 3400 and 3700 buildings on the Oceanside campus. The procurement was conducted pursuant to Education Code sections 81700 et seq. and the contract is being awarded on a "Best Value" basis as permitted by Education Code sections 81703 (a) (3) (c) (2). "Best Value" means: "a value determined by objective criteria and may include, but need not be limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by the community college district." "Design-build" means: "a procurement process in which both the design and construction of a project are procured from a single entity."; and "design-build entity" means: "a corporation, limited partnership, partnership, or other association that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract." Education Code sections 81701 (a), (b), and (c).

The benefits of a design-build contract project delivery system include accelerated completion of the project, cost containment, reduction of construction complexity, and reduced exposure to risk for the community college district. The legislature has also found that the cost-effective benefits to the community college districts are achieved by shifting the liability and risk for cost containment and project completion to the design-build entity.

STATUS

As authorized by the statutory scheme, the procurement was conducted in a two-step process. Step one consisted of a request for qualifications under which interested design-build entities were prequalified to submit proposals for the project. Step two was the issuance of a request for proposals to the four (4) pre-qualified proposers determined through step one. All four (4) finalists submitted proposals.

The request for proposals set forth the scope of the project, including without limitation: the size, type, and desired design character of the building and site, performance specifications covering the quality of materials, equipment, and workmanship, preliminary plans or building layouts, and other information deemed necessary to describe adequately the district's needs. The initial project criteria documents for the project were prepared by a design professional duly licensed and registered in California to perform the requisite services. The initial project criteria documents also included factors such as: design approach, life-cycle costs, project features, and project functions.

The proposals submitted were evaluated by a selection committee using the uniform scoring factors set forth in the request for proposal documents. Upon completion of the scoring, the finalists were ranked from the most advantageous to least advantageous to the district. District staff is making the recommendation for award of a design-build contract, as set forth below.

Findings

Pursuant to Education Code section 81702 (a) the board is required to make written findings supporting the award of the design-build contract.

District staff submits the following written findings to the board to review and adopt said findings, provided the board agrees therewith, as the board's own findings in support of the award of the contract in question.

After evaluation of the traditional design, bid, and build process of community college facility construction and of the design-build process, it has been determined that the use of the design-build process on the Communications Hub, Equity Village and Student Center will: 1) provide features not achievable through the traditional design-bid-build method (such as permit the general contractor to design the project, involve subcontractors in the design process, and directly hire an architect and engineers to form a design-build team); 2) expedite the project's completion; 3) reduce costs; and 4) shift the risk of design for the project to the design-build entity.

Based on the factors and scoring criteria set forth by the district in the request for proposals, the finalists average scores, rankings, and design and construction phase pricing are as follows:

1. BNBuilders and The Miller Hull Partnership: ("BNBuilders")

Total Average Score:	686.0
Total Design Phase Price:	$3,366,217
Project Insurance Cost:	1.1% of Guaranteed Maximum Price
Overhead and Profit:	4% of Guaranteed Maximum Price
General Conditions:	$1,312,838

2. C.W. Driver, Inc. and HED: ("C.W. Driver")

Total Average Score:	675.6
Total Design Phase Price:	$3,063,310
Project Insurance Cost:	1.47% of Guaranteed Maximum Price
Overhead and Profit:	4.06% of Guaranteed Maximum Price
General Conditions:	$2,842,806

3. Rudolph and Sletten and Gensler: ("Rudolph & Sletten")

Total Average Score:	686.2
Total Design Phase Price:	$2,709,849
Project Insurance Cost:	1.5% of Guaranteed Maximum Price
Overhead and Profit:	6% of Guaranteed Maximum Price
General Conditions:	$2,998,173

4. Swinerton and PBK-WLC: ("Swinerton")

Total Average Score:	670.7
Total Design Phase Price:	$2,495,185
Project Insurance Cost:	1.2% of Guaranteed Maximum Price
Overhead and Profit:	4% Guaranteed Maximum Price
General Conditions:	$2,672,300

Note: The "Total Design Phase Price(s)" set forth above include pricing for programming and collaboration phase services, design through agency approval phase services, and the design-build entity's preparation of its proposed guaranteed maximum price. The proposers' price proposals, as set forth above also included a percentage for pricing for project insurance costs and overhead, and project percentages from the guaranteed maximum price, as well as general conditions, and total design phase pricing. The final guaranteed maximum price for construction phase services for the project will be determined based upon "open book" competitve proposals for the subcontractor trade packages developed and prepared by the the design-build entity after obtaining Division of State Architect approval of the construction documents for the project, as well as the pricing received in connection with these latter services.

Based on the factors and scoring criteria set forth by the district in the request for proposals, district staff has determined that the Rudolph & Sletten proposal presents the best value to the district.

The proposed pricing from Rudolph & Sletten for: (1) programming and collaboration phase services ("Phase 1 Services"); and (2) design through agency approval phase services ("Phase 2 Services");

1. **Project No. 04205 – Communications Hub, Equity Village and Student Center:**
   Phase 1 Services: $102,914
   Phase 2 Services: $2,606,935

RECOMMENDATION

Given the foregoing, district staff, the project management office, and outside legal counsel recommend as follows, and request that the board take the following actions:

1. Adopt the written findings set forth above herein as findings of the board;
2. Approve Resolution No. 2-21/22, set forth below;
3. Approve the award of the design–build contract for the Communications Hub, Equity Village and Student Center Building Renovation Project to Rudolph and Sletten and Gensler;

4. Direct staff to bring the final proposed Guaranteed Maximum Price for the construction phase of the design-build contract back to the board for approval when district staff has received same from the awardee; and
5. Authorize payment of a stipend of $25,000 to each of the three (3) unsuccessful finalists who are: BNBuilders, C.W. Driver, and Swinerton, respectively.

MIRACOSTA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 2-21/22
MAKE A FINDING AND DIRECT DISTRICT TO ENTER INTO DESIGN-BUILD CONTRACT FOR THE COMMUNICATIONS HUB, EQUITY VILLAGE AND STUDENT CENTER RENOVATION PROJECT

WHEREAS, the Board of Trustees of the MiraCosta Community College District ("District") have been requested to make a finding that it is in the best interest of the community college district to enter into a design-build contract for the Communications Hub, Equity Village and Student Center Renovation Project and approve the use of a design-build contract for the Communications Hub, Equity Village and Student Center Project pursuant to Education Code Section 81702(a);

WHEREAS, Education Code Section 81702(a) provides, in pertinent part, that:
"Upon a determination by a community college district governing board that it is in the best interest of the community college district, the governing board may enter into a design-build contract for both the design and construction of a community college facility if that expenditure exceeds two million five hundred thousand dollars ($2,500,000) if, after evaluation of the traditional design, bid, and build process of community college facility construction and of the design-build process in a public meeting, the governing board makes written findings that the use of the design-build process on the specific project under consideration will accomplish one of the following objectives: reduce comparable project costs, expedite the project's completion, or provide features not achievable through the traditional design-bid-build method."

WHEREAS, Education Code Section 81702(a) requires the board to make certain findings;

WHEREAS, the district's expenditure for the Communications Hub, Equity Village and Student Center exceeds two million five hundred thousand dollars ($2,500,000);

NOW THEREFORE BE IT RESOLVED THAT:

1. The board has determined that it is in the best interest of the community college district to enter into a design-build contract for the design and construction of the Communications Hub, Equity Village and Student Center Project;

2. The board hereby adopts the findings and conclusions of district staff as set forth in the board item as the board's own findings and conclusions; and

3. The board accepts and approves the recommendations submitted by district staff, the program management office, and outside legal counsel as set forth above.

DATED, SIGNED AND APPROVED this 21st day of October 2021.

BOARD OF TRUSTEES OF THE
MIRACOSTA COMMUNITY COLLEGE DISTRICT

By:_____
Rick Cassar, President,
Board of Trustees

Attest:

By:_____
Sunita V. Cooke, Ph.D.,
Secretary, Board of Trustees

STATE OF CALIFORNIA)
)ss
SAN DIEGO COUNTY)

I, Sunita V. Cooke, Ph.D., do hereby certify that the foregoing is a true and correct copy of Resolution No. 2-21/22, which was duly adopted by the Board of Trustees of the MiraCosta Community College District at a meeting thereof held on the 21st day of October 2021, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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

Subject:	Attachments:
Authorize District Staff to Exercise the Second (and Final) One-Year Extension to Term of Architectural and Engineering Services, Geotechnical Engineering Services and Civil Engineering and Related Services Master Services Agreements	**None**
Category: **Action 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

On October 19, 2017, the Board approved thirty-nine (39) master services agreements for architectural and engineering, fifteen (15) master services agreements for geotechnical engineering services, and fifteen (15) master services agreements for civil engineering and related services. Via the board's approval of these aforementioned master services agreements, the district established benches/pools of pre-qualified professional services firms, with maximum funding authority attached to each bench/pool, to provide on-call, as-needed, services to the district within each firms' respective discipline(s) related to the district's ongoing capital improvement program. The board also approved a term of three (3) years, with two (2) additional one-year options at the district's discretion for these master services agreements

STATUS

The terms of these aforementioned master services agreements are set to expire in October 2021. Given the continued need for these services on the district's capital improvement program, district staff and the program management office desire to exercise the district's discretion to extend the term of these master services agreements by the last and final one-year option period through October 19, 2022. The district then intends to re-compete these services through a request for qualification (RFQ) process and reestablish a new pool during the next year.

Staff is not requesting a dollar amount increase to the previously approved maximum funding authority for any of these benches/pools by virtue of this request.

RECOMMENDATION

Given the foregoing, district staff and the program management office recommend and request that the board take the following actions:

1. Approve district staff exercising the second, and final, one-year extension to the term of the aforementioned master services agreements; and
2. Authorize the vice president, administrative services to issue and execute amendments to these same master services agreements memorializing the extension of the term of these master services agreements by one (1) year.

Subject: **Approval of the Replenishment of Threshold of the Vice President for Administrative Services' Authority to Approve Program Reserve Fund Transfer Requests**	**Attachment:** **None**
Category: **Action Item**	**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

On February 18, 2021, the Board approved a Program Reserve Fund Use Authorization Criteria and Procedure to ensure the efficiency and transparency of the use of program reserve funds. At this same meeting, the board also delegated authority to the vice president, administrative services to authorize a request to transfer program reserve funds to augment a project's budget if: 1) the request met the program reserve fund use authorization criteria; 2) the request to use program reserve funds was no more than five percent of the board approved subject project's budget; and 3) the aggregate amount of all such requests program-wide is below $1 million; or approval of a specific request to use program reserve funds does not result in a program-wide aggregate amount of all such requests reaching $1 million or more.

Since that date, a program reserve fund transfer in the amount of $285,000 has occurred following the use criteria set forth above for Project No. 04109 – Renovate SAN Bldg. 100 Library to account for anticipated project cost overruns, and to ensure the completion of the project. This transfer is included in this item for board ratification.

The transfer has lowered the program reserve fund balance to $23,918,126, and also lowered the vice president, administrative services' program reserve fund use authorization amount from $1 million to $715,000.

STATUS

Given the foregoing transfer, and in an effort to expedite access to the reserves for use for capital improvement program projects when warranted, the district seeks to be pro-active in replenishing the program reserve threshold authority of the vice president, administrative services.

RECOMMENDATION

Given the foregoing, district staff and the program management office request the following:

1) Ratify the vice president, administrative services' prior authorization and transfer from the program reserve fund in the amount of $285,000 to Project No. 04109 – Renovate SAN Bldg. 100 Library; and

2) Approve the replenishment of the $1 million threshold of the vice president, administrative services' authority to approve program reserve fund transfer requests effective October 21, 2021, per the program reserve fund use authorization criteria and procedure established by the board on February 18, 2021.

Subject:	Attachments:
Adopt Resolution No. 03-21/22: Authorizing Carolina Biological Supply Company's Chemistry Kits as a Single Source Procurement for the Chemistry Department	• Resolution No. 03-21/22 • Carolina Biological Quote
Category: **Action Item**	**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

Chemistry is a lab-based science that requires students to have hands-on experience with the material in order to be successful. Not only does the tactile interaction reinforce concepts for many learners, but it also imparts skills and techniques that must be physically experienced and practiced. Upon moving courses online in response to COVID-19, the Chemistry Department researched several home-based lab kit vendors and ultimately selected Carolina Biological Supply Company. While the lab kits contain the materials and instructions, Chemistry faculty had to develop the accompanying assessments and curricula. This involved the creation of numerous Canvas assignments (pre-lab, data and observations, post-lab, etc.) for 45 experiments across seven chemistry courses, as well as additional video content to provide context, demonstrate techniques, and highlight safety concerns. This additional content required hundreds of hours to complete and is specifically tailored to the lab kit experiments provided by Carolina Biological Supply Company. The initial work was completed summer 2020, but the experiments have continued to be refined and improved during fall 2020, spring 2021, summer 2021, and fall 2021. This hard work has certainly paid off, with both faculty and students reporting positive results using the home-based lab kits, accompanying Canvas integrations, and video content.

The board approved Resolution No. 11-20/21 authorizing Carolina Biological Supply Company's chemistry kits as a single source procurement for the Chemistry Department for fall semester 2021.The Chemistry Department would like to continue its use of Carolina Biological Supply Company chemistry kits for the spring semester 2022 as a single source procurement. Utilizing Carolina Biological Supply Company's chemistry kits, as opposed to another vendor, will vastly benefit the Chemistry department, given the substantial time and resources that have been invested in developing and refining these unique home-based chemistry experiments.

STATUS

District staff has exercised due diligence and determined that chemistry kits from Carolina Biological Supply Company are the single source required for its spring semester chemistry classes needed by the Chemistry Department to continue online learning due to COVID-19.

The establishment of Carolina Biological Supply Company's chemistry kits as a single source standard is in accordance with Public Contract Code 20304 and Board Resolution No. 21-19/20, Emergency Conditions and Response to COVID-19 authorizing the superintendent/president and/or their designee to take any and all actions necessary to ensure the continuation of public education allowing provisions of alternative educational program options.

The expected cost for the spring Chemistry courses will not exceed $115,000. Funds are budgeted within Cost Center 101, Grant 190115. Funds will come from the Higher Education Emergency Relief fund.

RECOMMENDATION

1. Approve Resolution No. 03-21/22: authorizing procurement of chemistry kits from Carolina Biological Supply Company as a single source procurement for the Chemistry department, set forth below.
2. Authorize the director of purchasing and material management to proceed with the procurement from Carolina Biological Supply Company, at the cost of an amount not to exceed $115,000 for the spring semester 2022.

MIRACOSTA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 03-21/22
AUTHORIZING CAROLINA BIOLOGICAL SUPPLY COMPANY'S CHEMISTRY KITS AS A SINGLE SOURCE PROCUREMENT FOR THE CHEMISTRY DEPARTMENT

WHEREAS, the Board of Trustees of the MiraCosta Community College District ("District") has determined that in order to meet the requirements for maintaining its spring Chemistry classes during a COVID-19 teaching environment, that it utilize the unique chemistry kits created by Carolina Biological Supply Company since the summer of 2020; and

WHEREAS, on March 19, 2020, the board passed Board Resolution No. 21-19/20, Emergency Conditions and Response to COVID-19 authorizing the superintendent/president and/or their designee to take any and all actions necessary to ensure the continuation of public education allowing provisions of alternative educational program options; and

WHEREAS, on November 19, 2020, the board passed Resolution No. 4-20/21 Authorizing Carolina Biological Supply Company's Chemistry Kits as a Single Source Procurement for the Chemistry Department for the spring semester of 2021; and

WHEREAS, on May 20, 2021, the board passed Resolution No. 11-20/21 Authorizing Carolina Biological Supply Company's Chemistry Kits as a Single Source Procurement for the Chemistry department for the fall semester of 2021; and

WHEREAS, the Governing Board of a community college district may under Section 20304 of the California Public Contract Code, direct the purchase of any supply, equipment, or material without observance of any provision requiring contracts, bids, or notice upon a finding by a vote of two-thirds of all its members of the board that there is only a single source of procurement therefore and that the purchase is for the sole purpose of duplicating or replacing supply, equipment, or material, as the case may be, in use; and

WHEREAS, during the fall semester of 2020, the Chemistry department worked with Carolina Biological Supply Company in developing unique at-home chemistry kits for its chemistry classes to ensure students were provided a robust online learning platform; and

WHEREAS, the district's chemistry instructors created content around these at-home chemistry kits by creating a database of Safety Data Sheets for chemicals used in its chemistry experiments, along with publishing video content for approximately 50 lab experiments this fall; and

WHEREAS, Carolina Biological Supply Company provided assessment tools based on each experiment which were integrated into the district's Canvas platform as quizzes; and

WHEREAS, students and faculty have reported positive feedback utilizing the at-home chemistry kits provided by Carolina Biological Supply Company; and

WHEREAS, utilizing Carolina Biological Supply Company for the spring semester of 2022 will vastly benefit the Chemistry department as substantial time and resources have been invested in developing these unique chemistry kits; and

WHEREAS, district staff has exercised due diligence and determined that Carolina Biological Supply Company is the single source to provide the chemistry kits required for nine spring semester chemistry classes needed by the district; and

WHEREAS, the proposed item, and corresponding exception, is identified as:

#	Proposed Item and Manufacturer	Exception under PCC section
1.	Chemistry Kits	PCC section 20304

WHEREAS, applicable law requires the board to make certain findings under Public Contract Code section 20304 to use the exceptions found therein.

NOW THEREFORE BE IT RESOLVED THAT:

1. The board hereby finds and determines that advertising for competitive bids for equipment, supplies and curriculum for the Chemistry department would not produce an advantage to its online learning platform during COVID-19.

2. The board hereby finds and determines that establishing Carolina Biological Supply Company's chemistry kits as the single source standard for procurement pursuant to Public Contract Code sections 20304, to be in the best interest of the district.

3. The board hereby finds procuring chemistry kits from Carolina Biological Supply Company is in accordance with Board Resolution No. 21-19/20, Emergency Conditions and Response to COVID-19.

4. The establishment of Carolina Biological Supply Company's chemistry kits as the single source standard, is hereby approved and ratified.

5. The board directs district staff to include a copy of this resolution in all future procurement that will involve chemistry kits from Carolina Biological Supply Company.

DATED, SIGNED AND APPROVED this 21st day of October 2021.

BOARD OF TRUSTEES OF THE
MIRACOSTA COMMUNITY COLLEGE DISTRICT

By:_____
Rick Cassar
President, Board of Trustees

Attest:

By:_____
Sunita V. Cooke, Ph.D.,
Secretary, Board of Trustees

STATE OF CALIFORNIA)
)ss
SAN DIEGO COUNTY)

I, Sunita V. Cooke, Ph.D., do hereby certify that the foregoing is a true and correct copy of Resolution No. 03-21/22, which was duly adopted by the Board of Trustees of the MiraCosta Community College District at a meeting thereof held on the 21st day of October 2021, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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

SALES QUOTATION

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QUOTE NUMBER	492811 SQ	QUOTE EXPIRES	12/31/21
DATE:	10/06/21	Reference: DLSPRINGBULKSHIP	
Shipment can be Made Within 7-10 DAYS After Receipt of Your Order Unless Otherwise Stated.			
TRANSPORTATION METHOD BEST WAY		PAYMENT TERMS: NET 30 **	

BILL TO ACCOUNT: 130630

MIRACOSTA COLLEGE-OCEANSIDE
ACCOUNTS PAYABLE
1 BARNARD DR
OCEANSIDE CA 92056-3820

CATALOG NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	EXTENDED PRICE
582950	MIRACOSTCOL CHEM103 2020	EA	29	152.25	4,415.25
582945	MIRACOSTACOL CHEM112 2020	EA	81	189.75	15,369.75
582947	MIRACOSTACOL CHEM115 2020	EA	60	195.50	11,730.00
582946	MIRACOSTACOL CHEM116 2020	EA	22	110.75	2,436.50
582944	MIRACOSTACOL CHEM140 2020	EA	110	154.50	16,995.00
582948	MIRACOSTACOL CHEM150 2020	EA	190	176.50	33,535.00
582949	MIRACOSTACOL CHEM151 2020	EA	100	163.25	16,325.00
FREIGHT	FREIGHT AND HANDLING	EA	1	4,828.16	4,828.16

RETURNS:
We build custom kits that are unique to your school; therefore, for custom designed kits, whether vouchers or physical kits are purchased, they are nonreturnable. Purchased vouchers for Ready to Ship kits are returnable with a 15% restocking fee. Ready to Ship kits are nonreturnable
bulk ship for spring
upfront freight

Carolina Biological Supply Company
2700 York Road, Burlington, NC 27215-3398
www.carolina.com

SUB TOTAL	$	105,634.66
8.25 %	TAX	8,714.86
TOTAL	$	114,349.52

Total Order

WE TRULY APPRECIATE THE OPPORTUNITY TO PROVIDE YOU WITH THIS QUOTE. THANK YOU!

Subject: **Adopt Resolution 6-21/22 Specifying Criteria to Guide the Realignment of Trustee Areas for MiraCosta Community College District Board Members**	**Attachment:** **Resolution No. 6-21/22**
Category: **Action Items**	**Type of Board Consideration:** **Information Consent Action** ✓
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

BACKGROUND

MiraCosta Community College District has engaged the services of Nielsen Merksamer Parrinello Gross & Leoni, LLP, Attorneys at Law to represent the District with its post-Census readjustment of Board of Trustee electoral areas, in compliance with Education Code § 5019.5 and state and federal laws.

STATUS

Based on the update provided by Christopher Skinnell, partner at Nielsen Merksamer Parrinello Gross & Leoni, LLP, Attorneys at Law, regarding the redistricting process and the demographics of the current areas, the Board is now asked to adopt criteria to guide the demographic consultants, National Demographics Corporation, in the preparation of draft maps to be considered by the Board at future hearings per the timeline previously adopted.

RECOMMENDATION

Adopt proposed Resolution No. 6-21/22 and identify any additional considerations that the Board deems appropriate to guide the redistricting process, including additional communities of interest.

MIRACOSTA COLLEGE COMMUNITY DISTRICT

RESOLUTION NO. 6-21/22

Resolution Specifying Criteria to Guide the Realignment of Trustee Areas for MiraCosta Community College District Board Members

WHEREAS, the MiraCosta Community College District ("District") currently elects each member of its governing board using "by-trustee area" elections, *i.e.,* elections in which "one member of the governing board shall be elected from each trustee area[,]" and in which "[a] candidate for election as a member of the governing board shall reside in, and be registered to vote in, the trustee area he or she seeks to represent[,]" Cal. Educ. Code § 72036(a); *see also* Educ. Code § 5030(b); and

WHEREAS, Education Code § 5019.5 requires that in the year following the Census (years ending in "1") the board of trustees of a community college district that conducts its elections by-trustee area shall adjust the boundaries of those areas to equalize their population in light of the new Census data; and

WHEREAS, on August 12, 2021, the Census Bureau released the decennial redistricting data, after a four-and-a-half month delay caused by the COVID pandemic; and

WHEREAS, on September 9, 2021, the Board of Trustees received a presentation from the District's retained special voting rights counsel regarding the legal and policy criteria governing redistricting; and

WHEREAS, on September 20, 2021, the California Statewide Database released a prisoner-adjusted version of the Census Bureau's data, as required by state law, which have been designated by the Department of Finance as the "validated" data for purposes of community college district redistricting under Education Code § 5019.5; and

WHEREAS, on October 21, 2021, the District's counsel provided the Board and the public with demographic information regarding the current trustee areas, based on the adjusted, "validated" 2020 Census data; and

WHEREAS, the Census data indicate that the current trustee areas have a "total deviation" as defined under federal law of approximately 24%; and

WHEREAS, a map with a total deviation exceeding 10% is presumptively in excess of the range permitted by the equal protection clause, meaning that the District will have to adjust the trustee area boundaries to bring them back into substantial equality of population; and

WHEREAS, the Board has fully considered the presentations of its counsel, the current demographics, and all of the public comments received; and

WHEREAS, the Board now wishes to adopt criteria to guide the realignment of trustee areas consistent with legal requirements, including reasonably equal population and Section 2 of the federal Voting Rights Act, and which address other concerns and considerations important to the District; now, therefore, be it

RESOLVED that the MiraCosta Community College Board of Trustees as follows:

Section 1. Determination of Recitals. All of the recitals set forth above are true and correct, and the District Governing Board so finds and determines.

Section 2. Adoption of Districting Criteria. The Board of Trustees hereby adopts the criteria identified in Exhibit A to this Resolution as criteria to guide the realignment of trustee areas for the 2022 governing board elections in the District and thereafter until realignment is again required pursuant to Education Code § 5019.5.

Section 3. Direction to Administration, Demographer and Special Counsel. The Chancellor or their designee is hereby authorized and directed to work with the District's experienced redistricting/demographic consulting firm and instruct the professional demographer to formulate one or more trustee area plan scenarios based upon the criteria specified in Exhibit A for review by the public at public hearings and for consideration by the Board of Trustees at a future meeting in accordance with the timeline adopted by the Board. The President shall consult with legal counsel to resolve any legal issues necessary to give effect to this Resolution.

Section 4. Delegation of Authority. That the District's Governing Board hereby approves the delegation of authority and appoints its President/Superintendent or designee, who is hereby authorized and directed, pursuant to a vote of the Governing Board to take all necessary steps to carry out the intent of this Resolution.

Section 5. Effective Date. This Resolution shall be effective as of date of the adoption of this Resolution until otherwise rescinded by the Governing Board.

PASSED AND ADOPTED by the Board of Trustees of the MiraCosta Community College District, this 21st day of October, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

EXHIBIT A

Specification of Criteria to Guide the Establishment of Trustee Areas

1. The boundaries of the trustee areas shall be established so that the trustee areas are equal in population as defined by law.

2. The boundaries of the trustee areas shall be established so that the trustee areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.

3. The boundaries of the trustee areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.

4. The boundaries of the trustee areas shall observe communities of interest, including: rural or urban populations; social interests; agricultural, industrial or service industry interests; and the like, insofar as practicable. Among the communities of interest identified to date are the La Colonia neighborhood in Solana Beach and the Samoan community in and around the Mesa Margarita neighborhood in Oceanside, but the Board anticipates that others will be identified as the redistricting process progresses.

5. The boundaries of the trustee areas shall attempt to unify elementary school districts as communities of interest, insofar as practicable.

6. The boundaries of the trustee areas shall be compact, insofar as practicable.

7. The boundaries of the trustee areas shall be created to contain cohesive, contiguous territory, insofar as practicable.

8. The boundaries of the trustee areas may observe topography and geography, such as the existence of mountains, flat land, forest lands, man-made geographical features such as highways, major roadways and canals, etc., as natural divisions between districts, insofar as practicable.

9. Unless otherwise required by law, the trustee areas shall be created using whole census blocks.

10. The boundaries of the trustee areas may avoid the “pairing” of incumbents in the same trustee area, insofar as this does not conflict with the constitution and laws of the State of California and the United States.

11. The boundaries of the trustee areas shall comply with such other factors which become known during the redistricting process and are formally adopted by the Board of Trustees.

Subject:	Attachment:
Board Policy 7700 – Whistleblower Protection	Board Policy 7700 – Whistleblower Protection
Category:	Type of Board Consideration:
Board Policies – Periodic Review	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

The periodic review of Board Policy 7700 – Whistleblower Protection has been approved by College Council with no recommended changes, and the policy is now presented for adoption by the board of trustees.

Administrative Procedure 7700 is provided for information only.

RECOMMENDATION

Adopt Board Policy 7700 – Whistleblower Protection.

The superintendent/president shall establish procedures regarding the reporting and investigation of suspected unlawful activities by district employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, "unlawful activity" refers to any activity–intentional or negligent– that violates state or federal law, local ordinances, or district policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices, and protections are provided to those employees who, in good faith, report these activities and/or assist the district in its investigation.

Furthermore, district employees shall not:

A. Retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order.

B. Retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order.

C. Directly or indirectly use or attempt to use the official authority or influence of their position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the district. The district will not tolerate retaliation and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

See Administrative Procedure 7700.

Adoption History:	2/16/10, 11/16/16
Periodic Review:	~~09/01~~xx/xx/~~20~~21
References:	Education Code §§87160-87164 Labor Code §1102.5 Government Code §53296 Private Attorney General Act of 2004 (Labor Code §2698) Affordable Care Act (29 U.S.C. 218C)
CCLC Update:	#28, 4/16
Steering:	VPHR / N/A

Individuals are encouraged to report suspected incidents of unlawful activities by district employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the district in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in Board Policy 7700, and addressing complaints of retaliation for making such reports.

Filing a Report of Suspected Unlawful Activities

Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the district's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a district employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another district official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the district. When the alleged unlawful activity involves the superintendent/president, the report should be made to the president of the Board of Trustees. When the alleged unlawful activity involves the Board of Trustees or one of its members, the report should be made to the superintendent/president who will confer with the president of the board of trustees and/or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should

Effective Date:	2/16/10, 9/09/21
Periodic Review:	-
References:	Education Code §§87160-87164 Labor Code §1102.5 Government Code §53296 Private Attorney General Act of 2004 (Labor Code §2698) Affordable Care Act (29 U.S.C. 218C)
CCLC Update:	#28, 4/16; #26, 4/15; #23, 10/13
Steering:	VPHR / N/A

be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by their signature that it is accurate and complete.

Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, they must immediately forward the written report to the district risk and safety manager or vice president of Human Resources. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The high-level administrator or trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation and that the assistance of legal counsel and/or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the district's no-retaliation policy. Each individual shall be (1) admonished to maintain strict confidentiality, (2) warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination, and (3) advised that if they experience retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

Protection from Retaliation

When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.

Any employee who believes they have been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report or who otherwise is aware of retaliatory conduct is required to advise the Risk and Safety Manager or the vice president of Human Resources. If the allegations of retaliation or the underlying allegations of unlawful conduct involve the superintendent/president, the supervisor shall report to the highest-level administrator and/or trustee who are not implicated in the reports of unlawful activity and retaliation.

Whistleblower Contact Information

Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the district's internal fraud hotline at (800) 860-0957, or the Risk and Safety Manager at (760) 795-6866, or the

district's board of trustees, or the California Community Colleges Chancellor's Office. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-0799.

Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any employee who has information concerning alleged unlawful conduct may contact the appropriate government agency. Any one of the following outside agencies may also be contacted:

A. The State Auditor's Whistle-Blower Hotline at (800) 952-5665.

B. Investigations, California State Auditor, P.O. Box 1019, Sacramento, CA 95812.

C. State of California Department of Insurance Fraud Division, (858) 6937100, 10021 Willow Creek Road, Suite 100, San Diego, CA 92131

D. WeTip Corporate Ethics Hotline, (800) 873-7283, P.O. Box 1296, Rancho Cucamonga, CA 91730.

E. www.wetip.com

Subject:	Attachment:
Board Policy 2200 – Board Duties and Responsibilities	**Board Policy 2200 – Board Duties and Responsibilities**
Category:	**Type of Board Consideration:**
Board Policies – Second Reading	**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 2200 – Board Duties and Responsibilities have been approved by College Council, and the policy is now presented for a second reading and adoption by the board of trustees.

There is not an Administrative Procedure 2220.

RECOMMENDATION

Adopt Board Policy 2200 – Board Duties and Responsibilities.

The Board of Trustees is authorized by statutes of the state of California to establish, maintain, operate, and govern one or more community colleges in accordance with all the applicable laws and the Constitutions of California and the United States. In so doing, the board may initiate and carry on any program or activity, or may otherwise act in any manner that is not in conflict with, inconsistent with, or preempted by any law that does not conflict with the purposes for which community college districts are established, and that supports the mission of the MiraCosta Community College District.

Following are specific fiduciary duties and responsibilities of the board:

A. Represent the public interest.

B. Hire and evaluate the superintendent/president.

C. Delegate power and authority to the superintendent/president to effectively lead the district.

~~C.~~D. Establish policies that ensure the district operates in an equity-minded and anti-racist manner.

~~D.~~E. Establish policies for, and approve, current long-range academic and facilities plans and programs and promote orderly growth and development of the college.

~~E.~~F. Establish policies for and approve courses of instruction and educational programs.

~~F.~~G. Establish academic standards, probation and dismissal and readmission policies, and graduation requirements consistent with minimum standards adopted by the Board of Governors. Award degrees, certificates and diplomas to students upon completion of prescribed courses or curriculum.

~~G.~~H. Employ and assign all personnel, consistent with minimum standards adopted by the Board of Governors, and, in keeping with statutory guidelines, establish employment practices, salaries, and benefits for all employees. Following applicable due process guidelines, terminate the employment of any employee when, in the board's judgment, the best interests of education in the district so require.

~~H.~~I. To the extent authorized by law, determine and control the district's operational and capital outlay budget. Assure that public funds are spent prudently and

Adoption History: 4/7/09, 11/18/15, xx/xx/xx
Reference Update: 11/14

legally. Determine, if appropriate, the need for elections for override tax levies and bond measures and authorize the calling of such elections.

~~I.~~J. Manage and control district property; contract for the procurement of goods and services as authorized by law.

~~J.~~K. Establish procedures that are consistent with minimum standards adopted by the Board of Governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right to participate effectively in district and college governance.

~~K.~~L. Establish rules and regulations governing student conduct.

~~L.~~M. Establish student fees that are required by law, and, in its discretion, fees it is authorized by law to establish.

~~M.~~N. Receive gifts, grants, and scholarships on behalf of the college and its students.

~~N.~~O. Within the framework provided by law, determine the district's academic calendar, including holidays it will observe.

~~O.~~P. Hold and convey property for the use and benefit of the district. Acquire by eminent domain any property necessary to carry out the powers or functions of the district.

~~P.~~Q. Annually review and approve the district's deferred maintenance plan and five-year capital outlay plan.

~~Q.~~R. Participate in the consultation process established by the Board of Governors for the development and review of policy proposals.

~~R.~~S. Provide policy direction for the district while delegating administrative authority to the superintendent/president as chief executive officer.

~~S.~~T. Review and evaluate the performance of the superintendent/president on an annual basis pursuant to Board Policy 2435, Evaluation of Superintendent/ President.

~~T.~~U. Review and evaluate its own performance on an annual basis.

Subject:	Attachment:
Board Policy 4030 – Academic Freedom	Board Policy 4030 – Academic Freedom
Category:	Type of Board Consideration:
Board Policies – Second Reading	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 4030 – Academic Freedom have been approved by College Council, and the policy is now presented for a second reading and adoption by the board of trustees.

There is not an Administrative Procedure 4030.

RECOMMENDATION

Adopt Board Policy 4030 – Academic Freedom.

BOARD OF TRUSTEES POLICY **4030: Academic Freedom**

The MiraCosta College Community College District recognizes the free pursuit of knowledge and the free exchange of ideas as core tenets of academic freedom.

As a fundamental concept, academic freedom ensures institutions of higher education function for the common good and are constructed on a foundation of genuine trust. It represents an understanding of mutual respect in valuing how faculty and students engage in conversations and learning. The district superintendent/president and Board of Trustees will actively and openly work toward fostering an environment characterized by openness, tolerance, and civility and an atmosphere in which intellectual freedom exists and is protected for all constituencies, including faculty and students.

Academic freedom must always be accompanied by academic responsibility. This responsibility emphasizes the obligation to examine, test, and interpret all knowledge appropriate to a discipline or major area of study, to avoid bias on controversial topics, and to present conclusions and interpretations supported by evidence with consideration for the impact on students and colleagues. Employees and students should at all times strive for accuracy and engage in respectful discourse, especially when opinions differ. All constituencies must be mindful of the district's policies on ethical conduct (BP 3050), diversity, equity, and inclusion (BP 3400), non-discrimination (BP 3410), and equal opportunity (BP 3420).

To promote and support the intellectual, socioeconomic, and socioemotional growth of students, all faculty require the assurances and protections academic freedom affords. Academic decisions should be based solely on intellectual standards that are relevant to the subject matter under consideration and consistent with the institution's mission and core values. Neither students nor faculty shall be disadvantaged or evaluated on the basis of their views and perspectives. The district will defend and support any tenured or untenured faculty member who, while maintaining the high standards of the profession, finds their freedom of expression attacked or curtailed.

In the classroom context, both virtual and in person, faculty are expected to present data and information fairly and objectively, to ensure students have access to varying points of view, and to acknowledge and defend the free inquiry of students in the exchange of criticism and ideas. Academic freedom gives students the right to express and to defend their views, to question, and to differ with the views of their instructors or the district without penalty. Academic freedom gives faculty the right to distinguish between personal conviction and professionally accepted views in a discipline and to interpret their fields and communicate conclusions without interference or penalty.

Outside of the classroom setting, faculty have the right to research, present, and publish without interference or sanction, subject to the adequate performance of their other academic duties. Research for financial gain shall be based upon an understanding with the MiraCosta Community College District as outlined in Board Policy/Administrative Procedure 3715: Intellectual Property. When faculty speak or write as citizens, authorities of their discipline, and community representatives of MiraCosta College, they should be free from institutional censorship or discipline, but this freedom carries with it a responsibility to at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate they are not speaking on behalf of the institution.

CURRENT POLICY

Cynthia Dudley
Sources: Accreditation Standard I.C.7 **and** 1940 Statement of Principles on Academic Freedom and Tenure. ("The professional standard of academic freedom is defined by the *1940 Statement of Principles on Academic Freedom and Tenure*, developed by the American Association of University Professors (AAUP). It is the fundamental statement on academic freedom for faculty in higher education.")

Cynthia Dudley
Source: 1940 Statement of Principles on Academic Freedom and Tenure

Cynthia Dudley
Source: American Council on Education (ACE) Statement on Academic Rights and Responsibilities (2005). Endorsed by American Association of Community Colleges, American Council on Education, et al

Cynthia Dudley
Source: Accreditation Standard I.C.7

Cynthia Dudley
Source: Accreditation, Eligibility Requirement 13

Cynthia Dudley
Source: American Council on Education (ACE) Statement on Academic Rights and Responsibilities.

Cynthia Dudley
Source: MiraCosta College Code of Ethics

Cynthia Dudley
Source: Fairness and Objectivity, Tenure Candidate Handbook, 2014, pp. 9-11; Tenured Faculty Professional Growth and Evaluation Handbook, 2014, pp. 2-3

Cynthia Dudley
Source: Accreditation Standard I.C.9

Cynthia Dudley
Source: 1940 Statement of Principles on Academic Freedom and Tenure.

Definitions

Academic freedom in the classroom is the right of faculty members to interpret their fields and to communicate conclusions without being subjected to interference or penalty ~~because these conclusions may be at variance with those of constituted authorities, organized groups or individuals.~~

Cynthia Dudley
See paragraph 5 above.

Outside the classroom, faculty members are entitled to full freedom in research and in the presentation and publication of the results, subject to the adequate performance of their other academic duties. Research for pecuniary return should be based upon an understanding with the MiraCosta Community College District, conforming to Board Policy/Administrative Procedure 3715, Intellectual Property Rights.

Cynthia Dudley
See paragraph 6 above.

Academic freedom carries with it corresponding responsibility. Academic responsibility emphasizes the obligation to study facts, to present and interpret ideas ~~concerning human society and all fields of knowledge. Since human knowledge is limited and changeable,~~ faculty members will acknowledge the facts on which controversial views are based and show respect for opinions held by others. While striving to avoid bias, faculty members may nevertheless present the conclusions to which they believe the evidence points, both in the classroom and outside of it. ~~However, controversial matters that bear no relation to the subject matter should not be introduced into classes.~~

Cynthia Dudley
See paragraph 3 above.

Faculty members are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. ~~As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances.~~ Hence they should at all times strive for accuracy, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

Cynthia Dudley
See paragraph 6 above.

The superintendent/president and the Board of Trustees of MiraCosta Community College District will demonstrate their support for the principles of academic freedom by actively and openly working toward a climate that will foster this freedom.

Cynthia Dudley
See paragraph 2 above

Such participation will extend to the point of defending and supporting any tenured or untenured faculty member who, while maintaining the high standards of the profession, finds their freedom of expression attacked or curtailed.

Cynthia Dudley
See paragraph 4 above.

The academic freedom of students is the freedom to express and to defend their views, to question, and to differ with the views of their instructors or the district, without penalty.

Cynthia Dudley
See paragraph 5 above.

Adoption History: 4/21/09
Periodic Review: 6/16/15
Reference Update: 11/14
References: Title 5, §51023
Accrediting Commission for Community and Junior Colleges
Eligibility Requirements 13, 20
Accreditation Standard I.C.7, I.C.9

American Association of University Professors (AAUP) 1940 Statement of Principles on Academic Freedom and Tenure
American Council on Education (ACE) Statement on Academic Rights and Responsibilities (2005)

CCLC Update: #25, 11/14
Steering: AAC / AS

Subject: **Office of the President Report**	**Attachment:** **None**
Category: **Information**	**Type of Board Consideration:** ✓ **Information Consent Action**
	Approved for Consideration: **Sunita V. Cooke, Ph.D.** **Superintendent/President**

Office of Institutional Advancement (IA)

The last year brought changes to the MiraCosta Alumni Association. While the pandemic has affected events, the Association recognizes the need for new opportunities to engage with MiraCosta College and each other—here in San Diego County and around the globe. Still, from May-September 2021, alumni membership numbers increased, bringing the total to 1,425 members. In September 2021, the Association welcomed a new charter member, Wayne Hall. Hall, a Marine veteran and MiraCosta College alum, always believed that education was a way to open doors. Every Alumni Association charter member cements their name in the college's history by being one of the association's biggest initial supporters. Each charter member receives a welcome package, including a special alumni mug and a custom steel member ID card. The $500 charter membership fee also funds the MiraCosta Alumni Scholarship.

The Alumni Association was a proud sponsor at this year's 2021 Commencement. The Association provided all graduates present at the "Drive of Champions," a canvas bag filled with MiraCosta-branded swag. The Alumni Association also created a congratulatory video for the Class of 2021, which played during the 2021 [Virtual] Commencement Ceremony.

The Foundation awarded a total of $43,019.87 through 10 Innovation Grants to faculty and staff for programs and projects that directly support MiraCosta College students. Additionally, established three new scholarships: two for the Associated Student Government and one the Emerging Leaders Scholarship in honor of Jim Gonzales. Four fundraisers kicked off in October 2021 for the Athletics program. Finally, the Foundation was successful in establishing cryptocurrency as a modality for giving.

The Foundation Office has been busy securing funds and looks forward to sharing out once secured.

Public Information Office

<u>Government Relations/Public Relations</u>
Thanks to the collaboration and leadership of California Assemblymember Tasha Boerner Horvath, MiraCosta College's Technology Career Institute (TCI) received $3.5 million in state

funding for a Cooperative Education Reskilling and Training Pilot Program. The Pilot Program will offer several not-for-credit programs to include engineering technician, machinist technology, unmanned systems, welding, biomedical equipment technician, and craft brewing technician, to name a few, that can be completed in 3-6 months. Each program offers the opportunity to reskill while gaining on-the-job experience through paid internships.

Internal Communications

In collaboration with the Student Services and Instructional divisions, a year-long campaign was launched that remains relevant and 'fresh" on how MiraCostans (students and staff) can remain healthy was deployed. The *Stay Healthy*, *MiraCosta* campaign was not dictated by politics but instead provided sustainable best practices for the health and safety of individuals and the entire MiraCosta College community; a community of care that is only established when we all come together. Communication strategies include banners, pole signs, signs, email, social media, and swag.

Websites associated with the campaign include:

Return to Campus: miracosta.edu/covid

Why I Vax: hub.miracosta.edu/vax

Marketing

Enrollment marketing for summer and fall (regular and late-start) 2021 semesters began between the months of May-September. In both English and Spanish 20 bus ads, printed postcards, landing pages, videos, emails, and social media marketing. In addition, online presence, and community calendars have been implemented to attract prospective students and remind current students to enroll. Enrollment marketing is currently underway using the new annual marketing campaign, *College Smarter, Life Happier.*

The months of May-September 2021 proved to be a prosperous time for digital marketing. All official social media channels saw an increase in reach, impressions, and followers. Facebook saw an increase of 883,701 individuals who saw content on our page, including posts, stories, and ads. Meanwhile, Instagram increased its reach by 273,299 individuals. Paid ads were also critical strategies for increasing event, program, course, and enrollment awareness. Facebook ads reached a total of 718,900 individuals and 1.7 million impressions. Both numbers increased by 100 percent compared to the previous year.

Twitter, LinkedIn, and YouTube also saw an increase in on-site visits, followers, and content clicks. Twitter, a microblogging and social networking service, is one of MiraCosta's main marketing tools and Dr. Sunny Cooke's go-to social platform to share updates and college news—in August 2021, she reached 1,000 followers! From May-September 2021, Twitter reached 128,400 impressions, 6,053 profile views, and 259 mentions of the college in another user's tweet. LinkedIn, the world's largest professional network on the internet, saw an increase of 1,000 page views, 40 percent link clicks, and 567 visitors. LinkedIn also acquired 207 new followers bringing the total to 26,292. Lastly, YouTube totaled 34,134 organic views and 1,319 watch time. The channel garnered 85,178 impressions and 49 new subscribers.

Website

Redesign of the Meet Student, Alumni, and Staff page to allow folks to be searched by Academic and Career Pathways (ACP).

Publications Produced by the Public Information Office

College Police and Safety Report

2020 ICBOC Annual Report

2021 Spring Transforming Lives

2021 Summer and Fall Continuing Education Schedule

2021 Fall Credit Schedule

2021/22 Catalog

FY2022 Budget Book

Media and Press

From the months of May through September 2021, MiraCosta had over 1,548 media mentions and more than 30 press releases. All can be found on the MiraCosta College news page.

Press releases of note:

5.17.21 Commencement
5.24.21 MiraCosta Nurses on the Frontline
6.7.21 Automotive ASE Certification
6.22.21 ICBOC Annual Report
7.29.21 TCI Pilot Program Receives $3.5M
7.30.21 Summer Construction Boom
8.13.21 Bookstore Credit Incentive Campaign
9.10.21 Beer Champs
9.22.21 Medical Admin Preferred Provider

Office of Research, Planning, and Institutional Effectiveness (RPIE)

Over the summer and into the fall semester, the RPIE Office has developed new dashboards for Career Technical Education Outcomes Survey (CTEOS) and the spring 2021 back-to-campus survey. The team has also been supporting the data needs of different departments, programs, and projects across campus, including the Writing Center, Honors Program, ACP Teams, Core Competency Assessments, Title V Grant Writing Team, Educational Master Plan Update, Noncredit/CLC Marketing Plan, Distance Education presentation, and the Five-Year Strong Workforce Strategic Plan (among many others). In addition, RPIE has been completing CCCCO MIS and state-mandated reporting (SB 129) and federal IPEDS data reporting. During the Fall Flex Week, one of our research analysts presented results of a recent study, Assessing Student Satisfaction and Sense of Belonging: A Path to Retention and Success. Attended by over 50 participants, the well-received professional development presentation gave the participants concrete, practical actions based on data and research that professors can incorporate into their classrooms to improve engagement and connectedness in their learning environments. Lastly, RPIE staff are continuing to support the Campus Labs reporting system for program review and student learning outcomes.