



MIRACOSTA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

**REGULAR MEETING
4 P.M. – THURSDAY – JANUARY 23, 2025
BOARDROOM (1068) – OCEANSIDE CAMPUS
1 BARNARD DRIVE – OCEANSIDE, CA**

AGENDA

I. CALL TO ORDER AND REPORT OUT FROM CLOSED SESSION

II. FLAG SALUTE / ROLL CALL

III. APPROVE MEETING MINUTES

- A. Special Meeting/Closed Session of December 19, 2024
- B. Regular Meeting of December 19, 2024

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

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

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

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

V. CHANGES IN AGENDA ORDER

VI. PRESENTATIONS

- A. Adult High School - Western Association of Schools and Colleges Accreditation Report
- B. 2025 Political and Legislative Update

VII. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
- B. Ratify Memorandum of Understanding 25-01 with the Faculty Assembly Amending MOU 24-05
- C. Approve Legal Services
- D. Approve Kitchell Contract Extension
- E. Approve Southern California Foothills Consortium Memorandum of Understanding – Spring 2025 Semester
- F. Notice of Completion – Contract #MMC0240024 SAN Path of Travel Installation Project
- G. Notice of Completion – Contract #MMC0240025 SAN Recycling Water Retrofit Project
- H. Approve License Agreement Amendment for Farmers' Market at MiraCosta College, San Elijo Campus
- I. Approve Modern Campus USA, Inc. – Omni Software
- J. Ratify and Approve Contracts and Purchase Orders

VIII. ACTION ITEMS

- A. Adopt Resolution No. 7-24/25 – Excuse Board Member Absence
- B. Approve Employment Contract for Assistant Superintendent/Vice President, Human Resources

IX. SECOND READ – BOARD POLICIES (Action Required)

- A. Board Policy 3433 - Prohibition of Sexual Harassment Under Title IX
- B. Board Policy 3540 - Sexual and Other Assaults on Campus and in Campus Programs

X. FIRST READ – BOARD POLICIES

- A. Board Policy 3810 – Claims Against the District
- B. Board Policy 4300 – Field Trips
- C. Board Policy 6340 – Bids and Contracts
- D. Board Policy 6700 – Civic Center and Other Facilities Use
- E. Board Policy 7340 – Leaves

XI. COLLEGE-RELATED REPORTS

- A. Trustees Activities
- B. Students
- C. Classified Employees
- D. Faculty
- E. Assistant Superintendent/Vice Presidents
 - 1. Instructional Services
 - 2. Student Services
 - 3. Administrative Services
 - 4. Human Resources
- F. Office of the President
- G. Superintendent/President

XII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

XIII. ADJOURNMENT

UPCOMING MEETING

**4 p.m. – February 20, 2025
Regular Meeting**

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 Jeanne Koschwanez, executive assistant to the superintendent/president, at 760.795.6840 or by email at jkoschwanez@miracosta.edu.

Audio recordings of board meetings are available upon request. Please contact the MiraCosta College Office of the President at 760.795.6840 or at jkoschwanez@miracosta.edu.



MIRACOSTA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

MINUTES OF CLOSED SESSION MEETING

**DECEMBER 19, 2024
(DRAFT)**

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in closed session on Thursday, December 19, 2024, in Room 1054 on the Oceanside Campus. President Rick Cassar called the meeting to order at 3 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

Rick Cassar

Heather Conklin

Frank Merchat

Anna Pedroza

Jackie Simon (3:25 p.m.)

Absent: Raye Clendening

Administrators present:

Superintendent/President Sunny Cooke

Assistant Superintendent/Vice President Charlie Ng

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

None.

IV. DECLARE NEED FOR CLOSED SESSION

At 3 p.m., the board announced the need to enter closed session, along with Superintendent/President Cooke and Assistant Superintendent/Vice President Charlie Ng.

A. Conference with Labor Negotiators

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Superintendent/President Sunita V. Cooke,
Assistant Superintendent/Vice President, Human Resources Charlie Ng

Employee organizations: All Groups

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

At 4 p.m., the board returned to open session to report the following:

A. Conference with Labor Negotiators

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Superintendent/President Sunita V. Cooke,
Assistant Superintendent/Vice President, Human Resources Charlie Ng

Employee organizations: All Groups
No report.

VI. ADJOURNMENT

The meeting adjourned at 3:50 p.m.

MINUTES APPROVAL:

Rick Cassar
President

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



MIRACOSTA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

MINUTES OF REGULAR MEETING

**DECEMBER 19, 2024
(DRAFT)**

I. CALL TO ORDER AND REPORT OUT FROM CLOSED SESSION

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, November 21, 2024, in the Boardroom on the Oceanside Campus. President Cassar called the meeting to order at 4 p.m.

President Cassar reported the MiraCosta Community College District Governing Board held a closed session on November 21, 2024, to discuss the dismissal of a classified employee and to act upon the superintendent/president's recommendation of dismissal. The Governing Board, by a vote of 6-0-1 took action to dismiss the classified employee from employment at the district (Trustee Pedroza abstained).

II. FLAG SALUTE / ROLL CALL

Board members present:

Rick Cassar

Heather Conklin

Ann Crosbie

Rahime Demirci (Student Trustee)

Frank Merchat

Anna Pedroza

Jackie Simon

Board Members absent:

Raye Clendening

Administrators present:

Superintendent/President Cooke

Assistant Superintendent/Vice President Tim Flood

Assistant Superintendent/Vice President Denée Pescarmona

Assistant Superintendent/Vice President Alketa Wojcik

Assistant Superintendent/Vice President Charlie Ng

III. BOARD ORGANIZATIONAL ACTION

A. Administer Oath of Office to Board Members

Dr. Cooke administered the oath of office to re-elected Trustees Conklin, Merchat, and Simon, and newly elected Trustee Crosbie.

B. Election of Officers

1. President

By motion of Trustee Simon, seconded by Trustee Merchat, Rick Cassar was elected as president of the board of trustees for 2025.

Vote: 5/0/1

Aye: Conklin, Crosbie, Merchat, Pedroza, Simon

Abstentions: Cassar
Absent: Clendening

2. Vice President

By motion of Trustee Simon, seconded by Trustee Pedroza, Raye Clendening was elected as vice president of the board of trustees for 2025.

Vote: 6/0/0
Aye: Cassar, Conklin, Crosbie, Merchat, Pedroza, Simon
Abstentions: None
Absent: Clendening

3. Board Secretary and Assistant Board Secretary

By motion of Trustee Merchat, seconded by Trustee Conklin, Dr. Sunita Cooke was elected secretary of the board of trustees, and Julie Bollerud and Jeanne Koschwanez as the assistant secretaries of the board of trustees to serve until the 2025 organizational board meeting.

Vote: 6/0/0
Aye: Cassar, Conklin, Crosbie, Merchat, Pedroza, Simon
Abstentions: None
Absent: Clendening

B. Fix Dates, Times, and Locations of 2025 Board Meetings

By motion of Trustee Merchat, seconded by Trustee Conklin, the 2025 board meeting schedule was approved, as presented.

Vote: 5/1/0
Aye: Cassar, Conklin, Merchat, Pedroza, Simon
Nay: Crosbie
Absent: Clendening

IV. APPROVE MEETING MINUTES

A. Workshop of November 7, 2024

By motion of Trustee Merchat, seconded by Trustee Simon, the board approved the minutes of the special meeting/workshop session of November 7, 2024.

Vote: 4/0/2
Aye: Conklin, Merchat, Pedroza, Simon
Abstentions: Crosbie, Cassar
Absent: Clendening

B. Special Meeting/Closed Session of November 21, 2024

By motion of Trustee Merchat, seconded by Trustee Conklin, the board approved the minutes of the special meeting/closed session of November 21, 2024.

Vote: 5/0/1
Aye: Cassar, Conklin, Merchat, Pedroza, Simon
Abstentions: Crosbie
Absent: Clendening

C. Regular Business Meeting of November 21, 2024

By motion of Trustee Merchat, seconded by Trustee Conklin, the board approved the minutes of the regular business meeting of October 17, 2024.

Vote: 5/0/1
Aye: Cassar, Conklin, Merchat, Pedroza, Simon
Abstentions: Crosbie
Absent: Clendening

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

None.

VI. CHANGES IN AGENDA ORDER

Item IX.A was pulled from the agenda.

Minor change on page 47.

VII. PRESENTATIONS

A. Foundation Overview and FY2024 Accomplishments

Vice President of Institutional Advancement Shannon Stubblefield provided an overview of the Office of Advancement, stating the primary goal is to engage the community in support of the college. Shannon presented the financial trajectory of the Miracosta College Foundation over the past five years, highlighting a 29 percent growth in assets due to market returns and increased giving to endowment campaigns. She noted that 60 percent of the foundation's revenue comes from individual charitable contributions. Shannon also discussed the impact of the foundation's support, with over \$3.2 million spent on direct student support and campus programs in the last fiscal year. She emphasized the Foundation's role in providing financial aid and scholarships to students, particularly those from low-income backgrounds. The Board expressed its appreciation for the Foundation's work and its impact on students' lives.

B. Facilities Update

Assistant Superintendent/Vice President of Administrative Services Tim Flood, Director of Facilities Tom Macias, and Kitchell Project Manager Ed Dajani provided a detailed update on MiraCosta College's Measure MM capital construction program, including the college's local hire and small business participation metrics for construction contracts. Tom Macias discussed the progress at the Community Learning Center and the San Elijo campus, highlighting completed projects and ongoing solar projects. Ed Dajani presented progress at the Oceanside campus, noting completed projects, ongoing construction, and future plans. The team also highlighted various awards and accolades received for their work. The vast majority of Measure MM funds are being spent on local (regional) firms, which was the intent so that the community could benefit from the facilities investments. Trustee Pedroza expressed appreciation for the district's efficient use of time during breaks to maximize project completion.

VIII. CONSENT ITEMS

- A. **Ratify Recommendations of Superintendent/President in Approving Personnel Actions**
- B. **Approve Employment Contract for Professional Expert – Christine Timbol Larson**
- C. **Approve Employment Contract for Professional Expert – Tasi Rodriguez**
- D. **Authorize Execution of Academic Administrator Employment Contract – Dr. Lauren Halsted**
- E. **Approve Classification of New Position and Job Description for Program Manager, Dual Enrollment**
- F. **Approve New Professional Expert Position, Description of Duties, and Salary Placement for Program Advisor III, and Approve Revised Description of Duties for Program Advisor I and II**
- G. **Approve Updated Course Agreement with Carlsbad Unified School District for the Spring 2025 Dual Enrollment Program**
- H. **Approve Updated Course Agreement with San Dieguito Union High School District for the Spring 2025 Dual Enrollment Program**

- I. **Spring 2025 Program Components for the Oceanside Unified School District CCAP Dual Enrollment Program**
- J. **Approve Purchase of LeapFrog Technologies, Inc. Software Modules**
- K. **Notice of Completion – Contract #MMC0200027 OC Library Building Renovation Project**
- L. **Approve Renewal of the Institute for the Future (ITF) Agreement**
- M. **Ratify and Approve Contracts and Purchase Orders**

By motion of Trustee Merchat, seconded by Trustee Conklin, consent items A-M were approved.

Vote: 6/0/0
Aye: Cassar, Conklin, Crosbie, Merchat, Pedroza, Simon
Abstentions: None
Absent: Clendening

IX. PERIODIC REVIEW – BOARD POLICIES (Action Required)

- A. Board Policy 2715 – Code of Ethics-Standards of Practice
By motion of Trustee Conklin, seconded by Trustee Pedroza, BP2715 was approved.
Vote: 5/0/1
Aye: Cassar, Conklin, Merchat, Pedroza, Simon
Abstention: Crosbie
Absent: Clendening

X. FIRST READ – BOARD POLICIES

- A. Board Policy 3433 – Prohibition of Sexual Harassment Under Title IX was reviewed and discussed and will be brought to the board for a second read and adoption at a future meeting.
- B. Board Policy 3540 – Sexual and Other Assaults on Campus and in Campus Programs was reviewed and discussed and will be brought to the board for a second read and adoption at a future meeting.

XI. INFORMATION ITEMS

- A. Board Futures Discussion – Deferred

XII. COLLEGE-RELATED REPORTS

A. Trustees Activities

Trustee Simon represented MiraCosta College at the Carlsbad City Council swearing-in ceremony.

Trustee Conklin joined faculty and staff at the Encinitas Holiday Parade. She along with Trustee Merchat attended the San Diego North Economic Development Corporation awards luncheon where MiraCosta College was well represented. Recent retiree Linda Kurokawa and CSIT faculty Rick White each received recognition for their work. Additionally, Dr. Cooke was honored with the 2024 North County Steward Award. Trustee Merchat also participated in the facilities liaison meeting and recognized the passing of Foundation Board Member Emeritus Knox Williams, whose contributions will be greatly missed.

Trustee Pedroza wished everyone a wonderful holiday season.

Trustee Crosbie introduced herself and shared her background.

President Cassar thanked Jeanne Koschwanez for providing office support during Julie Bollerud's absence.

B. Students

Student Trustee Rahime Demirci congratulated and recognized all students for their efforts and dedication this semester, and she thanked Student Life, all departments, faculty, and staff for their support to students during finals week. She highlighted the student government's work and participation in the Student Center for California Community Colleges Advocacy Academy. Region 10 was recognized at the beginning of the academy as a standout region for its exceptional collaboration across the ten participating student governments. She further recognized the women's rugby team for their outstanding performance in securing a win in their last away game.

C. Classified Employees

Interim Classified Senate President Carl Banks reflected on the Senate's mission to support students daily and expressed gratitude for the strong collaborative relationships with the Academic Senate and other campus groups. He noted that tomorrow, December 20, the end-of-year holiday luncheon will take place at El Camino Country Club, with special recognition for Lori Schneider and her 31 years of service as a Classified Senate member.

D. Faculty

Academic Senate President Curry Mitchell shared how the Sociology Department received an honorable mention for the Exemplary Program Award for their Zero Textbook Cost (ZTC) and Open Enrollment Resources program. They will be acknowledged at the January Board of Governors meeting. The Math Department announced its Data Science Associate Degree, launching in the 2024/25 catalog. Joyful teacher Jim Sullivan continues his work in promoting professional learning for faculty. The Academic Senate had another successful semester and recently partnered with the Office of IDEA and the Bias Education Support Team to enhance resources and protections for undocumented and mixed-status students with plans to expand this work in the spring. They are also planning a Field Day for faculty and students in January.

E. Assistant Superintendents/Vice Presidents

1. Instructional Services

Assistant Superintendent/Vice President Denée Pescarmona welcomed Trustee Crosbie and presented key statistics from instructional services.

- 1,518 sections totaling almost 2.2 million student contact hours of learning
- 11,732 unique students
- 36,525 enrollments in those sections
- 3,010 students checked into our learning centers across all our campus locations
- 8,936 tutoring and supplemental learning sessions occurred across more than 250 different courses
- Library services supported the loans of 844 laptops and 746 hotspots (more than 1200 unique requests)
- Secured our second Title V Hispanic Serving Institution grant to the tune of \$3 million
- Secured more than \$3.6 million in Apprenticeship and Pre-apprenticeship grant funds

- Secured more than \$1.3 million in Zero Textbook Cost grants funds, with almost 35 percent of sections currently being offered as zero cost to students

This year featured impactful collaborations with Student Services, including ACP's "Careers and Convo" and Title V grant events like "Latinx Hour on the Lawn" and "Bienvenida Familiar." These initiatives reflect our commitment to serving our community, with enthusiasm for continuing this meaningful work in 2025.

She expressed her pride in the daily work to serve the community and looks forward to continuing our good work in 2025.

2. Student Services

Assistant Superintendent/Vice President Alketa Wojcik has included a written report in the board packet. She invited all to the Kwanza celebration offered by IDEA and Umoja after the board meeting.

3. Administrative Services

Assistant Superintendent/Vice President Tim Flood wished everyone happy holidays.

4. Human Resources

Assistance Superintendent/Vice President Charlie Ng acknowledged the Payroll Department for managing the increased workload during the holiday season. He also recognized the operations team in Human Resources for their efforts in preparing for the upcoming year.

F. Superintendent/President

Dr. Cooke recognized former Foundation Board Member Knox Williams who recently passed away. He was a great connector and advocate for the Foundation and a truly remarkable man. She thanked the Vice Presidents for their work while she was on her mini-sabbatical, and the advancement team and Melanie Haynie for their support. Julie is doing well and recovering slowly but steadily. She spoke of how grateful she is for Kristen and PIO Office for their help in communicating with all newly elected officials and those who were re-elected to school boards, city councils, and county, state, and federal posts. Kristen will do a presentation at the January board meeting on state and local elections and provide an overview of state and federal advocacy points. Dr. Cooke thanked all faculty, staff, and administrators for their commitment to our students and urged all employees to rest and rejuvenate over the holidays.

XIII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.






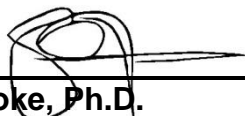
XIV. ADJOURNMENT

The meeting adjourned at 6:03 p.m.

MINUTES APPROVAL:

Rick Cassar
President

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

Subject: Adult High School – Western Association of Schools and Colleges Accreditation Report	Attachment: <u>Presentation Link</u>
Category: Presentations	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Information </div> <div style="text-align: center;"> Consent </div> <div style="text-align: center;"> Action </div> </div>
Institutional Goals: <u>mcc_mission_statement.pdf (miracosta.edu)</u>	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Goal 1 </div> <div style="text-align: center;">  Goal 2 </div> <div style="text-align: center;">  Goal 3 </div> <div style="text-align: center;">  Goal 4 </div> </div>
	Approved for Consideration: <div style="text-align: center;">  <hr style="width: 100%;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

The self-study report for the MiraCosta Adult High School (AHS) is the result of a self-evaluation process conducted by the faculty, staff, and administration of the AHS. The evaluation was conducted in accordance with standards of good practice regarding mission, goals, and objectives; the appropriateness, sufficiency, and utilization of resources; the usefulness, integrity, and effectiveness of its processes; and the extent to which it is achieving its intended student achievement and student learning outcomes.

The Accrediting Commission for Schools, Western Association of Schools and Colleges (ACS WASC) will be reviewing the self-study report and, through observation, interviews, and examination of student work during a site visit, will be able to validate AHS programs and provide recommendations for future school improvement.

The document is being reviewed and approved by all college stakeholders in January 2025 and will formally be presented for board action at the February meeting. The report is due to the ACS WASC in March 2025, and we are expecting a visit from an external evaluation team on May 5 – 8, 2025.

STATUS

Key elements from the accreditation report will be presented, including highlights from the self-evaluation process, a progress report on key issues from the previous self-study, and a proposed action plan.

RECOMMENDATION

For information only.

Subject: 2025 Political and Legislative Update	Attachment: Presentation Link
Category: Presentations	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Information </div> <div style="text-align: center;">Consent</div> <div style="text-align: center;">Action</div> </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Goal 1 </div> <div style="text-align: center;">Goal 2</div> <div style="text-align: center;">Goal 3</div> <div style="text-align: center;">Goal 4</div> </div>
	Approved for Consideration: <div style="text-align: center;"> <hr style="width: 100%;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

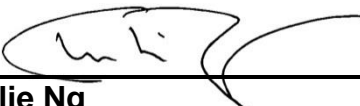
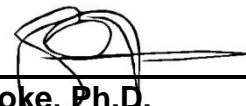
The board of trustees receives periodic presentations on pertinent topics.

STATUS

Director of Public and Governmental Relations, Marketing, and Communications Dr. Kristen Gonzales will provide a general overview of the current political climate at both the federal and state levels that significantly impact community colleges. This discussion will also review key statewide community college advocacy points to ensure alignment with ongoing legislative priorities and initiatives.

RECOMMENDATION

For information only.

Subject: Ratify Recommendations of Superintendent/President in Approving Personnel Actions	Attachment: None
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;"> Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

STATUS

1. Resignation of regular classified employee Michelle Halverson, Student Services Specialist, Student Life & Leadership, position P-05847, effective January 24, 2025.
2. Employment of the following regular classified employees:

Ariel Locke, Administrative Assistant to the Dean, Instructional Services - Academic Senate, position P-00023, classified salary range 24, step 1, \$6,417.67 per month, full-time, 12 months per year, effective January 13, 2025. Ariel was selected through an open recruitment process.

Alejandra Madrigal, Administrative Support Assistant III, Academic & Career Pathways, position P-10413, classified salary range 20, step 1, \$5,717.17 per month, full-time, 12 months per year, effective January 13, 2025. Alejandra was selected through an open recruitment process.

Renee Truong, Student Services Specialist, International Office, position P-06213, classified salary range 21, step 1, \$5,886.75 per month, full-time, 12 months per year, effective December 23, 2024. Renee was selected through an open recruitment process.

Jorge Pineda, Information Security Engineer, Technical Services, position P-05802, classified salary range 40, step 1, \$10,188.08 per month, full-time, 12 months per year, effective January 3, 2025. Jorge was selected through an open recruitment process.

Betty Green, Support Assistant II, Non-Credit Adult Education, position P-08528, classified salary range 16, step 1, \$5,093 per month, full-time, 12 months per year, effective January 3, 2025. Betty was selected through an open recruitment process.

3. Permanent change of assignment for regular classified employee Ashley Sherrell, Student Support Advisor, Student Services Welcome Center, position P-08461, has accepted the position of Financial Aid Technician, P-00171, range 23, step 5, \$7,604.50 per month, full-time, 12 months per year, effective January 6, 2025. Ashley was selected through an open recruitment process.

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

Yurico Jimenez, Student Services Specialist, CARE, position P-10571, will serve as Interim Student Services Coordinator, CARE, classified salary range 26, step 5, longevity year 7, \$8,176.25 per month, full-time, effective January 6 - June 30, 2025.

Lilah Shoukry, Student Services Coordinator, CARE, position P-10059, will serve as Interim Academic Administrative Division Assistant 10M, School of Arts, International Languages & Ethnic Studies, classified salary range 21, step 5, longevity year 9, \$7,617.67 per month, full-time, 10 months per year, effective January 6 – May 31, 2025.

Tara Sisario, Academic Division Administrative Assistant, School of Arts, International Languages & Ethnic Studies, position P-07321, will serve as Interim Administrative Assistant to the Associate Vice President, Information Technology Services, classified salary range 24, step 5, \$7,828.08 per month, full-time, effective January 13 – June 30, 2025.

Dung Le, Senior Financial Analyst, Fiscal Services, position P-05808, will serve as Interim Director, Fiscal Services, classified administrator salary range CM - 18, step 1, longevity year L-1, \$13,362.92 per month, full-time, effective December 16, 2024 - June 30, 2025.

Christina Undan, Accounting Manager, Fiscal Services, position P-00015, will serve as Interim Director, Fiscal Services, classified administrator salary range CM - 18, step 1, longevity year L-1, \$13,362.92 per month, full-time, effective December 16, 2024 - June 30, 2025.

Carrie Welsh, Administrative Support Assistant II, Veterans Business Outreach Center, position P-07014, will serve as Interim Administrative Support Assistant III, Veterans Business Outreach Center, classified salary range 20, step 5, longevity year 11, \$7,584.50 per month, full-time, effective December 1, 2024 – June 30, 2025.

5. Eric Snortum, Instructor, Oceanography, position P-00596, has given notice of their intent to advance on the academic salary schedule due to the completion of SAC approved coursework, from salary class 2 to class 3, retroactively effective January 1, 2025.

6. Employment of the following associate faculty members for the 2025 Spring session, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Jane	Kluck	Art
Daniel	Salas	Athletics
Ariel	Carter	Biological Sciences
Paul	Detwiler	Biological Sciences
Jericho	Ortanez	Biological Sciences




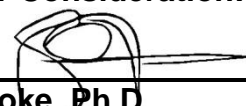
Stephen	Heath	Business
Shannon	Mueller	Dance
Margaret	McGonigle	English as a Second Language
Henry	Bernal	International Languages
Mami	Ichikawa	International Languages
Regina	Forester	Letters, Transfer
George	Henry	Letters, Transfer
Salvatore	Russo	Letters, Transfer
Geoffrey	Watkinson	Letters, Transfer
Paul	Kelley	Noncredit Short Term Vocational
Sadie	Salazar	Noncredit, General
Jori	Brock	Nursing
Paige	Hernandez	Nursing
Petronella	Swanepoel	Nursing
Christine	Wood	Nursing
Eric	Morelli	Philosophy & Religious Stud
Shirley	Pierson	Theatre & Film

7. 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 Name	Job Title	Assignment	Department	Pay Rate	Start Date	End Date
Christopher Helmstreit	Campus Aide III	Short-term	ITS Technology Support Services	\$20.50/hr	1/24/25	6/30/25
Daniel Clayton	Campus Aide III	Short-term	Sociology	\$20.50/hr	1/24/25	6/30/25
David Arnold	Campus Aide III	Short-term	Student Equity	\$20.50/hr	1/24/25	6/30/25
Eliana Pelayo	Administrative Support Assistant I	Short-term	Counseling Operations	\$24.00/hr	1/24/25	6/30/25
Jessica Luna Benitez	Campus Aide III	Short-term	Counseling Operations	\$20.50/hr	1/24/25	6/30/25
Jessica Mora Jacinto	Apprentice II	Short-term	MESA Program	\$17.00/hr	1/24/25	6/30/25
Liliana Jaime	Campus Aide I	Short-term	Student Services, CLC	\$16.50/hr	1/24/25	6/30/25
Manuel Mendoza Nunez	Instructional Aide	Substitute	Workforce IOA	\$24.72/hr	1/2/25	6/30/25
Marc Ternes	Apprentice III	Short-term	Horticulture	\$18.50/hr	1/24/25	6/30/25
Paige Oberholtzer	Theater Aide III	Short-term	Theatre & Film	\$18.00/hr	1/17/25	6/30/25
Ricardo Sanchez	Campus Aide III	Short-term	Sociology	\$20.50/hr	1/24/25	6/30/25
Shehara Smith	Horticulture Assistant	Short-term	Horticulture	\$31.14/hr	1/24/25	6/30/25
Timothy Jackson	Administrative Support Assistant II	Short-term	Sociology	\$29.38/hr	1/24/25	6/30/25

RECOMMENDATION

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

Subject: Ratify Memorandum of Understanding 25-01 with the Faculty Assembly Amending MOU 24-05	Attachment: Memorandum of Understanding 25-01
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">Information</div> <div style="text-align: center;">  Consent </div> <div style="text-align: center;">Action</div> </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">Goal 1</div> <div style="text-align: center;">Goal 2</div> <div style="text-align: center;">  Goal 3 </div> <div style="text-align: center;">Goal 4</div> </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The Title V Grant and the Guided Pathways leadership team determined that a need existed to continue the Light the Fire Faculty Institute that will be designed to align with the Title V Hispanic Serving Institution (HSI) Grant goals and objectives and with several college-wide initiatives and goals, including becoming a racially-just campus.

This Memorandum of Understanding (MOU) serves to amend MOU 24-05, based on a request from the faculty member currently serving as the Coordinator, Contextualized Learning Communities to reduce their FTE. In consultation with the Dean, Instructional Services and Vice President, Instructional Services, the reassigned time for this position will be reduced to .3 FTE (equal to 4.5 LHE) each for fall and spring.

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 MOU.

RECOMMENDATION

Ratify Memorandum of Understanding 25-01 with the Faculty Assembly amending MOU 24-05, as stated.



MOU between the
MiraCosta Community College District &
MiraCosta Community College District – Faculty Assembly
25-01

This MOU amends MOU 24-05 with the following understanding between the MiraCosta Community College District and the Faculty Assembly with respect to section C.4.3 and Appendix 5.1 in the 2022–2025 collective bargaining agreement:

1. Article C.4.3 states that “Reassigned time for special program coordinators and instructional coordinators shall be provided as shown in Appendix 5.1. Reassigned time is listed on a per-semester basis.” Appendix 5.1 states that reassigned time for the Coordinator, Contextualized Learning Communities shall receive 0.55 FTE of reassigned time per semester.
2. Based on a request from the faculty member currently serving as the Coordinator, Contextualized Learning Communities and in consultation with the Dean, Instructional Services and Vice President, Instructional Services, the reassigned time for this position will be reduced to .3 FTE (equal to 4.5 LHE) each for fall and spring. The work product of the Coordinator, Contextualized Learning Communities will focus on a special Spring offering of the Light the Fire Institute.
3. The remaining .25 FTE from the year will be distributed in the following ways:
 - a. Compensation for co-presenters: An additional 4 faculty presenters will be compensated with a stipend of \$1,200 each for preparation and presentation for the Light the Fire Institute. This compensation will be provided at the end of the compensation via a spreadsheet provided to Payroll from the Office of Instruction.
 - b. Participants of the Spring Light the Fire Institute: A total of 30 faculty will be eligible to participate. Each participant will receive a one-time stipend equivalent to \$800 upon completion of the institute via a spreadsheet provided to Payroll from the Office of Instruction.





The MOU shall remain in effect until June 30, 2025.

Sunita V. Cooke, Ph.D.

Mary Gross, M.S.

Signature	Date
Superintendent/President	
MiraCosta Community College District	

Signature	Date
President	
MCCCD Faculty Assembly	

Subject: Approve Legal Services	Attachment: None
Category: Information Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended: <div style="text-align: center;">  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services </div>	Approved for Consideration: <div style="text-align: center;">  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

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





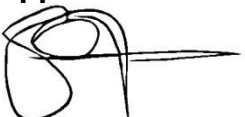
The following firm has agreed to a one (1)-year term.

- Rauch, APC – general legal services, emphasis on community college issues related to easements, district boundaries, encroachments on district property and land use.
 - Hourly rates
 - Attorneys \$220
 - Paralegal \$100

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

RECOMMENDATION

For information only.

Subject:	Attachment:
Approve Kitchell Contract Extension	<u>Proposed Sixth Amendment</u>
Category:	Type of Board Consideration:
Consent Items	<div style="display: flex; justify-content: space-around;"> Information Consent  Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported:
	<div style="display: flex; justify-content: space-around;"> Goal 1 Goal 2  Goal 3  Goal 4 </div>
Recommended:  Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Kitchell CEM, Inc. ("PM") has provided program and construction management services for the MiraCosta Community College District's ("District") Measure MM building program under a Program Management Agreement ("PM Agreement") awarded by the District's Board of Trustees ("Board") in April 2017. The Board previously approved five (5) amendments to the PM Agreement, which collectively extended the term of the PM Agreement to April 30, 2025 ("Expiration Date") to ensure continuity and consistency in the planning, design and construction of Measure MM building program projects. The Fifth Amendment to the PM Agreement was approved by the Board at its January 27, 2022, meeting and includes two (2) one (1) year options to extend the term of the PM Agreement beyond the Expiration Date.

STATUS

The PM continues to satisfactorily provide services pursuant to the PM Agreement. As of the expiration date, the Measure MM building program will have on-going projects in various stages of planning, design, and construction requiring continued program management and construction management services; therefore, the District will require the services of the PM pursuant to the PM Agreement to continue until completion of the Measure MM building program.






To that end, pursuant to the Fifth Amendment to the PM Agreement, the District's Assistant Superintendent/Vice President Administrative Services requested PM submit a detailed staffing and compensation proposal ("Proposal") to continue its program management and construction management services for an additional two (2) years commencing May 1, 2025, through April 30, 2027. The District's Assistant Superintendent/Vice President Administrative Services reviewed the proposal and finds it acceptable. Thus, to ensure the continuation of the PM's services through the completion of the Measure MM building program, district staff has investigated and believes that exercising the two (2) one (1) year options included in the Fifth Amendment to the PM Agreement to extend the term of the current PM Agreement through

April 30, 2027 for a not to exceed amount of \$8,534,627.00, inclusive of any and all reimbursable costs, is in the best interests of the District.

RECOMMENDATION

Given the foregoing, District staff recommends as follows and requests that the Board takes the following action:

1. Approve the District exercising the options to renew the extended term of the Kitchell CEM Program Management Agreement for two (2) additional one (1) year extended terms extending the term of the PM Agreement through April 30, 2027, for a total not to exceed amount of \$8,534,627.00; and
2. Authorize District staff to execute with Kitchell CEM a Sixth Amendment to the PM Agreement memorializing the District exercising the options to renew the extended term of the Kitchell CEM Program Management Agreement for two (2) additional one (1) year extended terms extending the term of the PM Agreement through April 30, 2027 for a total not to exceed amount of \$8,534,627.00 (see attached proposed Sixth Amendment).

Subject: Approve Southern California Foothills Consortium Memorandum of Understanding – Spring 2025 Semester	Attachment: Southern California Foothills Consortium Memorandum of Understanding Spring 2025 Academic Semester
Category: Consent Items	Type of Board Consideration: Information  Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1  Goal 2  Goal 3 Goal 4
Recommended:  Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

MiraCosta College has been a member of the Southern California Foothills Consortium [SCFC] for the past two decades. It is through this program that MiraCosta College students have opportunities to participate in semester-length study abroad. Spanish faculty, Lilia Vidal, was selected to teach in the Spring 2025 Seville program.

Study abroad is a cornerstone of effective practice in the sphere of international education, and the provision of opportunities for students to study abroad helps fulfill Administrative Procedure 4026: Philosophy and Criteria for International Education, as well as Institutional Goal 2 and 3, and institutional strategies outlined in the 2021 Education Master Plan Update.

STATUS

As detailed in the attached MOU, the Citrus Community College District (CCCD) will coordinate and administer the program and will serve as the fiscal agent of the program. Professor Vidal will receive her normal base salary and benefits from MiraCosta College, which will be eligible for reimbursement, up to \$16,000 from CCCD.

RECOMMENDATION

Approve Southern California Foothills Consortium Memorandum of Understanding Spring 2025 semester.

SOUTHERN CALIFORNIA FOOTHILLS CONSORTIUM

Memorandum of Understanding Spring 2025

The Southern California Foothills Consortium, formed for the purpose of selecting students and instructors to study abroad, consists of the following named institutions, which shall hereinafter be referred to as “Consortium members”.

Antelope Valley College
Barstow Community College
Chaffey College
Citrus College
College of the Canyons
College of the Desert
Crafton Hills College
Mira Costa College
Mt. San Antonio College
Rio Hondo College
San Bernardino Valley College
Victor Valley College

In accordance with the Spring agreement dated 11/22/2024 between the Citrus Community College District and on behalf of the Southern California Foothills Consortium, hereinafter referred to as “the Consortium” and American Institute for Foreign Study (AIFS), the Consortium parties agree to the following. The parties defined in this MOU are Citrus Community College District and MiraCosta College:

1. Colleges that wish to join the Consortium after the date of execution of this document must be approved by a majority vote of the Consortium members.
2. Each Consortium college shall appoint one person to serve on the Consortium. The Chair of the Consortium shall be the Citrus College Dean of Social and Behavioral Sciences. The Chair shall call meetings as needed, in which a quorum at such meetings is defined by at least two-thirds presence of all Consortium members.
3. The Consortium shall function as a policy advisory unit in the administration of the study abroad program and, among other responsibilities, shall be charged with determining the curriculum content of the program, staffing needs, and other activities necessary to maintain a quality instructional program. Citrus College will provide promotional materials to each Consortium member. The Citrus College Study Abroad Specialist will work with each Consortium member to ensure that information meetings to recruit students are conducted for each program. Upon request by a Consortium member, the Citrus College Study Abroad Specialist may conduct information meetings at the Consortium member’s site.
4. Citrus Community College District will serve as the fiscal agent for the Consortium. As such, each Consortium member authorizes Citrus College to award and disburse financial aid to students enrolled in Consortium programs. All students participating in the Consortium study abroad programs will apply and register for classes with Citrus Community College District. Consortium members hereby authorize Citrus Community College District to record these students as Full-time Equivalent Students (FTES) of Citrus College, with the understanding that Citrus College shall receive any applicable apportionment for registered program students.

5.
 - a. The Consortium may appoint faculty members to participate in the study abroad program. Consortium members are strongly encouraged to recruit or submit the names of faculty members for selection.
 - b. The on-site coordinator, designated as the lead faculty, may be a faculty member from any of the Consortium members. Citrus College shall select the on-site coordinator. Other faculty members participating in the program acknowledge that the on-site coordinator shall exercise supervision over them in carrying out and serving the purpose of the Study Abroad Program.
6. The Consortium shall develop the curriculum for each study abroad semester program. The curriculum, including disciplines and courses to be taught, shall be based on the desire to provide curricular breadth and shall capitalize on the strengths of the appointed faculty members. Standards for courses, instructors, texts, out-of-classroom assignments and grading practices shall, at a minimum, be equivalent to those required in Title 5.
7. Each Consortium member shall be allocated a pro-rata quota share of the total number of student spaces available. Any Consortium member that fails to meet its quota shall allow the Consortium to assign unfilled spaces to other Consortium members. The desired minimum number of students recruited per Consortium member is three.
8. The salary and benefits of faculty in the Study Abroad Program shall be paid by the respective Consortium member. As fiscal agent, Citrus Community College District shall reimburse each Consortium member up to \$16,000 for the services of each participating faculty per semester program. Consortium members shall be reimbursed upon receipt of an itemized invoice from the fiscal officer of the respective Consortium member. All itemized invoices are to be sent to Office of Academic Affairs – Attention: Study Abroad Specialist.
9. All students shall be enrolled through Citrus College. Each students' tuition, fees, and room and board costs shall be paid by the student and shall be calculated in accordance with the requirements of the study abroad sites as arranged through the American Institute for Foreign Study (AIFS), and as outlined in the spring agreement between the Citrus Community College District and the Southern California Foothills Consortium, dated 11/22/2024. Citrus College shall provide a transcript, at no cost to each student, to transfer courses and credits earned in the Study Abroad Program from Citrus College to the student's respective home college.
10. Citrus Community College District shall award, disburse and administer financial assistance to eligible students in accordance with all applicable federal and state requirements. Such eligibility, for purposes of this program, is defined as a student previously enrolled at a Consortium member college who has been selected to participate in the Study Abroad Program in accordance with this MOU, and who otherwise meets all eligibility criteria for federal financial aid.
11. Students are subject to Citrus College's Standards of Conduct. Students violating the Standards of Conduct will be provided due process and may face disciplinary procedures from Citrus College.
12. In awarding and disbursing federal financial aid funds to eligible students, Citrus Community College District shall be responsible for the following:
 - a. Monitoring student eligibility.
 - b. Calculating awards in accordance with federal regulatory requirements.
 - c. Disbursing aid in accordance with federal regulatory requirements.

d. Monitoring satisfactory academic progress and other student eligibility requirements in accordance with federal regulatory requirements.

e. Maintaining all records required by federal regulatory requirements.

13. Faculty members selected to participate in the Study Abroad Program remain employees of their respective employer college and remain subject to the policies, procedures, and operating guidelines of their employer college as may be reasonable and appropriate considering the foreign study program and its locale. Selected faculty members shall be entitled to any applicable sick leave and fringe benefits otherwise provided to them when serving at their respective college, subject to appropriate sick leave verification by the on-site coordinator.

14. Faculty members chosen to participate in the Study Abroad Program must abide by the Citrus College Responsibilities While Teaching Abroad agreement. As a condition of participation; all Faculty members must meet state credentialing, minimum qualifications, and/or Citrus College's equivalency requirements, and register their credentials with the Los Angeles County Office of Education.

15. To be considered for the program, students must have completed 12 units of post-secondary education classes with a 2.5 GPA by the time they begin a study abroad program. Students who do not meet those criteria may petition the CEO of their home college.

16. Students participating in the spring semester shall be required to enroll in a minimum of 12 units, including 3 units of the designated country's Life & Culture class in collaborations with the American Institute for Foreign Study (AIFS). Students are required to maintain a minimum of 12 units.

17. The fall semester program for the Study Abroad Program shall normally commence in early September and the spring semester shall normally begin in late February.

18. Citrus College will provide timely updates to Consortium members regarding program activities and collaborate with Consortium members to provide necessary support mechanisms for students and faculty.

19. The term of this Memorandum of Understanding (MOU) commences on February, 20, 2025 and terminates on May 17, 2025.

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed by duly authorized representatives on the day and year first above written.

MiraCosta College



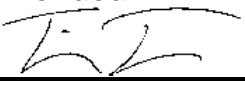
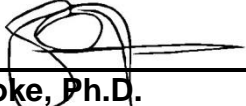
Agent: _____ Date: _____

Title: Vice President of Administrative Services

Citrus College

Agent: _____ Date: _____

Title: Vice President of Finance and Administrative Services

Subject: Notice of Completion - Contract #MMC0240024 SAN Path of Travel Installation Project	Attachment: None
Category: Consent Item	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND





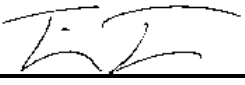

On October 22, 2024, Armstrong Cal Builders, Inc. substantially completed all work associated with Contract # MMC0240024 SAN Path of Travel Project. The original construction contract amount for Armstrong Cal Builders, Inc. was \$445,000. This project had a final construction cost of \$445,000.

STATUS

The project is currently 100 percent complete.

RECOMMENDATION

Approve and execute Notice of Completion for Contract #MMC0240024 SAN Path of Travel Installation Project.

Subject: Notice of Completion - Contract #MMC0240025 SAN Recycling Water Retrofit Project	Attachment: None
Category: Consent item	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent  Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;">  Goal 1 Goal 2  Goal 3  Goal 4 </div>
Recommended:  _____ Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND






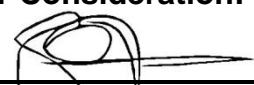
On October 31, 2024, Armstrong Cal Builders, Inc. substantially completed all work associated with Contract # MMC0240025 SAN Recycling Water Retrofit project. The original construction contract amount for Armstrong Cal Builders, Inc. was \$935,000. This project had a final construction cost of \$935,000

STATUS

The project is currently 100 percent complete.

RECOMMENDATION

Approve and execute Notice of Completion for Contract MMC0240025 SAN Recycling Water Retrofit Project.

Subject: Approve License Agreement Amendment for Farmers' Market at MiraCosta College, San Elijo Campus	Attachment: None
Category: Consent Items	Type of Board Consideration: Information  Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported:  Goal 1  Goal 2 Goal 3  Goal 4
Recommended:  Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

District staff and Cardiff 101 Main Street ("Cardiff 101") have a current agreement to conduct a weekly farmers' market on Saturdays at the San Elijo Campus. The license agreement meets the district's institutional goal 2 by providing the broader community in the southern part of MiraCosta College's district with access to fresh, nutritious fruit, vegetables, and other food products. The license agreement also meets goal 4 by maximizing use of district and community resources for the benefit of the broader community.

The license agreement between the district and Cardiff 101 establishes the right of Cardiff 101 to conduct a weekly farmers market on Saturdays in parking lots SAN 1, SAN 2, and SAN 3 at the San Elijo campus. Essential terms of the license agreement include:

- 8 AM to 4 PM use of parking lots; set up time from 8 AM-10 AM; market hours from 10 AM to 2 PM and breakdown from 2 PM to 4 PM.
- Use district property for a storage container to be located on the San Elijo campus through the term of the contract.
- Initial 3-month term; March 4, 2023, to June 4, 2023; Cardiff 101 with right to renew for four (4) additional 12-month terms.
- Cardiff 101 is responsible for vendor selection, site clean-up during market days, providing portable restroom facilities on market days, and arranging for pick-up of market day trash, recyclable items, and compostable items.
- Cardiff 101 is responsible for providing liability/workers compensation insurance and will be responsible for requiring vendors to maintain liability/workers compensation insurance.
- \$1,000 monthly license charge. This fee has been discounted from the standard rate of \$2,600 per month.
- The district is provided five (5) market booths without charge for use for marketing efforts and student organization promotional efforts.

- The Market offers certified farmers' market, craft goods, services, prepared food/beverage items, and food trucks.

STATUS

The current license agreement is the result of an extensive effort between district staff and Cardiff 101. A mutual agreement was reached on all terms and conditions of the license agreement, and Cardiff 101 executed the license agreement. Cardiff 101 has requested a reduction in fees to our existing agreement. Cardiff 101 has maintained the fee reduction is needed to help the Market to establish itself and grow into a fully viable entity. Cardiff 101 asserts that the market provides the community with a valuable resource and its presence on the San Elijo campus provides the district with increased outreach efforts and has broadened community engagement and awareness of the San Elijo campus.

The district has considered the request for even further reduction in rental costs for the facility and has determined that due to extensive solar panel installation at that campus, there may be impact to the Farmer's Market. The district has tried to minimize that impact and is in good faith willing to acknowledge that the solar panel installation will limit some access and space. Accordingly, the district is willing to reduce the monthly fee temporarily to accommodate any impacts to the Farmer's Market. This reduction to \$500/month would take effect February 1, 2025, through the end of the current contract term on June 3, 2027. This time period allows for the market to continue to grow and boost revenue after solar panel installation.

RECOMMENDATION

Approve the assistant superintendent/vice president, administrative services to draft and execute a license agreement amendment with Cardiff 101 for the farmers' market at the San Elijo Campus and further reduce the fees from \$1,000 to \$500 per month for the remainder of the contract term through June 3, 2027.

Subject: Approve Modern Campus USA, Inc. – Omni Software	Attachment: Modern Campus Agreement
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;"> Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended: <hr style="width: 100%;"/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration: <hr style="width: 100%;"/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

MiraCosta has been using the content management system Omni from Modern Campus USA, Inc. since 2020. Omni is the enterprise-level system managing the district's website content and back-end functionality, allowing a more meaningful digital experience. This system also provides district content creators with an easy interface to maintain their respective website content.



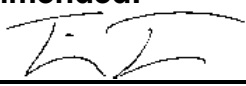
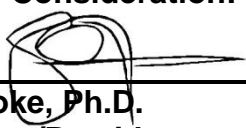
STATUS

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 identified that the Foundation for California Community Colleges (FCCC) agreement with Modern Campus USA Inc. (Contract #00008065) to purchase software which provides the lowest cost and best overall value for the district for a five-year term from January 2025 – December 2029, for a total contract value for the software and implementation, including taxes, in the amount of \$284,570.01.

Description	Term	Cost
Year 1: Software Cost	1/1/2025 – 12/31/2025	\$51,500.00
Year 2: Software Cost	1/1/2026 – 12/31/2026	\$54,075.00
Year 3: Software Cost	1/1/2027 – 12/31/2027	\$56,778.75
Year 4: Software Cost	1/1/2028 – 12/31/2028	\$59,617.69
Year 5: Software Cost	1/1/2029 – 12/31/2029	\$62,598.57
Grand Total		\$284,570.01

RECOMMENDATION

Authorize the director of purchasing, contracts, and material management to proceed with the purchase of Modern Campus USA Inc. for the total contract value not to exceed a 5-year value of \$284,570.01.

Subject: Ratify and Approve Contracts and Purchase Orders	Attachment: Contract and Purchase Order Ratification List
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent  Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;"> Goal 1 Goal 2 Goal 3  Goal 4 </div>
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> 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. (calendar year 2024 = \$114,500.00), 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

November 16, 2024 - December 18, 2024

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
24005555	Specialty Mowing Services, Inc.	Fall/Winter Weed Abatement (Fac)	\$55,200.75
24005554	Sharpe Refrigeration	Installation of new header for BrewTech (Fac)	\$24,595.08
24005271	Botsford Construction Inc	OC 4200 Remodel (Fac)	\$23,450.00
24005315	Johnson Flooring Inc	Maintenance agreement (Fac)	\$7,400.00
24005212	Maurice Gannon	Additional Big Belly Pads - 1 (Fac)	\$7,250.00

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		

Per BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various award methods. This may include soliciting at least three (3) competitive written quotes, pre-existing contracts, or negotiations to maximize the district's value.

POs from \$25,000 - \$114,500			
PO #	Vendor	Description	Amount
24005199	Anthology, Inc of NY	Board Approval: Agenda Item VII.I on 4/15/21	\$72,927.00
24005170	ESCALA Educational Services Inc.	Registration (Diversity)	\$42,000.00
24005314	Modern Campus	Software Renewal (Career Ed)	\$41,516.60
24005474	Dell	Supplies Technology/Media (ITS)	\$40,793.75
24005492	Allie's Party Rentals	Contract Services (Std Svcs)	\$36,973.61
24005392	Kitchell	Services (Fac)	\$35,000.00
24005340	Pearson Education	Instructional Supplies (Chem)	\$31,188.38
24005249	Alliant Insurance Services, Inc.	Insurance (Risk)	\$26,909.00
24005438	BrAlnWav, LLC	Contract Services (fin Aid)	\$25,000.00

Per BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various award methods. This may include soliciting 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
24005378	Eppendorf North America Inc	Equipment (BioTech)	\$23,794.43
24005220	Air Filter Supply a California Corporation	Supplies (Fac)	\$22,526.41
24005398	HSV Consulting Inc	Contract Services (Board)	\$20,000.00
24005296	American Association of Community Colleges	Contract Services (Pres)	\$18,881.00
24005428	Ascend Learning Holdings LLC	Board Agenda Item VIII.G 12-14-23	\$18,376.10
24005458	Waxie Sanitary Supply	Equipment (Fac)	\$15,332.40
24005519	CDW Government Inc	Equipment (Comp Sci)	\$13,613.11
24005486	Visix Inc	Software Renewal (ITS)	\$13,062.03
24005487	Help Desk Technology Corporation	Software Renewal (ITS)	\$12,386.50
24005497	Snorkel International LLC	Equipment (Fac)	\$12,127.11
24005255	Harry Red	Contract Services (Wrk Dev)	\$12,000.00

24005326	Cambridge University Press	Supplies Instructional (Adult Ed)	\$11,887.27
24005276	Nth Generation Computing	Contract Services (ITS)	\$10,950.00

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

POs from \$5,000 - \$9,999			
PO #	Vendor	Description	Amount
24005422	CDW Government Inc	Equipment (Com Sci)	\$9,557.39
24005328	Ovid Technologies Inc	eResource subscription (Lib)	\$9,175.00
24005379	County of San Diego	Contract Services (Fiscal Svcs)	\$8,900.00
24005387	Oxford University Press	eResource subscription (Lib)	\$8,491.54
24005520	Maxient LLC	Software Renewal (ITS)	\$8,400.00
24005401	iXplore Universities LLC	Advertising (A&R)	\$7,000.00
24005424	Waxie	Supplies (Fac)	\$6,994.19
24005291	FormAssembly, Inc.	Software Renewal (Guided Path)	\$6,791.29
24005321	Pasco Scientific	Equipment (Phys Sci)	\$6,348.88
24005178	Schlager Group Inc.	eResource subscription (Lib)	\$5,395.00
24005440	SkillPath Seminars	Contract Services (Class Sen)	\$5,000.00
24005475	Perusall	e-resources (Online Ed)	\$5,000.00
24005521	Internet2	Software Renewal (ITS)	\$5,000.00

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

Change Orders			
PO #	Vendor	Description	Amount
24004633	Convergent Technologies	Board Approved FY 23-24	\$26,838.77

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

Construction Contract Change Orders			
PO #	Vendor	Description	Amount
	No entries this month		

Total Contract Expenditures: \$794,032.59			
Ratify MCC purchase orders 24005164 through 24005564			

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

MOUs / Grants / Instructional / Miscellaneous Agreements			
Contract #	Other Party	Description	Amount
24000172	General Atomics	General Atomics - MOU	\$16,500.00
24000163	California DGS	DGS Partnership Agreement - VBOC	\$3,000.00
24000163	California DGS	DGS Partnership Agreement - VBOC	\$3,000.00
24000171	Building Talent Foundation	Building Talent - MOU	\$0.00

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

Facilities Use Agreements			
Contract #	Licensee	Description	Amount
24000176	San Diego Clippers	Closed Basketball Practices	\$3,225.00
24000175	Ashley Gerdo	Graduation Party	\$300.00
24000169	Atziry Nayeli Cruz	Vendor for SAN DDLM 2024	\$0.00
24000173	NCAAWA	NCAAWA Meetings	\$0.00
24000174	California State Senate	Town Hall Meeting on End of Life Choice	\$0.00

Capital Improvement Program Contract and Purchase Order Ratification List
November 16, 2024 – December 18, 2024

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

CUPCCAA POs from \$5,000 – \$200,000			
PO #	Vendor	Description	Amount
	No entries this month		

Per BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various award methods. This may include soliciting at least three (3) competitive written quotes, pre-existing contracts, or negotiations to maximize the district's value.

POs Greater Than \$25,000			
PO #	Vendor	Description	Amount
24005237	Waxie Sanitary Supply	04202 - Chem Bio Building - Custodial Supplies	\$35,773.81

Per BP/AP 6330—Purchasing and Contracts, the following transactions were procured using various award methods. This may include soliciting 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
24005270	Sael Construction	04216 – Library Building - Supply and install Drive Up Drop Off Box	\$17,350.00
24005313	CDW Government, Inc.	04203 – Student Services Building - Smart Hands Accessories	\$16,765.55
24005541	Southland Technology	04215- Media Arts Building - AVER POE Cameras for Hyflex	\$16,023.74

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

POs from \$0 - \$9,999			
PO #	Vendor	Description	Amount
24005467	Parron Hall Office Interiors	04203 – Student Services Building - Additional Labor for Furniture Install	\$5,383.75
24005232	Grainger	04202 – Chem Bio Building - Misc. End User Requested Equipment	\$4,316.53
24005494	ABC School Equipment Inc	04202 – Chem Bio Building - Office Whiteboards	\$3,234.50
24005523	Southland Technology	04202 – Chem Bio Building - Additional Hyflex AV Equipment	\$3,097.85
24005192	CDW Government Inc	04203 – Student Services Building - Printers and Scanner for Student Services	\$2,955.82
24005231	VWR International LLC	04202 – Chem Bio Building - Under-Counter Refrigerator	\$1,782.52
24005233	Window Shine Professional Services	04203 – Student Services Building - Power Washing Exterior	\$1,380.00
24005547	SuperGraphics, LLC	04216 – Library Building - Graphical Wrap for Exterior Book Return Box.	\$920.13
24005230	Parron Hall Office Interiors	04216 – Library Building - Furniture Alterations	\$876.90
24005210	State Water Resources Control Board	04205 – 3000 Series - State Water resources Control Board Permit Application	\$673.00
24005466	State Water Resources Control Board	04202 – Chem Bio Building - State Water Resources Control Board Annual Permit Fee	\$619.00

24005229	San Diego County Office of Education	04205 - 3000 Series – Exterior Fence Banners	\$181.86
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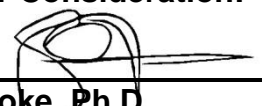
In accordance with Public Contract Code Sections 20651, 20655, 20659, Education Code Section 81656, and Board Agenda Item VIII.L (12/9/15), the following transactions were entered into and approved by the vice president, administrative services.

Change Orders			
	Vendor	Description	Amount
24005468	Aztec	04216 – Library Building – Upgrade to Storage Containers Sizes	\$4,763.00

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

Construction Contract Change Orders			
PO #	Vendor	Description	Amount
	No entries this month		

Total Contract Expenditures: \$116,097.96			
Ratify purchase orders — 2400: 5192,5210,5231,5233,5229, 5230, 5237, 5232, 5270, 5313, 5467,5468,5466,5494,5523,5541,5547.			

Subject: Adopt Resolution No. 7-24/25 – Excuse Board Member Absence	Attachment: Resolution No. 7-24/25 – Excuse Board Member Absence
Category: Action Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent Action  </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;">  Goal 1 Goal 2  Goal 3  Goal 4 </div>
	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Board Policy 2725—Board Member Compensation and Education Code section 72024 establish that a board member may be paid for any meeting when absent if the board by resolution excuses the absence for performance of services for the community college district outside the board meeting, illness, jury duty, or a hardship deemed acceptable to the board.

STATUS

Trustee Raye Clendening was absent from the board meeting of the MiraCosta Community College District Board of Trustees on December 19, 2024, due to a hardship deemed acceptable to the board.

RECOMMENDATION

Adopt Resolution No. 7-24/25, excusing the absence of Trustee Raye Clendening from the board meeting on December 19, 2024.

**MIRACOSTA COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. 7-24/25**

EXCUSE BOARD MEMBER ABSENCE

WHEREAS, Trustee Raye Clendening was absent from a board meeting on December 19, 2024, of the MiraCosta Community College District Board of Trustees, due to a hardship deemed acceptable to the board.

NOW, THEREFORE, BE IT RESOLVED by the MiraCosta Community College District Board of Trustees that the above-noted absence of Trustee Clendening is excused and that, in accordance with the applicable provisions of Education Code section 72024, no reduction in monthly compensation will be made for the absence.

PASSED AND ADOPTED by the Board of Trustees of the MiraCosta Community College District of San Diego County, California, this 23rd day of January 2025, by the following vote, which constitutes a majority of the Board of Trustees:

AYES:

NOES:

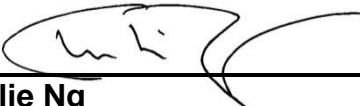

ABSTAINING:

ABSENT:

STATE OF CALIFORNIA)
)
SAN DIEGO)

I, Sunita V. Cooke, Ph.D., Secretary of the Board of Trustees of the MiraCosta Community College District, do hereby certify that the foregoing is a full, true, and correct copy of the resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Secretary of the Board of Trustees

Subject: Approve Employment Contract for Assistant Superintendent/Vice President, Human Resources	Attachment: Employment Contract
Category: Action Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around;"> Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around;"> Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Board Policy 7140 – Collegial Negotiation and Collective Bargaining specifies the process for negotiation of employment contracts for assistant superintendents/vice presidents.

STATUS

After a competitive search and a recommendation by the search committee and the superintendent/president, Hayley Schwartzkopf is recommended to serve as the Assistant Superintendent/Vice President, Human Resources, effective February 10, 2025. The annual salary will be \$255,733, full time, range 2 step 3 on the 2024-2025 Vice President and Associate Vice President/Chief Diversity Officer Salary Schedule. In addition to salary, it is recommended she receive a \$550 monthly auto allowance, a \$525 monthly expense allowance, and a \$125 monthly cell phone allowance.

Her qualifications include:

- J.D. – Law – Thomas Jefferson School of Law
- BS – Political Science; Women’s Studies – Ohio State University

Hayley Schwartzkopf has been serving as the Associate Vice Chancellor for Civil Rights Programming & Services at the California State University, Chancellor’s Office since February 2024. She was previously employed by MiraCosta College as the Director of Labor Relations & Title IX Coordinator from January 2017 through February 2024 and served as Interim Assistant Superintendent/Vice President of Human Resources from June 2023 to August 2023.

RECOMMENDATION

Approve employment contract of for assistant superintendents/vice president, Human Resources, as stated above.

MIRACOSTA COMMUNITY COLLEGE DISTRICT
ADMINISTRATOR EMPLOYMENT AGREEMENT

This agreement ("Agreement") is made February 10, 2025, by and between the MiraCosta Community College District ("District") in San Diego County, California, and Hayley Schwartzkopf, Assistant Superintendent/Vice President, Human Resources ("Administrator").

1.0 DUTIES

The Administrator agrees to be and act as Assistant Superintendent/Vice President, Human Resources, of MiraCosta College, performing duties specified in the position description adopted by the Board of Trustees for this position.

2.0 TERM

This Agreement is for a 1-year term commencing on February 10, 2025, and ending on February 9, 2026, and is renewable by June 30 each year. Upon the recommendation of the Superintendent/President, the Board of Trustees may renew this Agreement in accordance with board policy provided that the employee's most recent performance evaluation has been "satisfactory."

3.0 SALARY

The Administrator shall be paid according to Vice President Range 2, Step 3, \$255,733 annually on the 2024–2025 Vice President Salary Schedule. The salary will be paid according to District's customary payroll practices. All payments of salary or other compensation payments will be reduced by any applicable withholdings and deductions (including voluntary withholdings).

If the Administrator works for less than a full fiscal year, the initial or final checks will be adjusted for the number of contract days actually worked. For this purpose only, the daily rate is calculated by dividing the annual salary by the number of contract days. It is further the express understanding of the parties that the Board of Trustees reserves the right to modify at any time the existing policy as it relates to compensation of the Administrator provided that the Administrator's actual compensation shall not be reduced absent mutual agreement.

The Administrator's placement on the Vice President Salary Schedule shall increase by one-step each succeeding July 1, up to the maximum step on the salary schedule, upon the condition that the Administrator's most recent evaluation is satisfactory and the Administrator has served in the assignment for at least seventy-five percent (75%) of the preceding year.

4.0 HEALTH-AND-WELFARE BENEFITS

The District agrees to provide the Administrator an annual health-and-welfare benefit package identical to that provided to all other faculty and administrative personnel in the District.

5.0 RETIREMENT BENEFITS

Administrator shall be eligible to participate in the health-and-welfare benefits for early retirees upon meeting all of the requirements thereof.

- 5.1 To be eligible for the health and welfare benefits program described in this section, the Administrator must retire from the District, have reached age fifty-five (55) by June 30 of the fiscal year in which their retirement is effective, and have completed ten (10) years of service as a Vice President with the District.
- 5.2 The District will provide health and welfare coverage for the retired Administrator and any eligible dependents at the same level and on the same basis as that of an active Administrator (with the exception of disability and accident insurance) from the age of retirement from the District until the retiree reaches age sixty-five (65). Once eligible, the Administrator is assured of program continuation until age sixty-five (65), full length of the program, or death, whichever occurs first. At the age of sixty-five (65), the retired Administrator will transition to the "Post 65" Benefit Program.
- 5.3 The Post 65 Benefits Program provides for the reimbursement of healthcare premiums and/or Medicare supplement payments for the retired Administrator and their spouse/domestic partner. The retired Administrator and their spouse/domestic partner will be eligible to receive a healthcare premium reimbursement not to exceed \$5,000 each for the retiree and their spouse until the retiree dies.

6.0 SABBATICAL

- 6.1 Requirements: The Administrator shall submit a request for sabbatical leave to the Superintendent/President. The Superintendent/President may make a recommendation to the Board of Trustees based on a satisfactory means of covering the Administrator's assignment during the period of leave and availability of funds. Approval of sabbatical leave is within the discretion of the Board of Trustees. The sabbatical leave may be for one or more of the following: travel, study, research, or writing.
- 6.2 Eligibility: As a condition precedent to the submission of a request for sabbatical leave, the Administrator shall meet the following criteria:
 - a. Shall have rendered at least six (6) consecutive years of service in the position of Vice President for the District preceding the granting of leave. Not more than one such leave shall be granted in each six (6) year period. (Ed. Code Section 87768).
 - b. Shall agree to render service to the District equal to twice the period of leave upon return from sabbatical leave. (Ed. Code Section 87770).

- c. Shall furnish a suitable bond to the Governing Board upon approval of a sabbatical leave application. (Ed. Code Section 87770).
- 6.3 Compensation: Compensation during sabbatical leave approved by the Board of Trustees for up to 17 weeks shall be at full salary compensation.
 - d. Sabbatical leave shall count toward retirement (full benefits for up to 17 weeks).
 - e. Upon return to regular service, salary shall be that of the step on the schedule the Administrator would have received had sabbatical leave not been taken.
 - f. Compensation shall be paid to the Administrator while on leave in the same manner as if the Administrator were on duty in the District.
- 6.4 Report on Activities While on Leave: The Administrator shall file a report for the Board of Trustees within ninety (90) days of their return summarizing the sabbatical experience.
- 6.5 Application for Sabbatical Leave: Discussion with the board about the sabbatical period should occur within a one-year timeframe prior to the start of the sabbatical. Availability of funding and plans for appropriate coverage should be a part of that discussion.
- 6.6 Length of Leave: A sabbatical leave may be granted for periods of up to 17 weeks (the equivalent of an academic semester) which may be taken during any portion of a year to presumably coincide with a period of relatively lower activity.

7.0 EXPENSES

In lieu of any provisions provided by District policies and procedures for expense reimbursements for transportation or expenses incurred within San Diego County, Administrator will be given the following monthly allowances: five hundred twenty-five dollars (\$525) for expenses; five hundred fifty dollars (\$550) for automotive expenses and traveling expenses within the county. Administrator shall also be eligible to be reimbursed for parking in San Diego County and mileage and parking expenses related to approved business travel out of the county. The Administrator will be provided an additional monthly allowance for the purchase of a mobile communication device and service plan acceptable to the District, as per Board Administrative Procedure 6450, currently one hundred twenty-five dollars (\$125) per month as an exceptional heavy user. Administrator acknowledges and agrees that the preceding expense considerations are currently considered as taxable compensation by the United States and State of California governments. Reimbursements for expenses for attending meetings, conferences, or other activities outside of San Diego County that are required for the performance of the Administrator's duties shall otherwise be in accordance with District policies and procedures.

8.0 DAYS OF SERVICE

This Agreement provides 261 contract days per year (218 on-duty days; 25 vacation days; 18 holidays), with vacation, sick leave, and personal necessity leave available in accordance with District policy. Prior to the start of each fiscal year, the Administrator's non-contract days, if any, will be approved by the Administrator's supervisor and reported to the District's payroll office.

9.0 EVALUATION

The Administrator is subject to regular evaluations as provided in the District's policies and procedures. An interim evaluation may be initiated at any time by the Administrator's supervisor or by the Administrator.

10.0 REASSIGNMENT

The Administrator may be reassigned to another position for which they have the necessary qualifications, in accordance with District policies and procedures governing reassignment and retreat rights.

11.0 TERMINATION

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

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

misconduct which interferes with the performance of their duties and responsibilities to the District.

11.3 Dismissal or Imposition of Penalty for Cause During Contract: If the Administrator has tenure as a faculty member, dismissal or imposition of penalty for cause during this contract shall be in accordance with District policy provisions applicable to faculty members. If the Administrator does not have tenure as a faculty member, dismissal or the imposition of penalties for cause during the term of this contract shall be in accordance with applicable District policies and procedures for other administrators.

12.0 PROVISIONS OF GOVERNMENT CODE SECTIONS 53243.3-53243.4.

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

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

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

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

- a. An abuse of public authority, including, but not limited to, waste, fraud, and violation of the law under color of authority.
- b. A crime against public justice, including, but not limited to, a crime described in Title 5 (commencing with Section 67), Title 6 (commencing with Section 85) or Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

13.0 OTHER PROVISIONS

13.1 This Agreement does not confer tenure.

13.2 This Agreement contains the entire agreement and understanding between the parties. There are not oral understandings, terms, or conditions, and neither party has relied upon any representation, express or implied, not contained in this Agreement.

13.3 This Agreement may be modified or terminated by mutual

consent of the parties, provided, however, that the party seeking such modification or termination shall give not less than 45 calendar days written notice to the other party, unless otherwise mutually agreed in writing.

13.4 This Agreement cannot be changed or supplemented orally. It may be modified or superseded only by a written instrument executed by both of the parties after a vote in an open session of the Board of Trustees.

13.5 The Administrator may not assign or transfer any rights granted or obligations assumed under this Agreement.

13.6 This contract is subject to and incorporates by reference as is fully set forth herein provisions of the laws of the State of California and policies, rules, and regulations of the District.

13.7 Upon execution and adoption by the Governing Board of this Agreement, all prior employment contracts between the District and Administrator are hereby terminated.

14.0 REPRESENTATIONS AND WARRANTIES.

Administrator represents and warrants that they:

- (A) have read this Agreement and understands its provisions; and
- (B) is freely and voluntarily signing this Agreement.


MiraCosta Community College District

Sunita V. Cooke, Ph.D.
Superintendent/President and
Secretary to the Board of Trustees

Date: _____

Hayley Schwartzkopf
Assistant Superintendent/Vice
President Human Resources

Date: _____

Subject: Board Policy 3433 – Prohibition of Sexual Harassment Under Title IX	Attachment: Board Policy 3433 – Prohibition of Sexual Harassment Under Title IX
Category: Board Policies – Second Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information Consent ✓ Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Goal 1 ✓ Goal 2 ✓ Goal 3 ✓ Goal 4 </div>
	Approved for Consideration: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 100%;"/> </div> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

A review of edits to Board Policy 3433 – Prohibition of Sexual Harassment Under Title IX has been completed and approved by College Council. The policy is now presented for adoption by the board.

RECOMMENDATION

Adopt Board Policy 3433 – Prohibition of Sexual Harassment Under Title IX.

MiraCosta College ("the district") recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime. The district will include on its website statistics on the prevalence of sexual harassment and sexual violence in the educational setting, and the differing rates at which students experience sexual harassment and sexual assault in the educational setting based on their race, sexual orientation, disability, gender, and gender identity. The district has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees. The superintendent/president shall establish procedures that define sexual harassment on campus. The superintendent/president shall further establish procedures for students, employees, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the district, its students, employees, and agents.

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy and are prohibited by state and federal law, as well as this policy, and will not be tolerated prohibit sexual harassment and the district will not tolerate sexual harassment. The district The MiraCosta Community College District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The district shall be free of sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence.

The district seeks to foster an environment in which all students, employees, prospective students, applicants for employment, and applicants for admission and other members of the campus community feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the district also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The district will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the district determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, prospective student, or applicant for employment, or applicant for admissions who believes they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in Administrative Procedure 3434. The district requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary student conduct actions, and participation in any community college activity.

Adoption History: 11/19/20

Periodic Review: ---

Reference Update: ---

References: Title IX of the Education Amendments Act of 1972;
34 Code of Federal Regulations Part 106

Steering: VPHR / N/A

CCLC Update: Summer, 7/20







In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the superintendent/president shall ensure that the institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The superintendent/president or designee shall establish procedures that define sexual harassment on campus. -The superintendent/president or designee shall further establish procedures for students, employees, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy. -State and federal law and this policy prohibit retaliatory acts against all participants by the district, its students, employees, and agents.

The district will publish and publicize this policy and related written procedures, including the procedure for filing a complaint, to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. -The district will make this policy and related written procedures, including the procedures for filing a complaint, available in ~~all~~ administrative offices and will post them on the district's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. -Students who violate this policy and related procedures may be ~~subject to disciplinary~~ sanctions, known as student conduct resolutions, up to and including expulsion. -Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

Subject: Board Policy 3540 – Sexual and Other Assaults on Campus and in Campus Programs	Attachment: Board Policy 3540 – Sexual and Other Assaults on Campus and in Campus Programs
Category: Board Policies – Second Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information Consent Action  </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;">  Goal 1  Goal 2  Goal 3  Goal 4 </div>
	Approved for Consideration: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 100%;"/> </div> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

A review of edits to Board Policy 3540 – Sexual and Other Assaults on Campus and in Campus Programs has been completed and approved by College Council. The policy is now presented for adoption by the board.

RECOMMENDATION

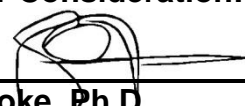
Adopt Board Policy 3540 – Sexual and Other Assaults on Campus and in Campus Programs.

Any sexual assault or physical abuse or domestic violence, including but not limited to rape, as defined by California law, whether committed by an employee, student, or member of the public, that occurs on MiraCosta College ("the district") property, including off-campus grounds or facilities maintained by the district or upon grounds or facilities maintained by affiliated student organizations, is a violation of district policies and procedures and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures consistent with state and federal law. Students, faculty, and staff who may be victimssurvivors of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The superintendent/president or designee shall establish administrative procedures to ensure that students, faculty, and staff who are victimssurvivors of sexual and other assaults and domestic violence receive appropriate information and are referred to treatment, and that e- Educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code §§67385, 67385.7, and 67386, and 34 Code of Federal Regulation §668.46.

See Administrative Procedure 3540.

Subject: Board Policy 3810 – Claims Against the District	Attachment: Board Policy 3810 – Claims Against the District
Category: Board Policies – First Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Goal 1 ✓ Goal 2 ✓ Goal 3 ✓ Goal 4 </div>
	Approved for Consideration: <div style="text-align: center;">  <hr style="width: 100%;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

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

STATUS

A review of edits to Board Policy to 3810 – Claims Against the District has been completed and approved by College Council. The policy is now presented as a first read and will be presented for adoption by the board at a future meeting.

RECOMMENDATION

For information only.

Any claims against the district for money or damages that are not governed by any other statutes or regulations expressly relating thereto shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Government Code §900) and Chapter 2 (commencing with Government Code §910).

Claims must be presented according to this policy and related procedures as a prerequisite to filing suit against the district.

Claims that are subject to the requirements of this policy include, but are not limited to, the following:

A. Claims by public entities—claims by the state or by a state department or agency or by another public entity.

B. Claims by current and former employees ~~for related to wages, fees, and allowances-claims for fees, salaries or wages, mileage, or other -and expenses and allowances must be presented according to the following procedure established under Government Code section 935: fees, wages, and allowances-claims for fees, salaries or wages, mileage, or other expenses and allowances.~~

Unless a procedure for processing employee claims is otherwise required by law, and notwithstanding any of the exceptions set forth in Section 905 of the Government Code, all claims by public officers or public employees for salary, wages, overtime pay, holiday pay, compensating time off, vacation pay, sick leave pay, or any other expense, fee, allowance, money, liquidated damages, or penalties alleged to be due from the MiraCosta Community College District, or any of its officers or employees, shall be presented not later than one year after the accrual of the cause of action and in the manner prescribed by Sections 910 through 915.2 of the Government Code.

Additionally, all claims shall state the specific grounds under which the claim is founded, the amount claimed, and shall include written records establishing the claimant's entitlement to the amount claimed. All claims shall be verified under penalty of perjury by the claimant, or if applicable, by his or her guardian, conservator, executor, or administrator.

Claims on behalf of a class of persons are not permitted, unless every member of the class has verified the claim under penalty of perjury. All class member verifications must be provided to the District at the time the claim is presented.

All claims shall be subject to the provisions of Section 945.4 of the Government Code relating to the prohibition of lawsuits in the absence of the presentation of claims in accordance with this procedure and action thereon by the Board.

The designated place ~~is~~ for service of claims, lawsuits, or other types of legal process upon the district is/are:

Assistant Superintendent/Vice President, Human Resources
MiraCosta Community College District
1 Barnard Drive MS #6
Oceanside, CA 92056

~~A. Student records—Admissions and Records Department~~

~~B. Employee records—Human Resources Department~~

~~C. Public records—Public Information Office~~

~~D. Criminal records—Campus Police~~

~~E. Legal processes, lawsuits, summons—Vice President of Human Resources, or the district's Risk Management Officer~~

F. Pursuant to Government Code §§935.2 and 935.4, the district is authorized to delegate to an employee such functions relating to claims as the district designates (i.e. ruling on the sufficiency of claims or automatically rejecting certain classes and approval of settlements up to \$50,000).

This policy is retroactive and shall apply to all potential claims, including any that may have accrued as of the effective date of this policy.

MiraCosta Community College District

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Adoption History: 2/16/10

Periodic Review: 10/13/16


CCLC Update: #4, 2/03; #24, 3/19

Reference Update: 3/19

References: Education Code §72502

Government Code §§900, 910 and 935 et seq.

Steering: VPHR / N/A

Subject: Board Policy 4300 – Field Trips	Attachment: Board Policy 4300 – Field Trips
Category: Board Policies – First Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Goal 1 ✓ Goal 2 ✓ Goal 3 ✓ Goal 4 </div>
	Approved for Consideration: <div style="text-align: center;">  <hr style="width: 100%;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

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

STATUS

A review of edits to Board Policy 4300 – Field Trips has been completed and approved by College Council. The policy is now presented as a first read and will be presented for adoption by the board at a future meeting.

RECOMMENDATION

For information only.

The superintendent/president shall establish procedures that regulate the use of district funds for student travel and attendance at conferences and other activities that are performed as a class assignment or co-curricular activity.

Field trips are viewed as an extension of the classroom, and they must be approved in advance by the appropriate dean and/or superintendent/president and be supervised by district faculty or staff members.

The district may pay for expenses of students participating in a field trip or excursion with auxiliary, grant, or categorical program funds if the funds are used consistently with the funding source. The expenses of instructors, chaperones, and other personnel traveling with students may also be paid from district funds. Students and staff shall at all times adhere to the standards of conduct applicable to conduct on campus.

If a trip destination for a class field trip or a student organization activity is outside the state of California, the written approval for the trip must be obtained from the appropriate vice president and/or the superintendent/president. In addition, the director of risk management must be informed in writing. Detailed guidelines for field trips will be maintained in district administrative procedures. If a trip destination for a class field trip or a student organization activity is outside the country, written approval for the trip must be obtained from the appropriate vice president and the superintendent/president. All out of country travel must be board approved in advance of the travel start date.

~~Travel to restricted states (AB 1887) is not permitted with state categorical funds and other funds unless it meets allowable exceptions and is approved by the division vice president and superintendent/president. Although AB 1887 does not apply to the California Community Colleges, as explained by the California Attorney General's Restricted Travel List Memo, state categorical funding cannot be used for travel to states subject to California's ban on state funded and state sponsored travel. States that are currently subject to California's ban on state funded and state sponsored travel are listed on the California State Attorney General website. MiraCosta College is honoring the legislation by voluntarily imposing the travel restrictions and allowable exceptions described in AB 1887.~~

See Administrative Procedure 4300.

MiraCosta Community College District

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Adoption History: 3/2/10, 6/16/15, 8/19/21, 5/1/24
References: Title 5, §55220
Government Code §11139.8
CCLC Update: #13, 8/07 - #31, 10/17
Steering: AAC / AS / ADMIN

Subject: Board Policy 6340 – Bids and Contracts	Attachment: Board Policy 6340 – Bids and Contracts
Category: Board Policies – First Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Information </div> <div style="text-align: center;"> Consent </div> <div style="text-align: center;"> Action </div> </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Goal 1 </div> <div style="text-align: center;"> Goal 2 </div> <div style="text-align: center;"> Goal 3 </div> <div style="text-align: center;"> Goal 4 </div> </div>
	Approved for Consideration: <div style="text-align: center;"> <hr style="width: 100%; border: 0.5px solid black;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

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


STATUS

A review of edits to Board Policy 6340 – Bids and Contracts has been completed and approved by College Council. The policy is now presented as a first read and will be presented for adoption by the board at a future meeting.

RECOMMENDATION

For information only.

The board of trustees delegates to the superintendent/president the authority to enter into purchases and contracts on behalf of the district and to establish administrative procedures for all purchases, contract awards, and their management, subject to the following:


1. Contracts are not enforceable obligations until they are ratified by the board.
2. Contracts for work to be done, services to be performed or for goods, equipment, or supplies to be furnished or sold to the district that exceed the amounts specified in Public Contracts Code §20651 shall require prior approval by the board.
3. When bids are required according to Public Contract Code Section 20651, the board shall award each such contract to the lowest responsible bidder who meets the specifications published by the district and who shall give such security as the board requires, or reject all bids.
4. When the district determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the district may select and award the contract based on best value in accordance with AP 6340. The bidder shall give such security as the board requires, and the board may reject all bids.
5. Contracts for fiscal audit and legal services shall require prior approval by the board, except in the unusual situation that it is deemed in the best interest of the district by the superintendent/president to retain legal counsel on an emergency basis prior to a board meeting.
- ~~6. With the exception of contracts for fiscal audit and legal services, contracts that do not exceed the amounts specified in Public Contracts Code §20651 shall not require prior approval by the board but shall be presented to the board for ratification.~~
7. When the superintendent/president in consultation with vice president administrative services, determines that the District can obtain a contract for goods or services through the California Community Colleges Chancellor's Office CollegeBuys Program for the Procurement of Goods and Services for Community College Districts at a lower price upon the same terms, conditions and specifications, the vice president, administrative services or designee may proceed with the contract without conducting a formal bidding process. 

<u>References:</u>	Education Code Sections 81641 et seq.; Public Contract Code Sections 20650 et seq.; Government Code Section 53060; ACGJC Accreditation Standard III.D.16; 2 Code of Federal Regulations Part 200.318
<u>CCLC Update:</u>	4/14, 4/15, 10/16, 3/19
<u>Steering:</u>	S/P

If the superintendent/president concludes that the best interests of the district will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the district will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contracts Code §20652, the superintendent/president is authorized to proceed with a contract.

See Administrative Procedures 6330, 6340, 6345, 6350, 6360, 6365, 6370, 6380.

Subject: Board Policy 6700 – Civic Center and Other Facilities Use	Attachment: Board Policy 6700 – Civic Center and Other Facilities Use
Category: Board Policies – First Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> ✓ Goal 1 ✓ Goal 2 ✓ Goal 3 ✓ Goal 4 </div>
	Approved for Consideration: <div style="text-align: center;">  <hr style="width: 100%;"/> </div> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

A review of edits to Board Policy 6700 – Civic Center and Other Facilities Use has been completed and approved by College Council. The policy is now presented as a first read and will be presented for adoption by the board at a future meeting.

RECOMMENDATION

For information only.

Each of the three MiraCosta College sites has areas designated for use as a civic center. The district, at its sole discretion, reserves the right to determine which spaces may be designated as applicable to being a civic center. Use of the civic center shall be granted as provided by law. The superintendent/president shall establish procedures regarding the use of district property, including but not limited to facilities, equipment and supplies, and support services by community groups and other outside contractors. Specific rules apply to specialty district civic center spaces (e.g. performance space, gymnasium, athletic fields, etc.) in which required procedures will need to be followed.

The administrative procedures shall reflect the requirements of applicable law, including Education Code §82537, regarding civic centers. The procedures shall include reasonable rules regarding the time, place, and manner of use of district facilities. They shall assure that persons or organizations using district property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities of the District on behalf of students.

At its sole discretion, the district may permit, without charging a usage fee or charge to reimburse the district for operational costs related to the event, the use of any district facilities or grounds under its control when an alternative location is not available, to nonprofit organizations and clubs and associations organized for general character building or welfare purposes, as stated under Education Code §82542 (a). Waiving the reimbursement of any direct operational costs incurred by a nonprofit organization requires the written approval of the superintendent/president or the vice president, administrative services.

Public use of district property shall not be granted if it interferes with scheduled instructional programs, events, performances, rehearsals, college assemblies, or other activities of the district on behalf of students.

No group or organization may use district property for purposes that unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, military or veteran status, disability, gender, gender identity, gender expression, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics, or because a person associate with a person or group with one or more of these actual or perceived characteristics, or on any basis prohibited by law.

MiraCosta Community College District

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Adoption History: 2/16/10, 3/24/22

Periodic Review: 5/15

Reference Update: 4/16

References: Education Code §§82537, 82542
Title 5 §§59601 et seq.

CCLC Update: #17, 2/10, #21, #21, 9/12, #25, 11/14, #18, 4/16; [#44, 4/24](#)

Steering: VPAS

Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by ~~associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside." (Education Code Section 82537(a))~~ the community and organizations for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest upon terms and conditions which that the governing board deems proper, and subject to the limitations allowed by law. In granting permission to use the Civic Centers, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

See Administrative Procedure 6700.

Subject: Board Policy 7340 – Leaves	Attachment: Board Policy 7340 – Leaves
Category: Board Policies – First Read	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Information </div> <div style="text-align: center;"> Consent </div> <div style="text-align: center;"> Action </div> </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Goal 1 </div> <div style="text-align: center;"> Goal 2 </div> <div style="text-align: center;"> Goal 3 </div> <div style="text-align: center;"> Goal 4 </div> </div>
	Approved for Consideration: <div style="text-align: center;"> <hr style="width: 100%; border: 0.5px solid black;"/> Sunita V. Cooke, Ph.D. Superintendent/President </div>

BACKGROUND

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

STATUS

A review of edits to Board Policy 7340 – Leaves has been completed and approved by College Council. The policy is now presented as a first read and will be presented for adoption by the board at a future meeting.

RECOMMENDATION

For information only.

The Board of Trustees may grant a leave of absence upon the request of an employee. The superintendent/president shall establish procedures for employee leaves as authorized by law and by any collective bargaining agreements entered into by the district. Such leaves shall include, but are not limited to:

- Illness or injury leaves for all classes of permanent employees (Education Code sections 87781 and ~~88192~~88191);
- Paid sick leave (Labor Code section 246);
- Vacation leave for members of the classified service, administrators, supervisors, and managers (Education Code section 88197);
- Leave for service as an elected official or steward of a community college district public employee organization, or of any statewide or national employee organization with which the local organization is affiliated or leave for a reasonable number of unelected classified employees for the purpose of enabling an employee to attend important organizational activities authorized by the public employee organization (Education Code sections 87768.5 and 88210); Government Code section 3558.8);
- Leave of absence for permanent academic employees to serve as an elected member of the State legislature (Education Code section 87701);
- Pregnancy leave (Education Code sections 87766 and 88193; Government Code section 12945);
- Leave to bond with a new child (Education Code sections 87780.1, 87784.5, and 88196.1 and 88207.5);
- Family care and medical leave (Government Code sections 12945.1 and 12945.2);
- Use of illness leave for personal necessity (Education Code sections 87784 and 88207);
- Industrial accident and illness leave (Education Code sections 87787 and 88192);
- Bereavement leave (Government Code section 12945.7 and Education Code sections 87788 and 88194);
- Jury service or appearance as a witness in court (Education Code sections 87035 and 87036);


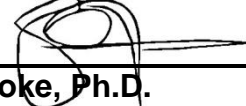
- Military service (Education Code section 87700); and
- Sabbatical leaves for full-time permanent faculty, academic employees, and academic administrators pursuant to their respective collective bargaining agreement and working conditions manual.

Vacation leave for members of the classified service, educational administrators and classified supervisors and managers shall not accumulate beyond the number of days of paid leave or number of hours of paid leave pursuant to their respective working conditions manual. Employees shall be permitted to take vacation in a timely manner to avoid accumulation of excess vacation.

In addition to these policies and collective bargaining agreements, the board retains the power to grant leaves with or without pay for other purposes or for other periods.

An employee who has been on authorized leave of absence shall be reinstated to an appropriate position for which they are qualified, except an employee who has been on authorized leave of absence for one year or less, and whose position was filled by a temporary worker, shall be reinstated in the position they held prior to going on leave of absence, if the same position exists. No paid leave of absence shall be construed as a break in continuity of service required for employee classification or district benefits. The time during which the leave of absence is taken shall not be considered as employment.

See Administrative Procedures 7340, 7341, 7343, 7345, 7346, and 7347.

Subject:	Attachment:
Human Resources Division Update	None
Category:	Type of Board Consideration:
Information	Information <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Action <input type="checkbox"/>
Institutional Goals:	Institutional Goal Supported:
mcc_mission_statement.pdf (miracosta.edu)	Goal 1 <input type="checkbox"/> Goal 2 <input type="checkbox"/> Goal 3 <input checked="" type="checkbox"/> Goal 4 <input checked="" type="checkbox"/>
Recommended:	Approved for Consideration:
	
Charlie Ng Vice President, Human Resources	Sunita V. Cooke, Ph.D. Superintendent/President

HUMAN RESOURCES DIVISION

Equal Employment Opportunity Annual Certification Form

Human Resources collaborated with the Dean of Research, Planning, and Institutional Effectiveness to gather the necessary information and ensure the timely submission of the *Equal Employment Opportunity (EEO) Annual Certification Form* to the California Community College Chancellor's Office in fall 2024. Following the Chancellor's Office's recent review, the district was awarded 100 percent of the maximum funding amount of \$136,986. This funding will be disbursed according to the apportionment schedule.

The district plans to utilize these funds to implement pre-hire, hire, and post-hire initiatives outlined in the district's *EEO Plan for 2023-2026*. These initiatives include creating a recruitment video to support IDEA efforts, launching a request for proposal for a recruitment advertising vendor targeting diverse candidate pools, and training hiring committee members on equal employment opportunity best practices.

New Onboarding Hub and Resources

With the assistance of San Diego Human Resources Consulting representatives, Human Resources launched its new Onboarding Hub and resources. The dedicated Onboarding Hub features a new welcome letter, a comprehensive onboarding guide with 30-, 60-, 90-, 180-, and 365-day checklists, and toolkits for both new hires and hiring managers. Additionally, Human Resources revamped the new employee orientation on December 4 by facilitating a workshop-style session filled with interactive activities focused on the district's rich 90-year history, mission, vision, commitment, values, and institutional goals.

New Wellness Program

The district has developed a new wellness program that takes a comprehensive approach to enhancing employee well-being through strategic implementation, effective communication, and thorough evaluation. This program aims to foster a culture of health and wellness at MiraCosta College by promoting the five pillars of wellness: mental/emotional, physical, financial, social connectedness, and job satisfaction.

The wellness program will launch with a free and confidential onsite health screening on February 25, 2025. This screening will provide covered employees and their eligible dependents over the age of 18 with key biometrics, including total cholesterol, blood pressure, glucose, and body mass index.