



MIRACOSTA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

REGULAR MEETING
4 P.M. – THURSDAY – SEPTEMBER 15, 2022

[ZOOM Webinar Access](#)

Passcode 905749, Webinar ID: 978 0976 0278, Or Dial: +1 669 900 6833

[How to Provide Public Comment](#)

AGENDA

- I. CALL TO ORDER
- II. FLAG SALUTE / ROLL CALL
- III. TELECONFERENCING OF MEETINGS (Action Required)
 - A. Approve Continued Observance of Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361
- IV. OATH OF OFFICE
 - A. 2022/23 Student Trustee – Inayah Abdulmateen
2022/23 Associated Student Government President – Monserrate Ayala
- V. APPROVE MEETING MINUTES
 - A. Special Meeting/Closed Session of August 18, 2022
 - B. Regular Meeting of August 18, 2022
- VI. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA

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

ITEMS ON THE AGENDA: Members of the audience may address the Board of Trustees on any item listed on the agenda when that agenda item comes up for discussion and/or action. Comments will be limited to three (3) minutes per agenda item and a total of fifteen (15) minutes 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.

VII. CHANGES IN AGENDA ORDER

VIII. PRESENTATIONS

- A. Associated Student Government Leadership Introductions
- B. Distance Education Update

IX. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
- B. Approval of Professional Expert Contract
- C. Ratify Execution of Personal Services Contract
- D. Ratify Memorandum of Understanding 22-02 with the Faculty Assembly
- E. Ratify Memorandum of Understanding 22-03 with Faculty Assembly
- F. Approve Classification of New Position and Approve Job Description for Administrative Assistant – Foundation and Development
- G. Approve Classification of New Position and Job Description for Outreach Assistant
- H. Approval of Employee Travel
- I. Approval of Employee Travel
- J. Approval of Employee Travel
- K. Notice of Completion - Bid # MM-21-005 SAN Underground Utility Project
- L. Approval of Amazon Web Services Enterprise Agreement
- M. Approve Purchase of AV/IT Equipment for OCN New Chemistry and Biotechnology Building Project
- N. Award Contract for Bid #C01-23 Horticulture Greenhouse Installation
- O. Approve Assessment Technologies Institute LLC Additional Services
- P. Adopt Resolution No. 3-22/23, Establish the District Appropriations (Gann) Limit for Fiscal Year 2022/23
- Q. Ratify and Approve Contracts and Purchase Orders

X. ACTION ITEMS

- A. Public Hearing 4 p.m. FY2022/23 Final Budget
- B. Adopt Fiscal Year 2022/23 Final Budget
- C. Authorize Vice President, Administrative Services to Approve Guaranteed Maximum Price (GMP) and Execute Change Order to the Design Build Contract for Oceanside Library Building Renovation Project Memorializing Same
- D. Approve Emeritus Status for Full-Time Faculty Member

XI. SECOND READING – BOARD POLICIES (Action Required)

- A. Board Policy 3410 - Nondiscrimination

XII. FIRST READING – BOARD POLICIES (No Action Required)

- A. Board Policy 6300 – Fiscal Management

XIII. INFORMATION

- A. Municipal Storm Water Management Plan Annual Implementation Update

XIV. COLLEGE-RELATED REPORTS

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


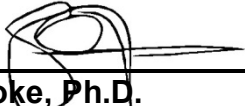
XV. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

XVI. ADJOURNMENT

UPCOMING MEETING
4 p.m. – October 20, 2022
Regular Meeting
San Elijo Campus

Board meetings are normally held in meeting rooms that are accessible to those with mobility disabilities, however, an executive order issued on 3-18-20 by the Governor of California indicated that the requirements for having a physical space for meetings has been waived due to the coronavirus (COVID-19). Additionally, with the passing of AB 361, meetings will be held remotely until further notice. If you wish to attend the meeting and/or if you have another disability requiring special accommodation, please contact Julie Bollerud, executive assistant to the superintendent/president, at 760.795.6610 or by email at jbollerud@miracosta.edu. The California Relay Service (CRS) is available by dialing 711, or 1-800-735-2929 or 1-800-735-2922.

In compliance with Government Code §54957.5, nonexempt writings that are distributed to a majority or all of the MiraCosta Community College District Board of Trustees in advance of their meetings may be viewed at the Office of the Superintendent/President, One Barnard Drive, Oceanside, California, or by clicking on the Board of Trustee's website at <http://www.miracosta.edu/OfficeOfThePresident/BoardofTrustees/Agendas.htm>. Such writings will also be available at the board meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Julie Bollerud, executive assistant to the superintendent/president, at 760.795.6610 or by email at jbollerud@miracosta.edu.

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

BACKGROUND

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

STATUS

In an effort to safeguard the health of our students, employees, and community members, and in an effort to provide greater access to meetings of the board of trustees, the board adopted MiraCosta Community College District Resolution No. 4-21/22 on October 21, 2021. This resolution declared emergency conditions exist throughout the district campuses and facilities as a result of the continued State of Emergency under Government Code section 54943. The board continues to be provided regular updates on this matter.

RECOMMENDATION

Approve continued observance of Resolution No. 4-21/22 – authorizing teleconferencing for meetings pursuant to AB 361 as stated above. The result of this action will be recorded in the meeting minutes.

MIRACOSTA COLLEGE COMMUNITY DISTRICT

RESOLUTION NO. 4-21/22

**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS
DURING A PROCLAIMED STATE OF EMERGENCY**

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

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

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

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

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

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

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

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

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

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

AND either:

- b. The Board is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board met and determined one of the following, and the Board now re-determines one of the following:

- i. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- ii. State or local officials have imposed or recommended measures to promote social distancing; OR

OR

- c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
 - i. The Board has reconsidered the circumstances of the state of emergency; AND
 - ii. Any of the following circumstances exist:
 - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The District's superintendent/president or their designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
- 4. That this Resolution shall take effect immediately upon its adoption.

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

AYES:	7	Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon
NOES:	0	_____
ABSTAIN:	0	_____
ABSENT:	0	_____

CERTIFICATION

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

By:  _____

Secretary to the Board of Trustees
MiraCosta Community College District



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

MINUTES OF SPECIAL MEETING/CLOSED SESSION

**August 18, 2022
(DRAFT)**

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in closed session on Thursday, August 18, 2022, both in-person and via Zoom conference. President Anna Pedroza called the meeting to order at 2:32 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

Rick Cassar	Frank Merchat
William Fischer	Anna Pedroza
George McNeil	

Board members absent:

Raye Clendening
Jacqueline Simon

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 2:02 p.m., the board announced the need to enter closed session to discuss the following topics:

A. Conference with Labor Negotiators

(Pursuant to Government Code Section 54957.6)

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

Employee organizations: Classified Administrators, Classified Senate

B. Employee Discipline/Dismissal/Release, Number of Potential Cases: 4

(Pursuant to Government Code section 54957)

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

At 3:26 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,
Vice President, Human Resources Charlie Ng

Employee organizations: Classified Administrators, Classified Senate

No action taken.

B. Employee Discipline/Dismissal/Release, Number of Potential Cases: 4

(Pursuant to Government Code section 54957)

The board unanimously voted 5:0 to approve the release of a probationary classified employee.

VI. ADJOURNMENT

The meeting adjourned at 3:26 p.m.

MINUTES APPROVAL:

Anna Pedroza
President

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



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

MINUTES OF REGULAR MEETING

**AUGUST 18, 2022
(DRAFT)**

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, August 18, 2022, both in-person and via Zoom conference. President Anna Pedroza called the meeting to order at 4:03 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

Rick Cassar	Frank Merchat
William Fischer	Anna Pedroza
George McNeil	Jacqueline Simon

Board members absent:

Raye Clendening

Administrators present:

Superintendent/President Sunny Cooke
Assistant Superintendent/Vice President Tim Flood
Assistant Superintendent/Vice President Charlie Ng
Assistant Superintendent/Vice President Denée Pescarmona
Assistant Superintendent/Vice President Alketa Wojcik

III. TELECONFERENCING OF MEETINGS (Action Required)

A. Approve Continued Observance of Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361

By motion of Trustee Merchat, seconded by Trustee Simon, the board adopted Resolution No. 4-21/22 authorizing the continued teleconferencing of meetings pursuant to AB 361.

Vote: 6/0/0

Aye: Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: Clendening

IV. APPROVE MEETING MINUTES

A. Special Meeting/Closed Session of July 21, 2022

By motion of Trustee McNeil, seconded by Trustee Fischer, the board approved the special meeting/closed session minutes of July 21, 2022.

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

B. Regular Meeting of July 21, 2022

By motion of Trustee McNeil, seconded by Trustee Merchat, the board approved the regular meeting minutes of July 21, 2022.

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

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

None.

VI. CHANGES IN AGENDA ORDER

Dr. Cooke noted there were minor modifications made to a few of the supporting documents in the agenda, and an updated agenda was reposted to the college website prior to the board meeting. Action Item IX.C was pulled; action is no longer required.

VII. PRESENTATIONS

A. MiraCosta Community College District Campus Climate Survey Update

Assistant Superintendent/Vice President Charlie Ng provided an overview of the progress made since the campus climate survey was completed by college staff and students. The survey was designed to measure the current attitudes and behaviors, as well as personal experiences and perceptions about the institutional climate. He noted that although some respondents cited unfavorable opinions across a number of categories, overall, 80 percent of the responses from staff, faculty, and students were favorable, which is impressive for this type of survey.

The initial survey results were reported in fall 2020, and a working group began reviewing the results and identifying some suggested action items in fall 2021. The culture at the college was one of the areas that respondents felt improvement is needed. Ng noted that providing comprehensive onboarding for new employees, training and support, and communicating and engaging our employees and students are all part of how our culture is built. Achieving the Dream Consultant Mary Spilde has been working with the college on the professional development piece of this work, as this is a cornerstone of our success as an organization. The goal is to make positive changes to that part of our culture, and we will also continue to focus on strengthening other areas of the college that were identified.

VIII. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions**
- B. Approve Classification of New Position, Job Description, and Salary Schedule for Chief Inclusion, Diversity, Equity, Accessibility Officer (CIDEAO)**
- C. Approve Professional Expert Employment Contract**
- D. Approve New Professional Expert Position and Hourly Rate**

- E. **Approve Reorganization of Student Services Division**
- F. **Approve Creation of Ethnic Studies Department and Organization within the School of Arts, International Languages and Ethnic Studies (SAILES) Reorganization**
- G. **Approve Fall 2022 Program Components for the Oceanside Unified School District CCAP Dual Enrollment Program**
- H. **Approve Updated Course Agreement with Carlsbad Unified School District for the Fall 2022 Dual Enrollment Program**
- I. **Approve Updated Course Agreement with San Dieguito Union High School District for the Fall 2022 Dual Enrollment Program**
- J. **Approve African Diaspora Education Summit attendance in Ghana, Africa – Fall 2022**
- K. **Approve 2022/23 COVID-19 Emergency Conditions Allowance Application**
- L. **Approve Additional Purchase of Hotspots and Broadband Internet Services for Online Learning**
- M. **Approve Adobe Enterprise Term License Agreement**
- N. **Approve Parron Hall as Service Provider for Furniture Standards**
- O. **Approve Purchase of Dell Computer Replacements**
- P. **Ratify and Approve Contracts and Purchase Orders**

By motion of Trustee McNeil, seconded by Trustee Cassar, consent items A-P were approved.

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

IX. ACTION

A. Accept Resignation of MiraCosta Community College District Independent Citizens’ Bond Oversight Committee Student Representative

By motion of Trustee McNeil, seconded by Trustee Fischer, the board accepted the resignation of Austin Quandt, the MiraCosta Community College District Independent Citizens’ Bond Oversight Committee student representative.

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

B. Adopt Resolution No. 1-22/23: Authorizing the Issuance of MiraCosta Community College District (San Diego County, California) Election of 2016 General Obligation Bonds, Series C, and Actions Related Thereto

By motion of Trustee Cassar, seconded by Trustee McNeil, the board adopted Resolution No. 1-22/23.

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

C. Approve or Deny Request for Unpaid Leave of Absence Under Administrative Procedure 7340

This item pulled from the agenda.

D. Adopt Resolution No. 2–22/23 in Observance of History and Heritage Months

By motion of Trustee Cassar, seconded by Trustee McNeil, the board adopted Resolution No. 2-22/23 in observance of History and Heritage months.

Vote: 6/0/0

Aye: Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: Clendening

X. PERIODIC REVIEW – BOARD POLICIES (Action Required)

A. Board Policy 2320 – Special and Emergency Meetings

B. Board Policy 2431 – Superintendent/President Selection

C. Board Policy 2432 – Superintendent/President Succession

D. Board Policy 2610 – Presentation of Initial Collective Bargaining Proposals

E. Board Policy 2716 – Political Activity

F. Board Policy 2730 – Board Member Benefits

G. Board Policy 3300 – Public Records

H. Board Policy 4110 – Honorary Degrees

By motion of Trustee McNeil, seconded by Trustee Cassar, Board Policies 2320, 2431, 2432, 2610, 2716, 2730, 3300, and 4110 were adopted.

Vote: 6/0/0

Aye: Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

XI. SECOND READING – BOARD POLICIES (Action Required)

A. Board Policy 3261 – Energy Conservation

By motion of Trustee McNeil, seconded by Trustee Cassar, Board Policy 3261 was adopted.

Vote: 6/0/0

Aye: Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

XII. FIRST READING – BOARD POLICIES

A. Board Policy 3410 - Nondiscrimination

Proposed edits to Board Policy 3410 - Nondiscrimination were reviewed and discussed, and the policy will be placed on a future agenda for adoption.

XIII. INFORMATION

A. 2022/23 Board Goals

The 2022/23 board goals were provided for information.

B. Futures Discussion

Board members discussed sharing Futures signals at future meetings.

XIV. COLLEGE-RELATED REPORTS

A. Trustees Activities

The majority of trustees attended the Associate Faculty luncheon via Zoom on August 16. Trustee McNeil attended the first women's soccer scrimmage of the year. He added the men's soccer team also played on Tuesday at CSUSM, and women's volleyball is also underway. Trustee Simon attended the first Friday Art Walk in Oceanside and the Oceanside Museum of Art that always has different exhibits. Trustee Pedroza thanked each and every staff and faculty member for the work they do.

B. Students

No report.

C. Classified Employees

Classified Senate (CS) President Carl Banks was unable to attend today's meeting.

D. Faculty

Academic Senate (AS) President Leila Safaralian reported the first AS meeting took place on August 12, followed by the AS retreat, where they worked on team building and goal setting. She thanked faculty representing many different Academic Career Pathways, as well as many classified professionals, for their participation in the Welcome Fest held on Saturday, August 13, on the Oceanside Campus. Safaralian acknowledged Professional Development Chair Aaron Roberts for leading the program. The flex week workshops were well-designed with the goal of increasing student success at the forefront of the sessions.

E. Vice Presidents

1. Instructional Services

Assistant Superintendent/Vice President Pescarmona echoed the acknowledgement for outstanding flex sessions, as well as the many other activities that have taken place, like the new full time faculty orientation led by Chad Tsuyuki and Aaron Roberts, the Associate Faculty orientation led by Al Taccone, the open house that John Makevich hosted at the CLC, and the open house that Antonio Alarcon hosted at the San Elijo Campus.

Enrollment is down 2.5 percent in headcount and 6 percent in FTES, which is improved from previous numbers. Approximately 58 percent of classes are being held online and 42 percent on ground.

Enrollment in noncredit courses is up 12 percent over last fall. Online and hybrid modality options are appealing to a broader range of noncredit students.

In addition to bioscience hub grant awards that were shared at the July board meeting, another \$2.9 million grant was received from the California Institute for Regenerative Medicine, which is a training program that will go through 2027 and is securing MiraCosta as the bioscience hub for the nation. Pescarmona thanked Dean Mike Fino and his team for their diligent commitment to this work.

2. Student Services

Assistant Superintendent/Vice President Wojcik noted the team who organized the Welcome Fests for the San Elijo and Oceanside campuses worked for months

on these events to encourage students and their family members to visit our campuses. The Welcome Fest at the CLC is scheduled for this Saturday.

The DEqCC conference was held earlier today, and Wojcik noted the college has already implemented a number of the trauma informed practices suggested by the guest speaker. The Admissions Office continues to work on new patterns of fraudulent enrollments. The Financial Aid Office completed their first disbursement today. She noted that a higher number of Federal PELL grants (2,123) were provided this term, even with lower enrollments.

3. Administrative Services

Assistant Superintendent/Vice President Flood reported a lot of construction work continues on the Oceanside Campus. He thanked all of the deans and faculty for their work on the Bio/Chem Building, which included relocating folks from temporary buildings, allowing for construction work to be done at a cost savings.

Flood acknowledged facilities staff and custodial staff for their hard work in preparing the campuses for the return of students.

4. Human Resources

Assistant Superintendent/Vice President Ng reported Human Resources is working on improving the onboarding process and EEO advisory committee.

F. Superintendent/President

Superintendent/President Cooke thanked College Police, Emergency Operations Center personnel, and others for handling the false bomb threat that took place in early August at our campuses. She echoed the praise for Aaron Roberts and the flex committee for putting together a strong flex week, and she thanked Violeta Sanchez and DEqCC for their work on the Cultural Competency Conference. Cooke encouraged MiraCostans to attend the in-person All College Day tomorrow, which includes a faculty and student panel.

Trustees will be attending session two of a year-long Vision for Success fellowship next week. They will be with other board members and CEOs from exemplar California Community Colleges focused on student success and equity.

Cooke attended a TaylorMade Golf executive leadership conference, where she and fellow panelists in the community discussed leading through volatile times. Attendees were very interested in our Futures work.

XV. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.


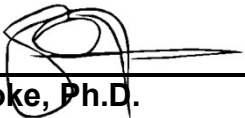
XVI. ADJOURNMENT

The meeting adjourned at 4:55 p.m.

MINUTES APPROVAL:

Anna Pedroza
President

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

Subject: Associated Student Government Introductions	Attachment: None
Category: Presentations	Type of Board Consideration:  Information Consent Action
	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND


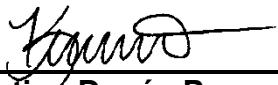
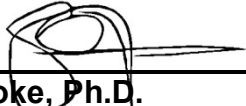
The Associated Student Government (ASG) serves the collective needs of the students at MiraCosta College. The goal of the ASG is to give a voice to all students, enabling them to become part of the college community. Major responsibilities include appointing students to campus-wide committees; participating in collegial governance in the development of college policies and the annual budget; adopting and overseeing use of an annual budget; allocating funds for new programs/projects; granting club charters; and providing and administering a program of activities and services for students. The ASG has student representation on Oceanside, San Elijo, and Community Learning Center campuses.

STATUS

The 2022/23 ASG student leaders will be introduced.

RECOMMENDATION

For information only.

Subject: Distance Education Update	Attachment: PowerPoint Presentation
Category: Presentations	Type of Board Consideration:  Information Consent Action
Recommended:  <hr/> Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



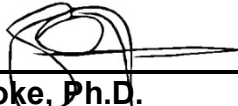
Title 5 of the California Code of Regulations (CCR 55210) requires districts that offer one or more course sections through distance education to provide to the local board an annual report on distance education activity.

STATUS

Faculty Director of Online Education Dr. Jim Julius will provide a report on distance education. The report will include an update on last year’s online course offerings, including success and retention disaggregation by ethnicity, as well as highlights and upcoming innovations to support online student learning and student basic needs.

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; align-items: center;"> Information  Consent Action </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 the following classified employees:

April Hernandez, Instructional Associate, Art, position P-00214, effective August 8, 2022.

Henry Cohn-Geltner, Assistive Technology Assistant, Student Accessibility Services, position P-06178, effective August 16, 2022.

2. Employment of full-time, tenure-track faculty member Markus Berrien, Counselor, full-time, tenure-track, 195 days per year, salary class 5, step 6 x 1.1080 time factor, \$125,198.46 per year (2022/23 academic salary schedule [salary placement contingent upon verification]), effective August 18, 2022.

PhD (in progress), Educational Leadership, University of Southern California
 MS, Counseling, San Diego State University
 BA, Sociology, UC San Diego

Markus Berrien has been a full-time counselor supporting EOPS students and current/former foster care youth at San Diego Mesa College since June 2019. He has also served as an associate counselor at MiraCosta College, Grossmont College, Mt. San Jacinto College, and San Diego Continuing Education, and previously worked at Palomar College as a Program Coordinator for TRIO/SSS.

3. Employment of the following regular classified employees:

Kineta Rios, Business Systems Analyst, Constituent Relationship Management, salary range 28, Step 3, \$7,447.58 per month, full-time, 12 months per year, effective September 19, 2022. Kineta was selected through an open recruitment process.

Paige Babbitt, Administrative Support Assistant III, Financial Aid, position P-06165, salary range 20, step 1, \$5,325.92 per month, full-time, 12 months per year, effective August 29, 2022. Paige was selected through an open recruitment process.

Francine Robson, Administrative Support Assistant III, Counseling, position P-09446, salary range 20, step 2, \$5,619.67 per month, full-time, 12 months per year, effective August 29, 2022. Francine was selected through an open recruitment process.

Margarita Gonzalez, Instructional Assistant, Adult High School, position P-09238, salary range 16, step 1, \$711.68 per month, 6 hours per week, 10 months per year, effective August 10, 2022. Margarita was selected through an open recruitment process.

Charlie Lieu, Business Systems Analyst, Student Services, position P-05824, salary range 28, step 3, \$7,447.58 per month, full-time, 12 months per year, effective September 19, 2022. Charlie was selected through an open recruitment process.

4. Permanent change of assignment for the following classified employees:

Caroline Bischel, Human Resources Systems Specialist, position P-00190, has accepted the position of Business Systems Analyst, Student Services, position P-00094, salary range 28, longevity year 6, \$8,429.33 per month, full-time, 12 months per year, effective September 19, 2022. Caroline was selected through an open recruitment process.

Arthur Rodriguez, Accounting Specialist, position P-05805, has accepted the position of Accountant I, position P-09453, salary range 26, step 3, \$7,029.67 per month, full-time, effective September 1, 2022. Arthur was selected through an open recruitment process.

5. Temporary change of assignment for Alton Hill, Technology Services Analyst, Workforce IOA, position P-08640, temporary increase in hours from 16 to 40 hours per week, effective September 1, 2022 – June 30, 2023.

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

Elizabeth Leguizamo, Administrative Assistant I, Counseling Operations, will continue to serve as a Student Services Specialist, Counseling Operations, position P-08408, salary range 21, longevity year 8, 18 hours per week, \$3,161.74 per month, effective July 1, 2022 – June 30, 2023.

Mandy Frakes, Accounting Specialist, position P-00017, will continue to serve as an Interim Accountant I, position P-09255, range 26, longevity year 8, \$8,116.08 per month, full-time, effective August 16 – 31, 2022.

Gregorio Reyes, Student Services Specialist, Student Equity, position P-08918, will serve as a Student Services Coordinator, Student Equity, salary range 26, step 1, \$6,335.08 per month, full-time, effective September 1 - December 31, 2022.

Jennifer Streagle, Early Childhood Education Instructional Specialist, Child Development Center, position P-050831, will serve as an Interim Early Childhood Education Program Specialist, Child Development Center, P-09404, salary range 20, step 5, \$4,745.09 per month, full-time, effective August 1, 2022 - May 31, 2023.

7. Employment of the following associate faculty members for the 2022 fall session, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Nathan	Klein	Counseling
Sara	Obenauer	English
Thomas	McDaniel	Horticulture
Cedric	Courtois	Music
Dylan	Caligiuri	Music

8. In accordance with Administrative Procedure 7211.2.III, the individuals identified below have provided sufficient evidence of experience and/or education equivalent to the minimum qualifications established by the district to teach in the disciplines listed:

Danielle Bever-Sneary – Biological Sciences
Sinclair Tirona – Communication Studies

WHEREAS Academic Senate is satisfied that the candidates exhibit a unique combination of relevant education and extensive experience that make the candidates unusually well qualified to teach the specific courses, and

WHEREAS Academic Senate is satisfied that the qualifications of the candidates are appropriate for the specific proposed assignments, and

WHEREAS Academic Senate notes that the candidates exhibit a strong background in general education,

THEREFORE BE IT RESOLVED that the Academic Senate recommends that the Board of Trustees accept the candidates' qualifications as equivalent for the specific assignment in question.

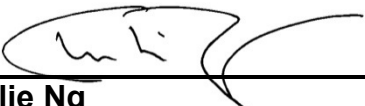
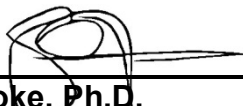
9. Request approval of the following short-term and substitute employees. These employees meet the Education Code 88003 definition of short-term and substitute employees, and as such, these employees will be employed and paid less than 75 percent of the college year:

Employee Name	Job Title	Assignment	Department	Pay Rate	Start Date	End Date
Aaron Pedro	Instructional Assistant	Short-Term	Art	\$35.51/hr	9/16/22	6/30/23
Andrea Velasco	GEAR UP Support Staff I	Substitute	GEAR UP	\$15/hr	8/15/22	6/30/23
Benjamin Poarch	Instructional Assistant	Substitute	Art	\$27.37/hr	9/16/22	6/30/23
Brianna Morris	Outreach Assistant	Short-Term	School Relations/Diversity Recruitment	\$23.69/hr	9/16/22	6/30/23
Carlos Rodriguez Dominguez	Admissions and Records Specialist	Substitute	Admissions and Records, SEC	\$30.73/hr	9/1/22	6/30/23
Connor Brigandi	Apprentice III	Substitute	STEM and Math Learning Center	\$17/hr	8/11/22	6/30/23
Daja Marks	Campus Aide III	Short-Term	Student Services, CLC	\$19/hr	9/16/22	6/30/23
Dunia Azizi	Campus Aide III	Short-Term	Student Services, CLC	\$19/hr	9/16/22	6/30/23
Ginger Rosser	Art Model	Short-Term	Art	\$28/hr	9/1/22	5/30/23
Guillermina Almader	Apprentice I	Substitute	Child Development Center	\$15/hr	8/22/22	5/31/23

Helaina Baes Erbs	Campus Aide III	Short-Term	Facilities	\$19/hr	9/16/22	6/30/23
Ismael Pohlert	Campus Aide III	Short-Term	Career Education Grants	\$19/hr	9/16/22	6/30/23
Jason Belcher	Instructional Assistant	Substitute	Automotive Technology	\$27.37/hr	9/27/22	6/30/23
Johanna Aguilar	GEAR UP Support Staff I	Substitute	GEAR UP	\$15/hr	9/1/22	6/30/23
John Guth	Program Consultant II	Short-Term	Veterans Business Outreach Center	\$53/hr	7/1/22	6/30/23
Juan Rodriguez	Apprentice III	Substitute	Tutoring and Academic Support	\$17/hr	9/2/22	6/30/23
Julieta Enriquez Camarillo	Instructional Aide	Substitute	Workforce IOA	\$23.03/hr	8/22/22	6/30/23
Maria Zorzin	Support Assistant	Short-Term	Workforce IOA	\$24.41/hr	9/16/22	6/30/23
Mariana Grindley	Accounting Specialist	Substitute	Accounting	\$34.49/hr	7/1/22	6/30/23
Mark Adams	Art Model	Short-Term	Art	\$28/hr	9/1/22	5/30/23
Noemi Espinoza	Testing Services Assistant	Substitute	Testing Services	\$23.69/hr	9/16/22	6/30/23
Paula Dubose	Apprentice III	Substitute	Tutoring and Academic Support	\$17/hr	9/2/22	6/30/23
Qiyuan Wang	Campus Aide III	Short-Term	Extended Opportunity Programs and Services	\$19/hr	9/16/22	6/30/23
Shaunna Witt	Art Model	Short-Term	Art	\$28/hr	9/1/22	5/30/23
Tereza Zafra-Lopez	Campus Aide III	Substitute	Student Equity	\$19/hr	9/7/22	6/30/23
Vanessa Rojas	Apprentice III	Substitute	Tutoring and Academic Support	\$17/hr	9/2/22	6/30/23
Victoria May	Art Model	Short-Term	Art	\$28/hr	9/1/22	5/30/23
Yoni Baker	Art Model	Short-Term	Art	\$28/hr	9/1/22	5/30/23

RECOMMENDATION

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

Subject: Approval of Professional Expert Contract	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  _____ Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The Center of Excellence for Labor Market Research has obtained new grant funding to allow for the creation of a new professional expert contract position, Regional Research Associate. The Regional Research Associate will coordinate regional data and workgroup meetings for the San Diego and Imperial Counties community colleges and will serve as a liaison for other regional workgroups.

Education Code section 88003.1 (b) (2) allows for personal services contracts to be used when services to be performed are not available through the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district.

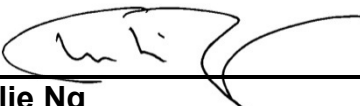
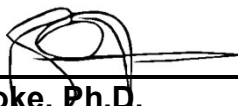
STATUS

The following individual is recommended for a professional expert contract. The annual salary will be prorated for days worked from September 1, 2022, to June 30, 2023:

Edward Matthews, Regional Research Associate, \$85,558.

RECOMMENDATION

Approve professional expert contract, as stated above.

Subject: Ratify Execution of Personal Services Contract	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Title 5, Section 53021(7) authorizes the district to hire an administrator through a personal services contract. The individual selected cannot be currently employed by the district, must be specially trained, experienced, and competent to serve as an administrator, and must satisfy the minimum qualifications applicable to the position. No appointment or series of appointments may exceed a period of two years.

STATUS

The district has selected Dr. Jared Rodrigues to serve full-time as the Interim Director of Student Services while the district seeks a permanent incumbent. Dr. Rodrigues is not a current employee, has the training education and experience to serve as an administrator, and meets the minimum qualifications of the Director of Student Services position. Dr. Rodrigues will be paid an annual salary of \$106,658, which is Range 8, step 1 on the 2022/23 Classified Administrator Salary Schedule. Compensation for the contract period will be prorated for the number of days worked, effective September 6, 2022, to September 5, 2023.

RECOMMENDATION

Ratify execution of personal services contract, as stated above.

**MiraCosta Community College District
CONTRACT OF EMPLOYMENT
Interim Director, Student Services**

AGREEMENT

This contract ("Agreement") is made between the MiraCosta Community College District ("District") and Jared Rodrigues ("Rodrigues"), an individual.

Recitals

A. The District desires to engage the services of Rodrigues as the Interim Director, Student Services as described in this Agreement. The Interim Director is a classified administrator as defined by Education Code section 87002(c) and a management employee as defined by Government Code section 3540.1(g).

B. Rodrigues warrants and represents that they are competent to perform the duties and responsibilities required by this Agreement and by all applicable laws and regulations.

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

D. This Agreement is entered into pursuant to Title 5, Section 53021(c)(7) of the California Code of Regulations.

Terms and Conditions

1. **Position**: The District hereby agrees to employ Rodrigues and Rodrigues hereby accepts employment as Interim Director, Student Services under the terms and conditions set forth in this Agreement. Rodrigues has the responsibilities and authority that are associated with the Interim Director position as defined in the position description and all other duties and responsibilities as assigned or required by the Superintendent/President or designee.

2. **Term**: The term of this Agreement is from September 6, 2022 to September 5, 2023, unless terminated pursuant to the terms of this Agreement.

3. **No Automatic Renewal of Agreement**: The term of this Agreement shall not be automatically renewed and shall expire without further notice.

4. **Salary**: Rodrigues shall be employed as a full-time employee of the District with an annual salary of \$106,658 based upon placement on the 2022-23 Classified Administrator salary schedule, Range 8, Step 1. The salary will be prorated for service performed of less than one year. The salary will be paid according to District's customary payroll practices. All payments of salary or other compensation payments will be reduced by any applicable withholdings and deductions (including voluntary withholdings).

5. **Benefits**: Rodrigues shall be entitled to the following District benefits:

- 16.67 hours of vacation accrued per month of service (up to 200 hours annually). Rodrigues may accrue up to twice the annual allotment if the contract is extended;
- Sick leave at the rate of one (1) day per month of service;
- Paid district holidays;
- Insurance coverages, and District contribution toward insurance coverages, that is provided to employees of the District employed at 50% or more of a full-time-equivalent; and
- Membership in the California Public Employees' Retirement System ("CalPERS") or the State Teachers' Retirement System ("STRS") contingent on meeting eligibility requirements of either the Public Employees Retirement Law or State Teachers Retirement Law.

Rodrigues shall also be eligible to receive an educational incentive applicable to all classified administrators, if they meet the eligibility criteria and are approved by the Vice President of Human Resources. Changes in the benefits outlined above provided to other classified administrators shall apply to the Interim Director and do not constitute a violation of the terms of this Agreement.

6. **Overtime Status**: The parties acknowledge and agree that the position of Interim Director may require more than 40 hours of work per week. The parties further acknowledge that this position is exempt from the payment of overtime under state and federal law.

7. **Evaluation**: The District reserves its right whether to evaluate Rodrigues during the term of this Agreement. Any such evaluation shall be conducted pursuant to current Board policies and procedures, and may include evaluation of the Interim Director based upon: 1) the job description and job announcement for the position; 2) any other duties prescribed by the Superintendent/President and/or the Board; and 3) Rodrigues' effectiveness in this administrative position, including leadership and communication skills, rapport with subordinates, ability to identify and address subordinates' strengths and weaknesses, and Rodrigues' working relationships with colleagues. This evaluation shall not constitute a precondition to a decision to terminate this Agreement. The failure to evaluate the Interim Director shall not constitute a material breach of the Agreement and shall not constitute a basis to challenge any termination of this Agreement.

8. **Indemnity**: As provided in Government Code sections 825 and 995 et seq.

9. **Termination**:

a) **Termination Without Cause**: Regardless of the term of this Agreement, the Board may terminate this Agreement at any time prior to the date on which the term of this Agreement would have otherwise expired, without cause. In such an event, the maximum cash settlement Rodrigues may receive shall be equal to the monthly salary of multiplied by the number of months left on the unexpired term of this Agreement, or three months, whichever is less, and shall not include non-cash items. The intent of this provision is to satisfy the requirements of Government Code sections 53260-53264, and this provision shall be interpreted in a manner consistent with those statutes. District agrees to pay any lump sum cash payment ("Severance Pay"), less legally required for authorized deductions, if applicable, within thirty (30) days of the effective date of termination. In exchange for any lump sum cash payment provided to Rodrigues,

Rodrigues 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.

b) Termination With Cause: The Board may terminate this Agreement during its term and discharge Rodrigues if Rodrigues commits a material and substantial breach of this Agreement and/or for cause. Such breach of Agreement and discharge shall nullify the terms of this Agreement and Rodrigues 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.

c) Termination Upon Hiring New Director, Student Services: When the Board employs a new Director, Student Services, this Agreement shall terminate automatically on the day before such new Director assumes the position. No further notice to the Interim Director shall be required. Rodrigues shall not be entitled to any sums outlined above in section 9(a) of this Agreement.

10. **Provisions of Government Code Sections 53243.3-53243.4.**

a) In the event that District provides paid leave to Rodrigues 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, Rodrigues shall fully reimburse District for any salary provided for that purpose.

b) In the event that District provides funds for the legal criminal defense of Rodrigues 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, Rodrigues shall fully reimburse District for any funds provided for that purpose.

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

d) “Abuse of office or position” is defined in Government Code section 53243.4 to mean either of the following:

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

11. **Miscellaneous Provisions:** This Agreement contains the entire agreement and understanding between the parties. There are no oral understandings, or terms and conditions not contained or referenced in this Agreement. This Agreement cannot be changed orally. It may be modified in writing by mutual agreement of the parties as set forth above. This Agreement supersedes all Board Policies, rules, regulations, handbooks or practices which are inconsistent with or in conflict with this Agreement.

12. **Severability:** If any term or provision of this Agreement is to any extent held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the terms and provisions of the Agreement shall continue in effect.

13. **No Assignment.** This is a contract for personal services, and Rodrigues may not assign or transfer any rights granted or obligations assumed under this Agreement.

14. **Other Provisions:** All terms and condition of employment not specifically provided for by this Agreement shall be in accordance with the policies, rules and regulations of the Board.

15. **Advice of Counsel:** The parties acknowledge that they each have the right to obtain independent legal advice regarding the terms of this Agreement before accepting its terms. By their signatures below, Interim Director and the District accept that they have obtained such advice or expressly and voluntarily have waived their right to do so. This Agreement shall be construed and interpreted under the laws of the State of California.

16. **Governing Law and Venue:** This Agreement is subject to the applicable laws of the State of California and any dispute arising out of this Agreement shall be heard in the County of San Diego.

17. **Ratification:** Rodrigues and the District agree that this Agreement, and any amendment thereto, is not binding or enforceable unless it is in writing and ratified by the Board at an open meeting of the Board.

18. **Representations and Warranties:**

Rodrigues represents and warrants that they:

- a) have read this Agreement and understand its provisions; and
- b) is freely and voluntarily signing this Agreement.



MiraCosta Community College District

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

Jared Rodrigues, Ph.D.

Date: _____

Date: _____

Subject: Ratify Memorandum of Understanding 22-02 with the Faculty Assembly	Attachment: Memorandum of Understanding 22-02
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  _____ Charlie Ng, Assistant Superintendent/Vice President Business and Administrative Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

During the 2020/21 and 2021/22 academic years, the district established the Cultural Curriculum Collective (“CCC”) to align with several college-wide initiatives and goals. A need has been identified to continue this work during the 2022/23 academic year.

A group of four facilitators will lead the CCC and be responsible for its design, instruction, facilitation, and project management. The facilitators shall select up to 18 faculty participants from a broad range of disciplines and departments of the college to engage in the CCC.

The purpose of the CCC is to engage in a collaborative reflection and enhancement process for each faculty participant’s respective courses. The focus is on developing culturally responsive, inclusive, and relevant materials that will guide the implementation of effective teaching and equity practices. Each faculty participant will be required to complete a final presentation for this project by the end of the 2022/23 academic year.

STATUS

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

RECOMMENDATION




Ratify Memorandum of Understanding 22-02 with the Faculty Assembly, as stated.



MOU Between the
MiraCosta Community College District and
MiraCosta Community College District – Faculty Assembly
22-02

This MOU modifies the terms of section C.11.0 of the Faculty Assembly 2022-2025 contract to allow for the specific project identified below:

- 1) For the 2022/23 school year, the District determined that a need existed to continue the Cultural Curriculum Collective (“CCC”) pilot to align with several college-wide initiatives and goals, including Guided Pathways and becoming a racially-just campus.
- 2) The CCC will be led by four facilitators in 2022/23 (“Facilitators”). The Facilitators will be selected by the Vice President, Instructional Services (“VPIS”), in consultation with the Academic Senate President and Teaching and Learning Center Coordinator.
- 3) Each Facilitator will be responsible for the design, instruction, facilitation, and project management of the CCC. The Facilitators will provide direction and leadership throughout the academic year to the CCC participants. The Facilitators will meet monthly with the VPIS to provide an update on the progress of the CCC. Each Facilitator will receive a stipend of \$3,750 upon completion of the 2022/23 CCC cohort.
- 4) The Facilitators will put out a call for faculty interested in participating in the CCC at the beginning of the fall 2022 semester. The Facilitators and VPIS will select faculty participants from a broad range of disciplines and departments of the college. The total cohort of faculty participants shall not exceed eighteen (18) faculty members. Each faculty participant will make a commitment to complete the project specified by the CCC by the end of the 2022/23 academic year.
- 5) The purpose of the CCC is to engage in a collaborative reflection and enhancement process for each faculty member’s respective courses. The focus is on developing culturally responsive, inclusive, and relevant materials that will guide the implementation of effective teaching and equity practices. Faculty participants will review and identify elements among the Course Outline of Record, syllabus, course assignments, and/or methods of providing feedback to students that could be more inclusive and equity-focused, culminating in the creation of a presentation that showcases their work.
- 6) Each CCC faculty participant will be required to complete a final presentation for this project. Faculty participants may be requested to present their project to the campus community, including to their respective departments, governance groups, or the Board of Trustees.
- 6) Each full-time faculty member participating in the CCC shall receive a stipend of \$1,500 upon the conclusion of the project and submission of the final presentation to the Academic Senate and VPIS. This stipend will provide compensation for the faculty member’s work on the CCC, including an initial kick-off meeting, five (5) training workshops, the final project, and two (2) optional project workshops. The stipend shall be paid by June 30, 2023 upon written confirmation by the VPIS to the Payroll

Subject: Ratify Memorandum of Understanding 22-03 with Faculty Assembly	Attachment: Memorandum of Understanding 22-03
Category: Consent Items	Type of Board Consideration: Information  Consent Action
Recommended:  _____ Charlie Ng, Assistant Superintendent/Vice President Business and Administrative Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

During the spring of 2022, the district and Faculty Assembly engaged in collegial negotiations for a successor collective bargaining agreement. Subsequently, the district and Assembly have agreed to clarify and modify some of the language including in Article H as reflected in the attached Memorandum of Understanding.

STATUS

The district and the Faculty Assembly have negotiated the terms and conditions of work to be performed and agreed to a memorandum of understanding.

RECOMMENDATION

Ratify Memorandum of Understanding 22-03, which will modify Article H: Evaluation and Tenure Review of the 2022–2025 MiraCosta Community College District and Faculty Assembly Agreement.



MOU Between the
MiraCosta Community College District &
MiraCosta Community College District – Faculty Assembly
22-03

This MOU modifies the terms of Article H: Evaluation and Tenure Review of the Faculty Assembly 2022-2025 collective bargaining agreement as specified below.

The District and the Assembly hereby agree as follows:

1. Section *H.4.6 Other Evaluation Components for Tenure Candidates*, under “Candidate Self-Study,” will be revised as follows:
 - Each candidate shall compose a succinct 3 to 5-page self-study. Candidates should describe how they have met each of the five Criteria for Evaluation specified in section H.1.4 in the performance of their job functions. While candidates must address each of the five (5) major criteria in each evaluation cycle, they may provide a distinctive means of emphasis on the various elements contained under each of the five (5) criteria, including any specific areas of focus as outlined in the Tenure Review Committee Report or elements related to their professional growth goals.

The self-study should also include a reflection that outlines contributions to diversity, equity, and inclusion on an individual, departmental or institutional level. Candidates shall also address recommendations from their most recent observation reports, survey responses, and evaluation reports, including specific strategies for resolving any identified issues or concerns during the next evaluation cycle. In addition, they shall assess whether or not they have met the goals identified in the previous evaluation and identify future goals. The candidate’s self-study must be submitted by the end of week thirteen (13) of the fall semester with the evaluation packet.

2. Section *H.4.8 Tenure Review Meetings*, under “Tenure Evaluation Meeting,” will be revised as follows:
 - Within three (3) business days thereafter, the tenure coordinator shall ~~attach~~ upload a copy to the candidate’s portfolio and forward the original *Tenure Review Committee Report* to Human Resources. ~~Human Resources sends the *Tenure Review Committee Report* to the candidate to review and sign, uploads the signed copy to the candidate’s portfolio, and provides a signed copy to the appropriate vice president who will send it to the superintendent / president. Human Resources shall be responsible for ensuring that signatures are collected according to the required timelines.~~

3. Section *H.5.2 Components of Evaluation for Tenured Faculty Members*, will be revised as follows:
 - The evaluation of the TFM shall consist of the following components:
 - Classroom or worksite observation
 - Student surveys, SGIDs, or *Constituent Surveys*, as appropriate
 - *Professional Growth and Activities Report*
 - *Self-Study*

4. Section *H.5.5 Student/Constituent Surveys for Tenured Faculty Members*, under “Classroom Faculty,” will be revised as follows:

- **Classroom Faculty** - a *Student Survey of Classroom Instruction* will be administered in two (2) courses or 40% of the TFM's teaching load (whichever is greater) during the evaluation period. The TFM may elect which courses will be surveyed, including at least two (2) separate preparations where possible. The district shall be responsible for distributing an electronic copy of the student surveys to all students in any course being surveyed.
 - A classroom faculty member with a non-teaching assignment that does not include substantial direct interaction with students may be surveyed using the *Faculty/Staff Survey of Non-Classroom Services* with the approval of the appropriate dean, in consultation with the appropriate vice president.
5. Section *H.5.6 Other Evaluation Components for Tenured Faculty Members*, under "Professional Growth and Activities Report," will be revised as follows:
 - The TFM shall prepare a *Professional Growth and Activities Report* describing their involvement in institutional service, collegial governance, all participation in department or work group or program functioning, and participation in professional activities since the last evaluation or granting of tenure. The TFM shall have the option to include their FLEX transcripts to demonstrate their participation in professional activities since their last evaluation or granting of tenure. ~~This report shall be completed by the end of week ten (10) of the semester.~~
 6. Section *H.5.6 Other Evaluation Components for Tenured Faculty Members*, under "Self-Study," will be revised as follows:
 - Each TFM shall compose a succinct 3 to 5-page self-study. Candidates should describe how they have met each of the five Criteria for Evaluation specified in section H.1.4 in the performance of their job functions. While TFM's must address each of the five (5) major criteria in each evaluation cycle, they may provide a distinctive means of emphasis on the various elements contained under each of the five (5) criteria or additional elements created in relation to professional development goals. TFM's may focus on all elements under each criterion, or a limited number of elements so long as the choices are consistent with their professional growth goals.

The self-study should also include a reflection that outlines contributions to diversity, equity, and inclusion on an individual, departmental or institutional level. TFM's shall also address recommendations from their most recent observation report, survey responses, and evaluation reports, including specific strategies for resolving any issues or concerns identified. In addition, they shall assess whether or not they have met the goals identified in the previous evaluation and identify future goals. The *Self-Study* must be submitted by the end of week twelve (12) of the semester with the evaluation packet.
 7. Section *H.5.7 Submission of Evaluation Packet*, last paragraph, will be revised as follows:
 - The TFM shall upload the evaluation packet to their portfolio and notify PRC members and Human Resources (evalsupport@miracosta.edu) that this has been completed. Human Resources will grant access to PRC members by the end of week twelve (12) of the semester. All PRC members shall review the packet prior to the Peer Review Meeting.
 8. Section *H.5.8 Peer Review and Evaluation Meeting*, under Peer Evaluation Meeting, will be revised as follows:
 - By Wednesday of week fifteen (15) of the semester, the PRC shall meet without the TFM present to determine an appropriate summary rating for the evaluation. The Peer

Review Committee Report (PRC Report) and any Corrective Action Plans must be finalized and approved by the PRC within five (5) business days of this meeting. The PRC shall select one of the following evaluation ratings [based on committee consensus](#).

- o Satisfactory
- o Improvement needed—Corrective Action Plan prescribed
- o Unsatisfactory

If consensus is not possible, the determination shall be made by the majority. The PRC may also request to consult jointly with a representative of the district and the Faculty Assembly during the deliberation process to discuss available options. The district representative and Faculty Assembly representative shall not also serve on ARC.

PRC members shall examine and sign the PRC Report.

9. Section *H.5.8 Peer Review and Evaluation Meeting*, last paragraph, will be revised as follows:

- The chair of the PRC shall forward the [PRC Report](#) to Human Resources where it will be securely stored. The TFM shall receive a signed copy of their [PRC Report](#). A copy of the completed evaluation will be placed in the TFM's personnel file. The TFM has the right to initiate a written response to the evaluation within ten (10) business days following receipt of the PRC report. Any written response shall be signed and dated by the faculty member. The response will be attached to the PRC Report and placed in the faculty member's personnel file.

10. Section *H.4.11 Appeals to TRC Recommendations* and Section *H.5.10 Appeals for Tenured Faculty Members*, will be revised as follows:

- **H.4.11:** If the tenure or rehire recommendation is negative, the notification shall inform the candidate of their right to appeal any such recommendation. A copy of the notification must be sent to the ~~ARC chair and the TREC chair~~ and Human Resources (evalsupport@miracosta.edu). Appellants shall complete an appeal form and submit it to the ~~ARC TREC chair~~ and Human Resources (evalsupport@miracosta.edu) within ten (10) calendar days of the written notification of the TRC's recommendation that generated the appeal. The tenure candidate may consult with the TREC chair regarding the appeals process.
- **H.5.10:** Appellants shall complete an appeal form and submit it to the ~~ARC TREC chair~~ and Human Resources (evalsupport@miracosta.edu) within ten (10) calendar days of the written notification of the PRC's recommendation that generated the appeal. The TFM may consult the TREC chair regarding the appeals process.

11. The following will be removed from Article H: Evaluation and Tenure Review:

- Section *H.4.5 Student Surveys for Tenure Candidates*, under Classroom Faculty: The method of delivery may be by either a student proctor or TRC member.
- Section *H.5.1 Peer Review Committee (PRC) Composition*: The TFM shall notify Human Resources of the PRC composition by the end of week two of the semester of the evaluation.
- References to Assistance Plans.


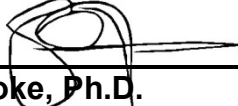
This agreement will become effective upon approval from the Board of Trustees. It shall expire on June 30, 2025.

Sunita V. Cooke, Ph.D.

Mary Gross

Signature _____ Date _____
Superintendent/President
MiraCosta Community College District

Signature _____ Date _____
President
MCCCD Faculty Assembly

Subject: Approve Classification of New Position and Approve Job Description for Administrative Assistant – Foundation and Development	Attachment: Job Description: <u>Administrative Assistant – Foundation and Development</u>
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



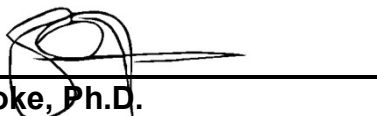
Permanent funding for a new administrative assistant position was approved through the foundation in 2020 and has remained vacant. There is a need to fill the position as soon as possible to support the Associate Vice President, Institutional Advancement and Executive Director, Foundation who has been without staff support. Human Resources created a job description to reflect the duties of the new position and determined a salary placement based on internal and external market data.

STATUS

Human Resources recommends to the superintendent/president, classification of range 24 for the Administrative Assistant – Foundation and Development, effective September 16, 2022. Entry-level salary is \$71,742.

RECOMMENDATION

Approve classification of new position and approve job description for Administrative Assistant – Foundation and Development, as stated above.

Subject: Approve Classification of New Position and Job Description for Outreach Assistant	Attachment: Job Description: Outreach Assistant
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information  Consent Action </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



The Outreach Program in Student Services has received temporary grant funding to support the creation of a short-term, hourly Outreach Assistant position. There is a need to fill the position as soon as possible to support the Program Manager of Outreach during the 2022/23 academic year. Human Resources created a job description to reflect the duties of the position and determined a salary placement based on internal and external market data.

STATUS

Human Resources recommends to the superintendent/president, classification of range 11 for the Outreach Assistant, effective September 16, 2022. The hourly rate of pay for this classification is \$23.69.

RECOMMENDATION

Approve classification of new position and job description for Outreach Assistant, as stated above.

Subject: Approval of Employee Travel	Attachment: Itinerary
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  Alketa Wojcik, Ed.D. Assistant Superintendent/Vice President, Student Services	Approved for Consideration:  Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

In compliance with Board Policy 7400 - Employee Travel, all travel outside the United States must be approved in advance by the board. Mia Scavone, program manager for the International Office, is requesting pre-approval to travel to New Delhi, India, from October 30-November 5, 2022, with the Advocacy/Recruitment Fair sponsored by the Community Colleges for International Development (CCID) organization and SimplEd, an education promotion agency. Superintendent/President Sunita Cooke will also participate in the travel to India between the dates of October 23-November 2, 2022, in support of advocacy, recruitment, and partnership development for MiraCosta.

STATUS

The goals for the trip are to market community colleges and brand MiraCosta College as a high quality and cost-effective undergraduate option. Additionally, recruitment channels will be explored for students who are most likely to start at a community college. Currently, India remains the top originating country of international students in the United States. For the last seven years, India has had a growing number of students studying in the U.S. at the undergraduate level. The International Office recruited the first student from India directly to MiraCosta in fall 2021. Similar to our experience in the early 2000’s, when China was starting to grow as an undergraduate market, community colleges needed additional marketing to explain the quality, purpose, and advantages of our educational system.

This program was selected because of its sole focus on community colleges and the dual purpose of advocacy, along with daily meetings directly with students and counselors. During this event, we will meet with the Federation of Indian Chamber of Commerce and Industry, which is a national organization leading education reform in India; EducationUSA; the U.S. Consulate who issues visas for international students; and twelve high schools.

RECOMMENDATION

Approve the out-of-country travel for Mia Scavone and Sunita Cooke, who will travel to New Delhi, India, with the Advocacy/Recruitment Fair. The cost of travel for both will not exceed \$15,000.

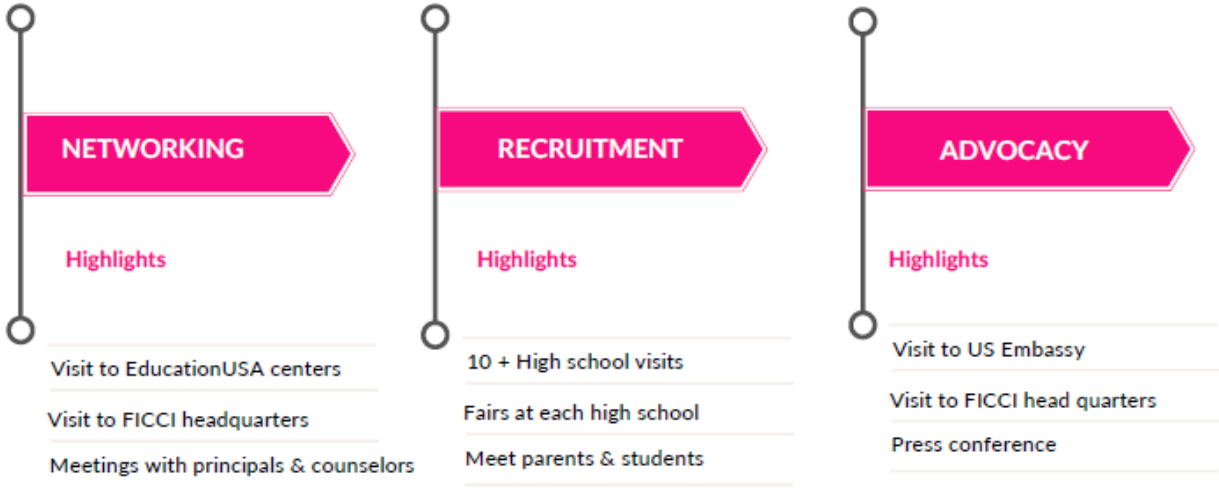


WHAT IS INDIA PROGRAM?

Join Simplified Student Recruitment Tours and Community Colleges for International Development (CCID) for this one-of-a-kind 7-day engagement trip to India focused on advocacy and growing international student enrollments at your institution.

The purpose of this program is threefold. To mobilize a team of professionals from community colleges to meet with U.S. and Indian government agencies in New Delhi to tackle the issues facing local colleges. Two, to connect you directly with prospective students through a series of quality high school visits. Three, to connect you with key stakeholders in the Indian education landscape to empower you to strategize and navigate the region better.

THE THREE AREAS OF FOCUS



www.simplified.org | +1 313 799 2747 | smart.tours@simplified.org | 1655 Missions Street, S529, San Francisco, CA 9103



PROGRAM ITINERARY



Day 1
New Delhi

- Check-in after 3:00 pm
- Orientation
- Welcome Dinner

Day 2
New Delhi

- 3 School Visits
- Cultural excursion

Day 3
New Delhi

- 2 School Visits
- Visit to EducationUSA, New Delhi Center.

Day 4
Ghaziabad

- 3 School Visits
- Visit to the Federation of Indian Chamber of Commerce & Industry

Day 5
Gurugram

- 2 School Visits
- Press conference
- Visit to US Embassy/ Meet US Consulate professionals

Day 6
New Delhi

- 2 School visits
- Networking with the high school counselors

Day 7
New Delhi

- Check out from hotel by 12 pm
- Trip concludes

This is a sample itinerary for your reference. The final itinerary might differ to accommodate the availability of consulate officers, schools, EducationUSA centers etc. Simpled will make every effort to include all elements listed in the final itinerary.

India Program Pricing

\$4490
Full Price
No Discounts

\$3990
Special price
for CCID members

5% GST
will be applied
to all invoices.

INCLUSIONS & EXCLUSIONS

INCLUSIONS

- 5 or 4 Star Hotels
- In-tour flights
- Ground Transportation
- Experienced tour leader
- Welcome dinner
- Most breakfast
- All school visits & events listed
- Pre-tour consulting
- 60-days post-tour outreach

EXCLUSIONS

- Flight to/from the U.S.
- Visa and/or any immigration fee
- Travel or health insurance
- Meals & personal expenses
- COVID test & related expenses



Fill out the sign-up form
www.simplified.org/signup

STEP 1

Pay the registration fee.

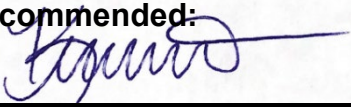
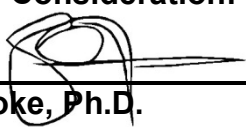
STEP 2

Congratulations! Simplified team will
now start the onboarding process.

STEP 3

CLIENTPOINT DOWNLOAD RECEIPT

DOWNLOADED: 04-20-2022
CLIENTPOINT ID: 666921

Subject: Approval of Employee Travel	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  _____ Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Board Policy 7400, Employee Travel, requires that all travel outside the United States must be approved in advance by the board. Writing Center Learning Coaches KD King and Sarah Pultz are requesting approval to attend the International Writing Centers Association (IWCA) Conference in Vancouver, Canada, October 26-29, 2022.

STATUS

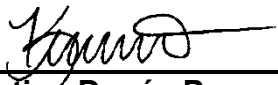
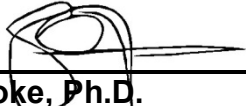
The International Writing Centers Association (IWCA) Conference that will be hosted in Vancouver, Canada October 26-29, 2022, is a unique opportunity for Writing Center professionals to gather, network, and share best practices. The MiraCosta College Writing Center has regularly sent coaches and the faculty director to present at and attend this conference. The MiraCosta College Writing Center previously co-hosted the conference in 2012.

King and Pultz are Learning Coaches on the Writing Center team who deliver specialized services to students and faculty across the district and advise on Writing Center polices and best practices. Within their roles, they also participate, develop, and coordinate many significant Writing Center activities such as hiring, training, and mentoring new and continuing Writing Center consultants.

Their attendance at this conference is essential for access to current scholarship related to Writing Center pedagogy and daily work. By meeting with other Writing Center professionals, they will gain tools and strategies that will support the development of the MiraCosta College Writing Center and our team. As this is an international conference, we can also expect to have diverse perspectives and approaches that can enhance the support that we provide to our own diverse student population.

RECOMMENDATION

Approve the out-of-country travel for KD King and Sarah Pultz, who will travel to Vancouver, Canada, October 26-29, 2022, to attend the International Writing Centers Association Conference. The cost of travel for both will not exceed \$8,900.

Subject: Approval of Employee Travel	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  _____ Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



Board Policy 7400, Employee Travel, requires that all travel outside the United States must be approved in advance by the board. Mathematics Instructor Mary Beth Headlee is requesting approval to attend the American Mathematical Association of Two-Year Colleges (AMATYC) Conference in Toronto, Canada November 17-20, 2022.

STATUS

The annual AMATYC Conference is an excellent opportunity to meet and share ideas with other two-year college mathematics instructors from all over North America. The conference will focus on the newest and most successful methods used in mathematics instruction. Headlee will attend workshops and visit vendor displays that will have a positive impact on her professional responsibilities as an educator at MiraCosta College. Topics for the 2022 conference include sessions on equitable and inclusive teaching practices, reaching diverse populations and student engagement, open education resources in mathematics and statistics, innovative strategies for assessment, building a thinking classroom, and many other topics directly related to teaching college-level mathematics. These are all issues the Math Department deals with daily, so this opportunity will benefit MiraCosta College as Headlee will share the information she learns with colleagues.

RECOMMENDATION

Approve the out-of-country travel for Mary Beth Headlee, who will travel to Toronto, Canada November 17-20, 2022, to attend the AMATYC Conference. The cost of travel will not exceed \$3,050.

Subject: Notice of Completion - Bid # MM-21-005 SAN Underground Utility Project	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND


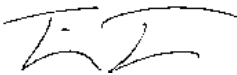
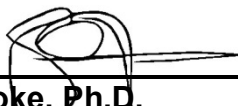
On July 26, 2022, Ahrens Mechanical completed all the work associated with Bid #MM-21-005 SAN Underground Utility Project. The original construction contract amount for Ahrens Mechanical was \$970,700, and the total change order amount for this project was \$450,613.35. This project had a final construction cost of \$1,421,313.35.

STATUS

The project is currently 100 percent complete.

RECOMMENDATION

Approve and execute Notice of Completion for the Bid # MM-21-005 SAN Underground Utility Project (Project No. 04115).

Subject: Approval of Amazon Web Services Enterprise Agreement	Attachment: FCCC Contract #0000-6007
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The district leverages Amazon Web Services (AWS) Enterprise Agreement and its extensive and reliable Cloud Computing Services to enhance our security framework and data center infrastructure. AWS delivers cost effective, secured, and very reliable cloud services such as backups, storage, and domain name system, etc. The district is transitioning to a direct contract with AWS that will generate 7.5 percent cross-service discount savings on all services.

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.

Pursuant to Public Contract Code section 10298-10299 and 20653, the district may utilize cooperative purchasing agreements awarded through the Foundation for California Community College (FCCC) under contract #0000-6007 without competitive bidding. The services used are metered and AWS invoices monthly based on use. District staff anticipate that the total usage for the five-year contract ending on May 31, 2027, will be in a total contract amount not to exceed \$1,011,357.

Funds for the AWS services are budgeted within the district’s Information Technology replacement budget.

RECOMMENDATION

Authorize the director of purchasing and material management to proceed with the procurement with AWS Enterprise Agreement in accordance with the terms and conditions of FCCC contract with a five-year not to exceed amount of \$1,011,357.

Subject: Approve Purchase of AV/IT Equipment for OCN New Chemistry and Biotechnology Building Project	Attachment: ePlus Technology Quotes
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information  Consent Action </div>
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

As part of the Measure MM bond program, the purchasing of furniture, fixtures, and equipment (“FF&E”) is needed in association with new construction and renovation projects. This need for FF&E, specifically Audio Visual and Information Technology (AV/IT), is related to the equipment needs identified for the New Chemistry and Biotechnology Building project at the Oceanside Campus.

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. The district has identified the use of the Cisco NASPO Value Point Data Com Master Agreement #AR3227 and California PA #7-20-70-47-01 for the purchase of specified unified communication and facility management monitoring and control supplies, technology, software, equipment, and other miscellaneous material, at the lowest cost and best overall value for district technology purchases.

The total equipment purchases have been identified with a combined cost (including sales tax) of \$192,714.52, which reflects a list price discount of 59 percent for networking and 63 percent for phone related equipment. The Chemistry and Biotechnology FF&E budgets will be used to procure the new equipment, supplies and materials.

RECOMMENDATION

Authorize the vice president, administrative services to proceed with the procurement with Cisco NASPO Value Point Data Com Master Agreement #AR3227 and California PA #7-20-70-47-01 specified equipment purchases in amount not to exceed \$192,714.52.



Customer: MiraCosta College

ePlus Technology Quote

Quote issued by:

Account Executive: Dustin Ferris
 Inside Sales Account Manager: Kristin Sparhawk
 2355 Main Street, Suite 140
 Irvine CA 92614
 949-988-5468
ksparhawk@eplus.com

Date of Quote August 2, 2022	Valid for 30 days	Terms Net 30 Days	Quote# 100-015610-00028			
Model Number	Description			Qty	Unit Price	Extended Price

This quote is pursuant to Cisco NASPO ValuePoint DataCom Master Agreement # AR3227 and California PA # 7-20-70-47-01. The GSPD 401IT – General Provisions – Information Technology Statement of Work terms apply to all orders and supersede the corresponding Sections of the GSPF401T terms. Authorized purchasers issuance of purchase order(s) is deemed acceptance of these Statement of Work Terms.

Floor 1						
Model Number	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price
C9300X-48HX-E	Catalyst 9300 48-port mGig UPoE+, Network Essentials	6	\$ 7,241.00	\$ 43,446.00		
CAB-TA-NA	North America AC Type A Power Cable	12	\$ -	\$ -		
SC9300UK9-176	Cisco Catalyst 9300 XE 17.6 UNIVERSAL UNIVERSAL	6	\$ -	\$ -		
C9300X-NM-BLANK	Catalyst 9300 Network Module Blank Module	6	\$ -	\$ -		
C9300X-NM-NONE	Catalyst 9300 No-Network Module Selection	6	\$ -	\$ -		
C9300-DNA-E-48	C9300 DNA Essentials, 48-Port Term Licenses	6	\$ -	\$ -		
C9300-DNA-E-48-3Y	C9300 DNA Essentials, 48-port - 3 Year Term License	6	\$ 544.00	\$ 3,264.00		
CAB-SPWR-30CM	Catalyst Stack Power Cable 30 CM	6	\$ 47.00	\$ 282.00		
PWR-C1-1100WAC-P	1100W AC 80+ platinum Config 1 Power Supply	6	\$ -	\$ -		
PWR-C1-1100WAC-P/2	1100W AC 80+ platinum Config 1 Secondary Power Supply	6	\$ 922.00	\$ 5,532.00		
C9300-NW-E-48	C9300 Network Essentials, 48-port license	6	\$ -	\$ -		
STACK-T1-50CM	50CM Type 1 Stacking Cable	6	\$ 49.00	\$ 294.00		
C9300-SSD-NONE	No SSD Card Selected	6	\$ -	\$ -		
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	6	\$ -	\$ -		
CAB-SPWR-150CM=	Catalyst Stack Power Cable 150 CM Spare	2	\$ 110.00	\$ 220.00		
STACK-T1-1M=	1M Type 1 Stacking Cable	1	\$ 124.00	\$ 124.00		
STACK-T1-3M=	3M Type 1 Stacking Cable	1	\$ 185.00	\$ 185.00		
C9300X-NM-8Y=	Catalyst 9300 8 x 10G/25G Network Module SFP+/SFP28	2	\$ 1,237.00	\$ 2,474.00		
SFP-10/25G-LR-S=	10/25GBASE-LR SFP28 Module	4	\$ 1,138.00	\$ 4,552.00		
C9136I-B-EDU	Cisco Catalyst 9136I Series, Internal Antennas,-B Regulator	11	\$ 1,235.00	\$ 13,585.00		
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	11	\$ -	\$ -		
C9136I-SINGLE	SINGLE PACK OPTION	11	\$ -	\$ -		
AIR-DNA-EDU-A	Wireless Cisco DNA On-Prem Advantage, Term, EDU Lic	11	\$ -	\$ -		
EDU-DNA-A-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, EDU Lic	11	\$ 270.00	\$ 2,970.00		
AIR-DNA-A-T	Wireless Cisco DNA On-Prem Advantage, Term, Tracker Lic	11	\$ -	\$ -		
AIR-DNA-A-T-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, Tracker Lic	11	\$ -	\$ -		
AIR-AP-T-RAIL-R	Ceiling Grid Clip for APs & Cellular Gateways-Recessed	11	\$ -	\$ -		
D-DNAS-EXT-BUN-T	Cisco DNA Spaces Extend Term License for Cisco DNA	11	\$ -	\$ -		
D-DNAS-EXT-BUN-3Y	Cisco DNA Spaces Extend for Cisco DNA - 3Year	11	\$ -	\$ -		
SW9136-CAPWAP-K9	Capwap software for Catalyst 9136I	11	\$ -	\$ -		
AIR-AP-BRACKET-1	802.11 AP Low Profile Mounting Bracket (Default)	11	\$ -	\$ -		
PI-LFAS-AP-T	Prime AP Term Licenses	11	\$ -	\$ -		
PI-LFAS-AP-T-3Y	PI Dev Lic for Lifecycle & Assurance Term 3Y	11	\$ -	\$ -		
CDNA-A-C9136	Wireless Cisco DNA On-Prem Advantage, 9136 Tracking	11	\$ -	\$ -		
DNA-A-3Y-C9136	C9136I Cisco DNA On-Prem Advantage,3Y Term,Trk Lic	11	\$ -	\$ -		
C9136I-OVER	C9136I OVER OPTION	11	\$ -	\$ -		
AIR-DNA-NWSTACK-A	AIR CISCO DNA Perpetual Network Stack	11	\$ -	\$ -		



Customer: MiraCosta College

ePlus Technology Quote

Quote issued by:

Account Executive: Dustin Ferris
 Inside Sales Account Manager: Kristin Sparhawk
 2355 Main Street, Suite 140
 Irvine CA 92614
 949-988-5468
ksparhawk@eplus.com

Date of Quote	Valid for	Terms	Quote#		
August 2, 2022	30 days	Net 30 Days	[REDACTED]		
Model Number	Description	Qty	Unit Price	Extended Price	
C9124AXD-B-EDU	Cisco Catalyst 9124AX Series - EDU	8	\$ 1,211.00	\$ 9,688.00	
CON-SNT-C9124EXD	SN7C-8X5XNBD Cisco Catalyst 9124AX Series - EDU - 5 Years	8	\$ 390.00	\$ 3,120.00	
PI-LFAS-AP-T	Prime AP Term Licenses	8	\$ -	\$ -	
PI-LFAS-AP-T-3Y	PI Dev Lic for Lifecycle & Assurance Term 3Y	8	\$ -	\$ -	
AIR-DNA-A-T	Wireless Cisco DNA On-Prem Advantage, Term, Tracker Lic	8	\$ -	\$ -	
AIR-DNA-A-T-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, Tracker Lic	8	\$ -	\$ -	
AIR-MNT-VERT1	Vertical pole/wall mounting kit for Catalyst APs	8	\$ -	\$ -	
D-DNAS-EXT-BUN-T	Cisco DNA Spaces Extend Term License for Cisco DNA	8	\$ -	\$ -	
D-DNAS-EXT-BUN-3Y	Cisco DNA Spaces Extend for Cisco DNA - 3Year	8	\$ -	\$ -	
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	8	\$ -	\$ -	
SW9124AX-CAPWAP-KS	Capwap software for Catalyst 9124AX	8	\$ -	\$ -	
CDNA-A-C9124	Wireless Cisco DNA On-Prem Advantage, 9124 Tracking	8	\$ -	\$ -	
DNA-A-3Y-C9124	C9124AX Cisco DNA On-Prem Advantage 3Y Term,Trk Lic	8	\$ -	\$ -	
AIR-DNA-NWSTACK-A	AIR CISCO DNA Perpetual Network Stack	8	\$ -	\$ -	
AIR-DNA-EDU-A	Wireless Cisco DNA On-Prem Advantage, Term, EDU Lic	8	\$ -	\$ -	
EDU-DNA-A-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, EDU Lic	8	\$ 270.00	\$ 2,160.00	
AIR-ACC-CAT6=	RJ45 gland for use with Cat 6/6a cabling - 5 pack	8	\$ 39.00	\$ 312.00	
AIR-MNT-ART1=	Vert. pole/wall mount Kit for Catalyst 9124AX w/ tilt adjust	8	\$ 102.00	\$ 816.00	
C9124-CVR1=	Paintable cover for Catalyst 9124AX	8	\$ 56.00	\$ 448.00	
Floor 2					
C9300X-48HX-E	Catalyst 9300 48-port mGig UPoE+, Network Essentials	5	\$ 7,241.00	\$ 36,205.00	
CAB-TA-NA	North America AC Type A Power Cable	10	\$ -	\$ -	
SC9300UK9-176	Cisco Catalyst 9300 XE 17.6 UNIVERSAL UNIVERSAL	5	\$ -	\$ -	
C9300X-NM-BLANK	Catalyst 9300 Network Module Blank Module	5	\$ -	\$ -	
C9300X-NM-NONE	Catalyst 9300 No-Network Module Selection	5	\$ -	\$ -	
C9300-DNA-E-48	C9300 DNA Essentials, 48-Port Term Licenses	5	\$ -	\$ -	
C9300-DNA-E-48-3Y	C9300 DNA Essentials, 48-port - 3 Year Term License	5	\$ 544.00	\$ 2,720.00	
CAB-SPWR-30CM	Catalyst Stack Power Cable 30 CM	5	\$ 47.00	\$ 235.00	
PWR-C1-1100WAC-P	1100W AC 80+ platinum Config 1 Power Supply	5	\$ -	\$ -	
PWR-C1-1100WAC-P/2	1100W AC 80+ platinum Config 1 Secondary Power Supply	5	\$ 922.00	\$ 4,610.00	
C9300-NW-E-48	C9300 Network Essentials, 48-port license	5	\$ -	\$ -	
STACK-T1-50CM	50CM Type 1 Stacking Cable	5	\$ 49.00	\$ 245.00	
C9300-SSD-NONE	No SSD Card Selected	5	\$ -	\$ -	
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	5	\$ -	\$ -	
CAB-SPWR-150CM=	Catalyst Stack Power Cable 150 CM Spare	2	\$ 110.00	\$ 220.00	
STACK-T1-1M=	1M Type 1 Stacking Cable	1	\$ 124.00	\$ 124.00	
STACK-T1-3M=	3M Type 1 Stacking Cable	1	\$ 185.00	\$ 185.00	
C9300X-NM-8Y=	Catalyst 9300 8 x 10G/25G Network Module SFP+/SFP28	2	\$ 1,237.00	\$ 2,474.00	
SFP-10/ 25G-LR-S=	10/25GBASE-LR SFP28 Module	4	\$ 1,138.00	\$ 4,552.00	



Customer: MiraCosta College

ePlus Technology Quote

Quote issued by:

Account Executive: Dustin Ferris
 Inside Sales Account Manager: Kristin Sparhawk
 2355 Main Street, Suite 140
 Irvine CA 92614
 949-988-5468
ksparhawk@eplus.com

Date of Quote	Valid for	Terms	Quote#		
August 2, 2022	30 days	Net 30 Days	9133 CHEMIST 913388		
Model Number	Description	Qty	Unit Price	Extended Price	
C9136I-B-EDU	Cisco Catalyst 9136I Series, Internal Antennas,-B Regulator	8	\$ 1,235.00	\$	9,880.00
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	8	\$ -	\$	-
C9136I-SINGLE	SINGLE PACK OPTION	8	\$ -	\$	-
AIR-DNA-EDU-A	Wireless Cisco DNA On-Prem Advantage, Term, EDU Lic	8	\$ -	\$	-
EDU-DNA-A-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, EDU Lic	8	\$ 270.00	\$	2,160.00
AIR-DNA-A-T	Wireless Cisco DNA On-Prem Advantage, Term, Tracker Lic	8	\$ -	\$	-
AIR-DNA-A-T-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, Tracker Lic	8	\$ -	\$	-
AIR-AP-T-RAIL-R	Ceiling Grid Clip for APs & Cellular Gateways-Recessed	8	\$ -	\$	-
D-DNAS-EXT-BUN-T	Cisco DNA Spaces Extend Term License for Cisco DNA	8	\$ -	\$	-
D-DNAS-EXT-BUN-3Y	Cisco DNA Spaces Extend for Cisco DNA - 3Year	8	\$ -	\$	-
SW9136-CAPWAP-K9	Capwap software for Catalyst 9136I	8	\$ -	\$	-
AIR-AP-BRACKET-1	802.11 AP Low Profile Mounting Bracket (Default)	8	\$ -	\$	-
PI-LFAS-AP-T	Prime AP Term Licenses	8	\$ -	\$	-
PI-LFAS-AP-T-3Y	PI Dev Lic for Lifecycle & Assurance Term 3Y	8	\$ -	\$	-
CDNA-A-C9136	Wireless Cisco DNA On-Prem Advantage, 9136 Tracking	8	\$ -	\$	-
DNA-A-3Y-C9136	C9136I Cisco DNA On-Prem Advantage,3Y Term,Trk Lic	8	\$ -	\$	-
C9136I-OVER	C9136I OVER OPTION	8	\$ -	\$	-
AIR-DNA-NWSTACK-A	AIR CISCO DNA Perpetual Network Stack	8	\$ -	\$	-
C9124AXD-B-EDU	Cisco Catalyst 9124AX Series - EDU	11	\$ 1,211.00	\$	13,321.00
CON-SNT-C9124EXD	SNTC-8X5XNBD Cisco Catalyst 9124AX Series - EDU - 5 Years	11	\$ 390.00	\$	4,290.00
PI-LFAS-AP-T	Prime AP Term Licenses	11	\$ -	\$	-
PI-LFAS-AP-T-3Y	PI Dev Lic for Lifecycle & Assurance Term 3Y	11	\$ -	\$	-
AIR-DNA-A-T	Wireless Cisco DNA On-Prem Advantage, Term, Tracker Lic	11	\$ -	\$	-
AIR-DNA-A-T-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, Tracker Lic	11	\$ -	\$	-
AIR-MNT-VERT1	Vertical pole/wall mounting kit for Catalyst APs	11	\$ -	\$	-
D-DNAS-EXT-BUN-T	Cisco DNA Spaces Extend Term License for Cisco DNA	11	\$ -	\$	-
D-DNAS-EXT-BUN-3Y	Cisco DNA Spaces Extend for Cisco DNA - 3Year	11	\$ -	\$	-
NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment	11	\$ -	\$	-
SW9124AX-CAPWAP-K9	Capwap software for Catalyst 9124AX	11	\$ -	\$	-
CDNA-A-C9124	Wireless Cisco DNA On-Prem Advantage, 9124 Tracking	11	\$ -	\$	-
DNA-A-3Y-C9124	C9124AX Cisco DNA On-Prem Advantage 3Y Term,Trk Lic	11	\$ -	\$	-
AIR-DNA-NWSTACK-A	AIR CISCO DNA Perpetual Network Stack	11	\$ -	\$	-
AIR-DNA-EDU-A	Wireless Cisco DNA On-Prem Advantage, Term, EDU Lic	11	\$ -	\$	-
EDU-DNA-A-3Y	Wireless Cisco DNA On-Prem Advantage, 3Y Term, EDU Lic	11	\$ 270.00	\$	2,970.00
AIR-ACC-CAT6=	RJ45 gland for use with Cat 6/6a cabling - 5 pack	11	\$ 39.00	\$	429.00
AIR-MNT-ART1=	Vert. pole/wall mount Kit for Catalyst 9124AX w/ tilt adjust	11	\$ 102.00	\$	1,122.00
C9124-CVR1=	Paintable cover for Catalyst 9124AX	11	\$ 56.00	\$	616.00
			Subtotal:	\$	179,830.00

TOTAL:	\$ 179,830.00
TAX:	\$ 12,884.52
SHIPPING:	\$ -
GRAND TOTAL:	\$ 192,714.52

By placing an order with ePlus for products or services you agree to comply with the Terms and Conditions for Purchasing Products and Services located at <http://www.eplus.com/terms-and-conditions/Pages/Products-Services-Terms-and-Conditions.aspx> (the "Order Terms"). Unless there is a separate written agreement signed on behalf of both you and ePlus by a duly authorized officer, the Order Terms shall be the only terms and conditions applicable to transactions between you and ePlus, and no additional or contrary terms referenced in a purchase order, document, or electronic communication shall apply. In no event shall ePlus performance under a purchase order be deemed to constitute acceptance of any terms and conditions set forth therein.



Customer: MiraCosta College

ePlus Technology Quote

Quote issued by:

Account Executive: Dustin Ferris
 Inside Sales Account Manager: Kristin Sparhawk
 2355 Main Street, Suite 140
 Irvine CA 92614
 949-988-5468
ksparhawk@eplus.com

Date of Quote August 2, 2022	Valid for 30 days	Terms Net 30 Days	Quote# [REDACTED]		
Model Number	Description		Qty	Unit Price	Extended Price

Thank you for your inquiry. Please note the following about this quotation: It will expire on the date stated above. Unless freight amount is indicated, or is zero, freight will be added to the invoice. Unless Bill-To company is exempt from Sales Tax, it will be added to the invoice. Extended Warranties and Professional Services are available.

Authorization Acceptance and Date

PO / Reference Number

Print Name

Title

This quotation is confidential for your internal use only.
 This is a solicitation for an offer and is subject to credit approval. No contract is formed unless a purchase order or other offer is received and accepted by our office. If you accept this quotation with the intent to have your chosen leasing company to pay the costs directly, please note that if the Lessor does not pay ePlus for any reason, you will be responsible for payment to ePlus.

Subject: Award Contract for Bid #C01-23 Horticulture Greenhouse Installation	Attachment: <ul style="list-style-type: none"> • Bid Summary • Bid Documents
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information Consent Action </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

Horticulture requires the replacement of a 42-year-old, non-DSA approved greenhouse for use in their curriculum. A new DSA preapproved greenhouse has been purchased by the district and requires assembly and installation at the horticulture building 7000 along with site improvements, resulting in a new ADA accessible greenhouse.

STATUS

Bid #C01-23, Horticulture Greenhouse Installation, was issued by the Purchasing Department and advertised in the San Diego Union Tribune on August 9 and 16, 2022. The bid documents were made available and sent out to 465 vendors through the district’s PlanetBids bid management portal system with A (general engineering contractor) or B (general building contractor) licenses.

Ten (10) contractors attended the mandatory pre-bid job walk on August 17, 2022. Six (6) vendors submitted electronic proposals by the August 25, 2022, deadline via PlanetBids:

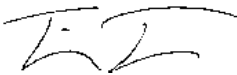
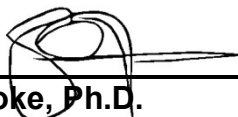
Vendor Name	Amount
SAS Construction	\$149,250
Ayuoma House Planning Company	\$155,000
MMJ Construction	\$166,237
GEM Industrial	\$209,860
Weir Constructions	\$235,000
GQ Builders	\$298,600

The award of the contract is based on lowest priced, responsive bid proposal. Three (3) of the six (6) contractors were deemed responsive. SAS Construction, located in Santa Ana, California was the lowest responsive and responsible bidder with a base bid amount of \$149,250.

Funding is budgeted within the districts Fund 41 Capital Outlay Funds.

RECOMMENDATION

Authorize the director of purchasing and material management to proceed with award of Bid #C01-23 Horticulture Greenhouse Installation Project to SAS Construction.

Subject: Approve Assessment Technologies Institute, LLC Additional Services	Attachment: Executed Agreement and Amendment Dated March 23, 2021
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Since 2014, nursing students have been paying a fee directly to Assessment Technologies Institute, LLC (ATI) each semester for nursing education resources. ATI is a nationally recognized nursing education resource, which uses progressive data analytics and compelling content to help nursing students be successful throughout the program. Resources are available to the students and faculty and are implemented throughout the nursing curriculum. In spring 2020, the Courses and Programs Committee approved the Nursing and Allied Health Department to attach the \$667 fee to NURS 180, NURS 182, NURS 281 and NURS 283, allowing students to use financial aid and scholarships to cover the cost, when applicable. These monies go into a student fees account, which is used by the district to pay ATI directly twice annually.

STATUS

California Education Code 81651 states, the governing board of any community college district may purchase supplementary textbooks, library books, and educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals in any amount needed for the district without taking estimates or advertising for bids.

On June 16, 2020, an agreement was established to procure training and curriculum services in the amount of \$2,450 annually per student. The Nursing Program has identified an annual expenditure not to exceed \$130,000 for the 2022/23 school year.

RECOMMENDATION

Authorize the director of purchasing and material management to proceed with Assessment Technologies Institute, LLC purchase order in a not to exceed amount of \$130,000.

SCHEDULE B

ATI Complete Partnership
Additional Terms and Conditions

This Schedule B ("this Schedule") sets forth terms and conditions of the ATI Complete Partnership entered into by Nursing Program. This Schedule is subject to the terms of the ATI Complete Partnership Agreement between Assessment Technologies Institute, LLC ("ATI") and Mira Costa College ("Nursing Program") with an Effective Date of November 17, 2017 ("Agreement"). **Terms used herein shall have the same meaning as set forth in the Agreement, unless separately defined herein.** In the event of any inconsistency between the terms of the Agreement and this Schedule, this Schedule shall prevail. This Schedule B will become effective when signed by both parties, below ("Effective Date").

1. Products

(a) **The definition of "ATI Products" is updated to also include any computer software programs licensed by ATI.** The following ATI Products are procured by Nursing Program and licensed by ATI for use with Nursing Program cohorts with a curriculum start date between the period beginning December 1, 2020 and ending November 30, 2023 (License Term) **(each such cohort referred to herein as the "Nursing Program Class" and collectively referred to herein as the "Nursing Program Classes"), subject to the terms of the Agreement and this Schedule:**

CARP (Comprehensive Assessment & Review Program)	Nurses Touch Tutorials
CMS Proctored Assessments	Communication Simulation Modules
CMS Online Practice Assessments	Civility Simulation Modules
Clinical Judgement Practice Items	Test Taking Strategies Seminar
Comprehensive Predictor - Proctored & Online Practice Assessments	Learning Strategies Book
Focused Review Modules	Jones & Bartlett Drug Guide
Video Case Studies	Active Stack: Pharmacology Online Flash Cards
NurseLogic	NCLEX Reviews
Learning System	Capstone Content Review
Self-Assessment Inventory	Virtual ATI
Critical Thinking Entrance/Exit Test	BoardVitals
ATI HealthAssess ¹	Comprehensive or Customized Live NCLEX Review ²
EHR Tutor	Nursing Program Resources:
Skills Modules	The following modules of ATI Program Manager by MedHub -
Nursing Fundamentals Interactive Tutorial ¹	Accreditation Management upon ATI's general release³
Dosage Calculations and Safe Medication Administration	Clinical Management upon ATI's general release³
Pharmacology Made Easy	ATI Pulse
Dosage Calculation Proctored Assessments	Four (4) Total Days of Consulting with an ATI Nurse Consultant ⁴
Anatomy and Physiology Assessment Package	ATI Academy Premium Membership
Achieve Tutorial	Educating Nurses Faculty Annual Subscriptions ⁵
Real Life: Clinical Reasoning Scenarios	Nurse Educator Essentials: Online Learning Lab

- 1 Nursing Program will receive access to **ATI HealthAssess and Nursing Fundamentals Interactive Tutorial upon ATI's general release of each such Product.**
- 2 Live NCLEX Reviews require a minimum of 10 Students.
- 3 Nursing Program will receive access to each of the modules within **Accreditation Management as made available by ATI upon ATI's general release of each such module.**
- 4 Consulting will be limited to four (4) days, with topics to be selected from an ATI list of available topics. Two (2) of the four (4) days will be dedicated to implementation and training related to the Accreditation Management module of ATI Program Manager by MedHub. Consulting must be completed within the above noted License Term. No credits or refunds will be provided for Consulting not used within the License Term.
- 5 Nursing Program will receive an annual subscription to Renewal of EducatingNurses.com for the duration of this Agreement, provided that such subscription is **subject to ATI's continued status as a reseller of EducatingNurses.com and further provided that EducatingNurses.com license terms will be between Nursing Program and Educating Nurses LLC.**

Except for ATI's proctored Assessments, which are available during each applicable Nursing Program Class, and Nursing Program Resources listed above, which are available during the License Term, Students will have access to the above ATI Products procured hereunder until the period ending one year after the applicable Nursing Program Class graduation date.

(b) Nursing Program Classes

The Products noted in Section 1(a) above are procured by Nursing Program and licensed by ATI for use with all Students enrolled in Nursing Program Classes, as well as any Nursing Program Class(es) added by ATI Order Form or a written amendment to this Schedule A signed by both parties.

2. Student Enrollment

Under the ATI Complete Partnership Agreement, for the full duration of each of the above Nursing Program Classes, Nursing Program will procure the Products and pay the per Student Fee set forth in Section 7, below, for all Students enrolled in said Nursing Program Classes specified in Section 1 of this Schedule at the following Nursing Program campus(es):

Oceanside, CA

Within one week after the first day of class of each semester, Nursing Program shall provide to ATI via email an electronic roster with the names of all Students enrolled in each Nursing Program Class. Nursing Program shall require that all Students in each Nursing Program Class register online with ATI for use of the

Products and shall provide written notice to ATI of any changes in the Nursing Program Class list, including additions for new or transfer Students and deletions for Student who leave the Nursing Program. Nursing Program will notify ATI in writing within 30 days of any such change to the Student Enrollment.

3. ATIServices

ATI shall provide the following Services to Nursing Program under this Schedule, at no additional charge:

- (a) **Faculty Orientation & Implementation Meeting:** Prior to administering the ATI Products, an ATI consultant will meet with the nursing faculty (in person) to accomplish the following:
- As described more fully below, create a policy for Student and faculty use of ATI Products
 - Explain how to navigate the website and reporting portal
 - Explain how to produce and interpret score reports and data
 - Identify and set an appropriate benchmark for the various Assessments and tutorials
 - Determine the best method of implementing ATI resources, including degree to which stakes are involved for Nursing Program
 - Discuss how to troubleshoot issues

- (b) **Student Orientation Tutorial:** Students are provided access to an ATI orientation tutorial located on their Student website, to assist with the following:
- Explain who ATI is, and what ATI does
 - Explain the benefits of using ATI Products during nursing school as well as for NCLEX preparation
 - Explain how to navigate the Student website and reporting portal

Time spent in the tutorial will be tracked and a certificate of completion available for the Student. **It will also be recorded on the Student's transcript.**

- (c) **ATI Product Alignment to Curriculum:** As set forth in Section 4, below, ATI nurse educators will provide a blueprint for suggested mapping of ATI Products to Nursing Program curriculum.
- (d) **Complete Insights Reviews:** An ATI representative will meet with Nursing Program leadership on a semi-annual basis (or as agreed upon by both parties) to (i) review and interpret student performance data based on ATI Product usage as prepared by ATI, (ii) review ATI Product Alignment and Nursing Program Policies in relation to current Nursing Program and faculty practices, and (iii) collaborate with Nursing Program to develop mutually agreed upon action plans for improvement.

4. Nursing Program Obligations

- (a) Nursing Program will distribute to all students and faculty the Program Policies that the parties developed under Schedule A to the Agreement. Nursing Program will oversee implementation of the Program Policies and ensure that faculty adhere to specified requirements.
- (b) Nursing Program will utilize the ATI Product Alignment developed pursuant to Schedule A of the Agreement and provide the same to faculty for implementation.
- (c) Students must make every effort to attend all days of the ATI Live NCLEX Review. Students will also be enrolled in the Virtual-ATI Online NCLEX Review ("**Virtual-ATI**") for a 12-week access. Virtual-ATI includes a virtual "classroom" and a Virtual-ATI personal coach who will provide students with online practice Assessments, individualized remediation, and resources to help prepare for NCLEX. A "Green Light" may be awarded by the Virtual-ATI coach once a graduate has demonstrated readiness to test for NCLEX. At the end of the 12-week access, Nursing Program may purchase an additional 12 weeks of Virtual-ATI for a reactivation fee. Additional requirements regarding use of Virtual-ATI are set forth in the "Virtual-ATI Terms" found on the ATI website under "Integration Resources". **By signing this Agreement, Nursing Program indicates that it has read and understands the Virtual-ATI Terms.**
- (d) Nursing Program leadership will meet with ATI on a semi-annual basis, through meetings at Nursing Program facilities or by teleconference, to (i) review and interpret ATI Product usage and student performance data prepared by ATI, (ii) review ATI Product Alignment and Nursing Program Policies in relation to current Nursing Program and faculty practices, and (iii) collaborate with ATI on strategies for improvement. Based on agreed upon strategies, Nursing Program will implement appropriate measures designed to increase usage of ATI Products, improve student performance, and **carry out Nursing Program's Policies and the ATI Product Alignment.**
- (e) Nursing Program will require that Students successfully adhere to Nursing Program policies regarding student performance.
- (f) Nursing Program agrees that any data analytics Services performed by ATI hereunder are intended for the internal business use of Nursing Program only and that such Services and any resulting reports, data, or methodologies used by ATI will not be disclosed by Nursing Program to any third party, unless compelled by law, in accordance with Section 6 of the Agreement.
- (g) Students must take the NCLEX exam within ninety (90) days of graduating from Nursing Program. For any Student who passes the NCLEX, Nursing Program must provide ATI with written notice and a copy of the official NCLEX results indicating the Student's passage of the NCLEX exam. Such notice must be received by ATI within one hundred and eighty (180) days of the Student's Nursing Program Class graduation date. ATI shall not accept any notice or documentation from any Student in connection with this section; all documentation and notice must be provided to ATI directly by Nursing Program.
- (h) Nursing Program understands that ATI Products and Services are not to be used as a substitute for professional medical judgment. ATI does not assume, and hereby expressly disclaims, any responsibility for, or warranty regarding, Nursing Program's ability to satisfy or meet any accreditation requirements. NURSING PROGRAM IS SOLELY AND EXCLUSIVELY RESPONSIBLE FOR MONITORING AND VERIFYING ITS INPUT TO THE ATI PRODUCTS AND SERVICES (INCLUDING WITHOUT LIMITATION NURSING PROGRAM DATA) AND FOR DETERMINING THE ACCURACY, COMPLETENESS OR APPROPRIATENESS OF ANY FINANCIAL, CLINICAL OR MEDICAL INFORMATION OR OTHER OUTPUT PROVIDED BY ATI PRODUCTS AND SERVICES. ATI shall be entitled to rely on the accuracy, truthfulness and completeness of all

Nursing Program input into ATI Products and Services (including Nursing Program Data), and Nursing Program hereby releases ATI from any claims arising out of such improper reliance on Products or Services. ATI DOES NOT WARRANT THE PRODUCTS AND SERVICES PROCURED **HEREIN WILL MEET NURSING PROGRAM'S SPECIFIC REQUIREMENTS, NOR SHALL ATI BE LIABLE FOR UNAUTHORIZED ALTERATION, THEFT, OR DESTRUCTION OF NURSING PROGRAM DATA, FILES OR PROGRAMS.**

- (i) Personal or academic information regarding Students and information about Nursing Program submitted to ATI or any ATI System by Nursing Program or **Nursing Program administrators, faculty or staff** ("Nursing Program Staff") or **Students** ("Nursing Program Data") is **confidential information of Nursing Program collectively, "Nursing Program Confidential Information"** and shall be **protected and safeguarded** by ATI pursuant to the terms of the Agreement. ATI and its licensors may compile and use statistical, diagnostic, technical or general usage information related to its Systems, and may in some cases make such information publicly available, provided that such information is aggregated, de-identified, and/or made anonymous and does not identify Nursing Program Confidential Information, personally identifiable Nursing Program Data or include **Nursing Program's name**. ATI retains all intellectual property rights in such aggregated and de-identified information.
- (j) Nursing Program permits ATI to use, publish, profit from and otherwise exploit any suggestion, enhancement request, customization request, recommendation or idea for improving or otherwise modifying any **of ATI's Products or Services ("Feedback") that Nursing Program or any Authorized Users** provide to ATI, without compensating or crediting Nursing Program or any Authorized User
- (k) Nursing Program shall comply with all applicable laws, including without limitation laws governing the protection of personally identifiable information and other laws applicable to the protection of Nursing Program Data.
- (l) Nursing Program shall not alter, reproduce or copy ATI Products in any way, and shall at all times assure that all copyright and other proprietary notices on ATI Products remain intact, unaltered and prominent. Nursing Program shall never claim or suggest that any ATI Product is other than the intellectual property of ATI or its affiliates.
- (m) Nursing Program shall not utilize or permit to be utilized any ATI Products for whom the applicable fee has not been paid to ATI.
- (n) In connection with any ATI presented workshop, presentation, and ATI Live NCLEX Review, Nursing Program agrees to provide a classroom or presentation space that is ADA compliant, suitable for the expected number of participants, with adjustable lighting, writing surfaces for participant note-taking, and **providing an unobstructed view of the ATI instructor and the instructor's presentation at no charge to ATI. The classroom/presentation space will be made available from 8:00am – 5:00pm (Course time: 9:00 am – 4:00 pm)**
- (o) Nursing Program agrees to provide audio visual equipment for an ATI Live NCLEX Review and any ATI presented workshop or presentation as follows:
 - A computer enabled with Microsoft Office Power Point (2007 or later), projection connectivity and high speed Internet Access
 - Overhead projector
 - Large projection screen
 - Podium with light and stool
 - Microphone/cordless microphone
 - Registration table for participant check-in, managed by Nursing Program

This equipment will be in working order and made available to the ATI instructor at the beginning of the time agreed upon herein. If the instructor encounters technical problems or complications, Nursing Program agrees to provide technical assistance as necessary. This equipment and any applicable assistance shall be provided to ATI and its instructor at no charge.

- a. Provide a site coordinator within the Nursing Program to assist ATI with site logistics, and resolve any issues with the classroom as soon as reasonably possible. Nursing Program agrees to provide at least fourteen (14) days prior notice of any cancellation of any scheduled ATI presentation or workshop.
 - b. Nursing Program agrees to allow ATI to fill any open seats in the ATI Live NCLEX Review classroom with students from other **institutions, where "open seats"** is defined as the difference between the number of seats in the class room and the number of participants identified.
 - c. Nursing Program agrees that, if any specifically designated ATI instructor/presenter is unable to instruct/present on the designated day (for example, due to sickness or travel difficulties), ATI will replace such instructor/presenter with another instructor/presenter to ensure the delivery of Services.
 - d. Unless separately agreed in writing otherwise by ATI and Nursing Program, ATI will be responsible for all travel and living expenses associated with travel by its instructors/consultants.
- (p) **Nursing Program will follow ATI's proctor guidelines and requirements in the administration of ATI Assessments and will use** reasonable methods to prevent cheating and unauthorized copying or distribution of ATI Assessments, including maintaining and enforcing a strict policy that prohibits and sanctions any form of cheating, distribution or use of unauthorized copies of Assessments, or other test misconduct.

5. ATI Program Manager by MedHub.

If Nursing Program has licensed use of ATI Program Manager by MedHub:

- (a) Nursing Program acknowledges and agrees that no network security system can guarantee complete network security or prevent all unauthorized network access. Nursing Program will be responsible for maintaining access to the ATI Program Manager by MedHub server, which will include tracking log-in accounts and ensuring that adequate security precautions are in place to protect username and password information for such accounts. ATI shall not be liable for any unauthorized use of ATI Program Manager by MedHub, any use of ATI Program Manager by MedHub not in accordance with this Agreement, or any loss of data or functionality caused directly or indirectly by any Authorized Users.
- (b) Prior to adding any Student records or data to ATI Program Manager by MedHub, Nursing Program will ensure that it has secured all necessary permissions from each such Student, including permission to send such records or data to third party clinical sites. Such student records may include immunization records

if elected by Nursing Program. Given that all of a Student's immunization data generally appears in one record, Nursing Program understands and agrees, and will ensure each applicable Student understands and agrees, that clinical sites will receive a Student's entire immunization record, which may include immunization data that exceeds the applicable clinical site's specific requirements. Nursing Program assumes sole responsibility for collection and uploading of personal data of Students maintained in ATI Program Manager by MedHub and understands that ATI has no liability or obligation in connection with Nursing School's upload or transfer of such personal data to various third parties, as enabled by ATI Program Manager by MedHub. While Program Manager by MedHub includes functionality that allows Nursing Program to indicate whether a student has met applicable background checks and drug testing, it is strictly prohibited for Nursing Program to add reports or data which include the actual results or record of any background check or drug testing. Nursing Program is solely responsible for selecting third parties to whom Student data will be delivered and for establishing access levels with respect to Student data.

(c) While ATI Program by MedHub may offer references to certain accreditation standards and professional guidelines as well as sample documents such as a sample letter of good standing, Nursing Program understands that ATI is not offering or providing any form of legal or other professional advice and it is the sole obligation of Nursing Program to secure appropriate legal and professional guidance to ensure that its program meets all reporting, regulatory, legal, accreditation and other standards and that all documents are in order and meet Nursing Program's specific needs. Nothing in ATI Program Manager by MedHub should be deemed to replace decision making by Nursing Program or Nursing Program's ongoing obligation to oversee program compliance. Use of ATI Program Manager by MedHub does not guarantee that any accreditation, standards or any specific outcomes will be met for Nursing Program.

(d) To the extent Nursing Program utilizes features in ATI Program Manager by MedHub to upload contracts for purposes of managing clinical sites, Nursing Program understand and agrees that this is solely intended for Nursing Program's tracking of pertinent data, such as start and end data. ATI Program Manager by MedHub is not intended for use in any way connected to contract negotiation, drafting, processing of signatures, or invoicing and ATI offers no legal advice with respect to any of the foregoing.

(q) ATI does not review, verify, error check, or warrant the accuracy or fitness of any content or letters generated by or uploaded into ATI Program Manager by MedHub, nor does ATI warrant that the workflow process or system will be error-free, meet Nursing Program's requirements or comply with any applicable law, regulation or accreditation requirement. Certain modules provide output files regarding professional licensure status from various state and federal agencies. Nursing Program agrees that ATI does not verify, error check or warrant the accuracy or fitness of the output files or any information contained therein. Output files are intended for internal business purposes only and not for distribution outside Nursing Program.

(r) Nursing Program will ensure that only authorized Nursing Program Staff have access to and use of ATI Program Manager by MedHub and will remain responsible for (i) Nursing Program Staff's use of ATI Program Manager by MedHub; (ii) any use of ATI Program Manager by MedHub through Nursing Program's account, whether authorized or unauthorized, including without limitation, sharing of passwords (prohibited by ATI) or any other conduct that would violate the requirements of this Agreement applicable to Nursing Program; and (iii) the actions of Nursing Program Staff designated by Nursing Program to serve as technical administrator of ATI Program Manager by MedHub. ATI shall not be liable for any loss of data or functionality caused directly or indirectly by any Nursing Program Staff.

6. Consulting Services

In connection with any curriculum consulting Services provided to Nursing Program hereunder, Nursing Program shall:

- (a) Collaboratively develop a written schedule for such consulting Services with ATI representative;
- (b) Collaborate directly with ATI consultants regarding delivery of Services;
- (c) Provide meeting space with computer, data projector and internet access and schedule meeting times(s) with faculty as appropriate;
- (d) Ensure that all appropriate administrators, faculty, and students are available and present at all applicable meetings;
- (e) Provide requested materials and task completion as requested by ATI for successfully progressing through the project phases; and
- (f) Provide documents requested by ATI of the Nursing Program at least 2 weeks prior to the scheduled date of the initiation of consulting Services in order to avoid delays and rescheduling. ATI is not responsible for delays caused by the Nursing Program's failure to provide the required material.

Nursing Program represents and agrees that:

- (a) Nursing Program has received all necessary State Board of Nursing and State Department of Education approvals for its nursing program and remains in compliance with applicable regulations and standards;
- (b) Nursing Program is solely responsible for ensuring that the curriculum and related materials meet all applicable regulations, rules, guidelines, and other accreditation, government, agency, and licensing requirements; ATI assumes no responsibility for any aspect of Nursing Program's licensure, credentialing, or accreditation.
- (c) Nursing Program has a designated dean or director providing leadership over the nursing program;
- (d) Nursing Program has developed and maintains policies sufficient to support its nursing program;
- (e) Nursing Program has defined faculty responsibilities and expectations for its nursing program;
- (f) **Nursing Program understands that the following circumstances may impact the overall effectiveness and outcomes of ATI's consulting Services:**
 - Faculty workload, attrition, and experience
 - Faculty preparedness, willingness to adopt practices, and engagement
 - Timeliness in communication with ATI
 - Necessary resources to facilitate meetings
- (g) **Following completion of ATI's consulting Services**, ATI will provide to Nursing Program the following deliverables: a written summary report summarizing Services provided by ATI, and a copy of all documents developed by ATI during consulting visits.

7. Fees and Payment Schedule

(a) For the Products and Services noted above, Nursing Program shall pay to ATI \$2,450 per RN Student ("Fee"), to be invoiced and paid in accordance with this Section 7. All invoices are due and payable in accordance with the Agreement. Use of the Products and Services by Nursing Program at any campus beyond those specified in Section 2, above, will require a separate Schedule and payment of separate fees to ATI, as agreed in writing by the parties.

(b) Per Term Payments: On or before ten (10) days after the applicable term's add/drop period, Nursing Program will provide ATI with a Student enrollment count for the applicable Nursing Program Class. ATI will provide an ATI Order based on the actual Student enrollment and a per Student fee for each term as follows:

(Rev11.19)

Nursing Program Classes	First Term	Second Term	Third Term	Fourth Term	Total Fee
Starting with 1222	\$612.50	\$612.50	\$612.50	\$612.50	\$2,450.00

ATI will invoice the Nursing Program for the actual Student count within two (2) days after receiving the Student enrollment count, and purchase order if a purchase order is required, provided that, Nursing Program's failure to provide a purchase order within the time period specified herein shall not delay Nursing Program's payment of all applicable invoices in accordance with the terms of the Agreement.

For all Nursing Program payments due in January, the parties agree that ATI will invoice Nursing Program in the immediately preceding December based on ATI's projection of Nursing Program's Student enrollment count, as determined by past enrollments, and, after receiving the actual Student enrollment count in January, ATI will adjust Nursing Program's balance to account for any necessary additional invoiced amounts or credits due to Nursing Program.

(c) The Fee for any Student transferring into a Nursing Program Class after commencement of said Class shall be prorated based on the number of terms/semesters of the Nursing Program Class, but in no event shall said Fee be less than one thousand dollars (\$1,000) for any such transferring Student.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

Assessment Technologies Institute, LLC,
by its authorized representative:

Mike Lynch
(Signature) 6F2CEF37C7674E6...

Mike Lynch
(Print Name)

Executive Vice President
(Title)

6/16/2020 | 2:40 PM CDT
(Date)

Mira Costa College,
by its authorized representative:

Sandra Ann Comstock
(Signature) 2E55A0FBEFF3461...

Sandra Ann Comstock
(Print Name)

Associate Dean
(Title)

6/16/2020 | 9:56 AM PDT
(Date)

AMENDMENT TO ATI COMPLETE PARTNERSHIP AGREEMENT

This Amendment (the "Amendment") is entered into by and between Assessment Technologies Institute, LLC ("ATI") and Mira Costa College ("Nursing Program") to amend the ATI Complete Partnership Agreement between ATI and Nursing Program dated November 17, 2017, and the Schedule B dated June 16, 2020 (the "Agreement").

WHEREAS, ATI and Nursing Program desire to amend the original terms of the Agreement in accordance with the following Amendment:

NOW, THEREFORE, in consideration of the premises, the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Nursing Program and ATI have been operating, in good faith, under the terms of the Agreement as of the Effective Date, however, Nursing Program desires to replace the name of the signatory on the Agreement to the authorized signatory named below. Accordingly, the Agreement is hereby ratified and deemed effective, as of the Effective Date, and, for purposes of this Agreement, the undersigned shall be deemed the signatory of the Agreement on behalf of Nursing Program, as of the Effective Date.
2. The amendments set forth herein are limited precisely as written and shall not be deemed to be a consent or waiver of any other terms or condition of the Agreement as now amended. Except as expressly amended herein, all terms contained in the Agreement shall remain in full force and effect.
3. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument. Copies of this Amendment, including any copy with a facsimile signature, shall have the same force and effect as the original.

IN WITNESS WHEREOF, this Amendment shall become effective when signed by both parties below ("Effective Date").

For Assessment Technologies Institute, LLC:

DocuSigned by:

BF2CEF37C7674E6...

 (Signature of Authorized Representative)

Mike Lynch

 (Print Name)

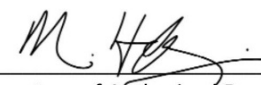
Executive Vice President

 (Title)

3/24/2021 | 3:33 PM CDT

 (Date)

Mira Costa College:



 (Signature of Authorized Representative)

Mina Hernandez



 (Print Name)

Director, Purchasing & Material Management

 (Title)

March 23, 2021

 (Date)

<p>Subject:</p> <p>Adopt Resolution No. 3-22/23, Establish the District Appropriations (Gann) Limit for Fiscal Year 2022/23</p>	<p>Attachment:</p> <p>1. Resolution No. 3-22/23, Establish the District Appropriations (Gann) Limit for Fiscal Year 2022/23 2. Gann Limit Worksheet Fiscal Year 2022/23</p>
<p>Category:</p> <p>Consent Items</p>	<p>Type of Board Consideration:</p> <p>Information <input checked="" type="checkbox"/> Consent Action</p>
<p>Recommended:</p> <p></p> <hr/> <p>Tim Flood Assistant Superintendent/Vice President, Administrative Services</p>	<p>Approved for Consideration:</p> <p></p> <hr/> <p>Sunita V. Cooke, Ph.D. Superintendent/President</p>

BACKGROUND

Pursuant to Article XIII-B of the Constitution and Government Code (GC) section 7900, community college districts are required to compute an annual appropriations limit, commonly referred to as the Gann Limit. The Gann limit is the maximum amount of revenue the district can generate from secured and unsecured property tax, state subventions, trailer fees, general apportionments, and interest on tax proceeds as prescribed under the Gann limit legislation. The appropriations subject to limit are the amounts of revenue the district expects to receive during the next fiscal year for the categories of revenues listed above. The Gann Limit is calculated by multiplying the prior-year limit by (1) the statewide factor for per capita personal income change and (2) the district’s percentage change in FTES from the prior year to the current year. The Gann limit computation is completed to ensure the district will not generate more revenue than is allowable under the Gann regulations.

Beginning in 2021/22 and each fiscal year thereafter, if any Community College District’s (CCD) Gann Limit exceeds its revenue from taxes (both local revenues and applicable state funding), then the CCD must decrease its limit to equal its proceeds of taxes, which increases the state’s Gann Limit by an equal dollar amount. Additionally, law requires a retroactive decrease of local appropriations limit for CCDs whose limit exceeded their proceeds of taxes. If a CCD should find itself over its Gann Limit for any reason, the CCD is required to increase its Gann Limit to an amount equal to its proceeds of taxes, which reduces the state’s Gann Limit by an equal dollar amount (see GC § 7902.1).

GC section 7908(c) requires each community college district to report annually to the Chancellor of the California Community Colleges its appropriations limit, appropriations subject to limit, the amount of state aid apportionments and subventions included within the proceeds of taxes of the district, and amounts excluded from the appropriations subject to limit. This information is to be reported on the Annual Financial and Budget Report, CCFS-311 Gann Appropriations Limit form.

STATUS

The district's FY2022/23 appropriations Gann limit is computed at \$118,769,477, which is lower than the expected revenue. The FY2022/23 Gann appropriations subject to limit is computed to be \$137,640,849. The district must request the State of California to increase the district's calculated limit by \$18,871,372 pursuant to Government Code 7910(a)

RECOMMENDATION

Adopt Resolution No. 3-22/23, to increase the district appropriations (Gann) limit for the fiscal year 2022/23, as detailed above in accordance with Government Code sections 7902-7910.

MIRACOSTA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 3-22/23

**ESTABLISH THE DISTRICT APPROPRIATIONS (GANN) LIMIT FOR FISCAL YEAR 2022/23
AS REQUIRED BY SENATE BILL 1352, CHAPTER 1205 OF 1980**

WHEREAS, on Nov. 6, 1979, the People of California passed Proposition 4, a constitutional amendment requiring appropriations limits for state and local government units; and

WHEREAS, Senate Bill 1352, Chapter 1205 of 1980, implements Proposition 4, and requires the Board of Trustees to establish by resolution an appropriations limit each fiscal year beginning with 1981/82; and

WHEREAS, the documentation used in determining the appropriations limit for fiscal year 2022/23 be developed in accordance with provisions of Senate Bill 1352; and

WHEREAS, California Government Code Section 7910 provides that the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit and make other necessary determination for the following fiscal year pursuant to Article XIII B at a regularly scheduled meeting or noticed special meeting; and

WHEREAS, the Government Code 7902.1 provides that school districts may increase their Gann Limits under specified circumstances; and

WHEREAS, the documentation used in determining the appropriations limit for fiscal year 2022/23 are made in accord with applicable constitutional and statutory law;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE MIRACOSTA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS: establish a fiscal year 2022/23 appropriations limit of \$137,640,849.

AND, BE IT FURTHER RESOLVED, that the board does provide public notice that the calculation and documentation of the Gann Limit for the 2022/23 fiscal year includes the increase of \$18,871,372 pursuant to the provisions of the Government Code Section 7902.1;

AND, BE IT FURTHER RESOLVED, that this board does hereby declare that the appropriations in the budget for the 2022/23 fiscal year does not exceed the limitations imposed by Proposition 4.

ADOPTED, SIGNED AND APPROVED this 15th day of September 2022.

BOARD OF TRUSTEES OF THE
MIRACOSTA COMMUNITY COLLEGE DISTRICT

By: _____
Anna Pedroza
President, Board of Trustees

Attest:

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

STATE OF CALIFORNIA)
)ss
SAN DIEGO COUNTY)

I, Sunita V. Cooke, Ph.D., do hereby certify that the foregoing is a true and correct copy of Resolution No 3-22/23 which was duly adopted by the Board of Trustees of the MiraCosta Community College District at a meeting thereof held on the 15th day of September 2022, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTIONS: _____

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

**California Community Colleges
Gann Limit Worksheet
Budget Year 2022-23**

DISTRICT: MIRACOSTA
DATE: August 25, 2022

I. Appropriations Limit:			
A.	Appropriations Limit		\$ 125,576,382
B.	Price Factor:	<u>1.0755</u>	
C.	Population factor:		
	1 2020-21	Second Period Actual FTES	<u>9,505.5800</u>
	2 2021-22	Second Period Actual FTES	<u>8,359.6400</u>
		Population Change Factor	<u>0.8794</u>
	(C.2. divided by C.1.)		
D.	Limit adjusted by inflation and population factors		\$ 118,769,477
	(line A multiplied by line B and line C.3.)		
E.	Adjustments to increase limit:		
	1 Transfers in of financial responsibility		
	2 Temporary voter approved increases		
	3 Total adjustments - increase		-
F.	Adjustments to decrease limit:		
	1 Transfers out of financial responsibility		
	2 Temporary voter approved increases		
	3 Total adjustments - decrease		-
G.	Appropriations Limit		\$ 118,769,477
II. Appropriations Subject to Limit			
A.	State Aid ¹		\$ 3,651,163
B.	State Subventions ²		660,000
C.	Local Property taxes		132,818,111
D.	Estimated excess Debt Service taxes		
E.	Estimated Parcel taxes, Square Foot taxes, etc.		
F.	Interest on proceeds of taxes		550,000
G.	Less: Costs for Unreimbursed Mandates ³		38,425
H.	Appropriations Subject to Limit		\$ 137,640,849



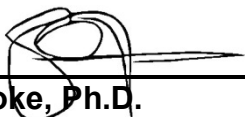
Please contact Jubilee Smallwood, jsmallwood@ccccc.edu, for any instructions regarding the Gann Limit.

¹ Includes Unrestricted General Apportionment, Apprenticeship Allowance, Prop 55 Education Protection Account tax revenue, Full-Time Faculty, Part-Time Faculty Compensation, Part-Time Health Benefits, Part-Time Faculty Office Hours

² Home Owners Property Tax Relief, Timber Yield Tax, etc...

³ Local Appropriations for Unreimbursed State, Court, and Federal Mandates. This may include amounts of district money spent for unreimbursed mandates such as the federally-required Medicare payments and Social Security contributions for hourly, temporary, part-time, and student employees not covered by PERS or STRS.

8/25/2022

Subject: Ratify and Approve Contracts and Purchase Orders	Attachment: Contract and Purchase Order Ratification List
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  </div> Information Consent Action
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 2022 = \$99,100.00), 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 (CUPCAA) 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
July 26, 2022 – August 22, 2022**

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 (CUPCAA) per PCC §220000 et seq.

CUPCAA POs from \$5,000 – \$200,000			
PO #	Vendor	Description	Amount
22002839_PO	Climatec LLC	SAN 500 Occupancy sensors prog (Fac)	\$19,740.00
22003040_PO	ACCO Engineered Systems	Chiller 2 repair (Fac)	\$14,967.00
22002909_PO	Weiland and Associates, Inc.	CLC Quad Sod Replacement (Fac)	\$14,750.00
22002840_PO	Roy E. Whitehead Inc	Door Operator 3600 Building (Fac)	\$9,152.80
22003184_PO	A.Preman Roofing, Inc.	Add Roof Drain at Building 5000 (Fac)	\$5,025.00

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

Emergency Repair Contracts Without Bid			
PO #	Vendor	Description	Amount
	No Entries This Month		

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

POs from \$25,000 – \$99,100			
PO #	Vendor	Description	Amount
22002991_PO	Study Smart Tutors Inc	Contract Services (Stud Svcs)	\$83,900.00
22003026_PO	Mira Mesa Driving School	Contract Services (Comm Ed)	\$80,000.00
22002832_PO	Trace3	Software Maintenance (AIS)	\$77,328.00
22002841_PO	Aztec Landscaping, Inc.	Maintenance Agreement (TCI)	\$75,000.00
22003037_PO	Pride Industries	Maintenance Agreement (Fac)	\$66,096.00
22002958_PO	Jobelephant.Com Inc	Advertising (HR)	\$60,000.00
22003083_PO	Bob McCloskey Insurance	Insurance (Risk)	\$57,500.00
22003027_PO	Dovetail Decision Consultants, Inc	Contract Services (Fac)	\$56,770.00
22002967_PO	Transact Campus Payments Inc.	Software Maintenance (AIS)	\$44,309.68
22002800_PO	Stan McKnight & Associates, Inc.	Contract Services (HR)	\$41,200.00
22003043_PO	Orkin Commercial Services	Maintenance Agreement (Fac)	\$35,891.52
22002796_PO	ePlus Technology, inc.	Equipment (AIS)	\$33,232.75
22002875_PO	Carahsoft Technology Corporation	Software Maintenance (AIS)	\$31,150.17
22002836_PO	West Coast Consulting Group Inc	Consulting (Bus Admin)	\$31,050.00
22002956_PO	Frank McRock	Contract Services (PIO)	\$30,000.00
22003080_PO	James Hayes	Contract Services (Community Ed)	\$30,000.00
22002939_PO	Civitas Learning Inc	Contract Services (Student Services)	\$29,850.00
22003011_PO	Accenture LLP	Contract Services (Admin Svcs)	\$28,595.00
22003008_PO	CoBro Consulting LLC	Contract Services (Student Svcs)	\$28,500.00
22003093_PO	Window Shine Professional Services	Maintenance Agreement (Fac)	\$25,690.00
22002901_PO	Haley Michelle Nelson	Contract Services (PIO)	\$25,000.00
22003113_PO	George Brown College	Contract Services (TCI)	\$25,000.00

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

POs from \$10,000 – \$24,999

PO #	Vendor	Description	Amount
22002947_PO	Jeffery Anderson	Advertising (PIO)	\$21,650.00
22003175_PO	Valsoft Corp	Software Maintenance (Stud Supp)	\$20,300.00
22002922_PO	Franklin Jajuan Garrett	Contract Services (Workforce Dev)	\$20,000.00
22002799_PO	Hudson Printing	Blanket Purchase Order (PIO)	\$19,485.00
22002801_PO	Shaw HR Consulting	Contract Services (HR)	\$15,000.00
22002937_PO	Anne Krueger	Contract Services (PIO)	\$15,000.00
22003062_PO	QLess	Software (Stud Supp)	\$15,000.00
22003154_PO	CulinArt Group	Blanket PO (ASG)	\$15,000.00
22003135_PO	Mn8 Creative, Inc/CollegeAPP	Advertising (PIO)	\$14,749.50
22002806_PO	Hudson Printing	Bulk Mail (Pur)	\$13,000.00
22002894_PO	McKesson Medical-Surgical Government	Blanket Purchase Order (Nurs)	\$12,990.00
22002797_PO	San Diego K9 Security & Protective Svcs	Contract Services (Pol)	\$12,000.00
22002938_PO	Downs Government Affairs, LLC	Contract Services (Pres)	\$12,000.00
22002906_PO	ExamSoft Worldwide Inc	Software Maintenance (Nurs)	\$11,100.00
22002848_PO	Dell Marketing L P	Equipment (Workforce Dev)	\$10,125.31
22002951_PO	Cart Mart Inc	Maintenance Agreement (Fac)	\$10,016.50
22002821_PO	PREMIUM OUTLET PARTNERS	Advertising (PIO)	\$10,000.00
22003007_PO	Foundation for California CC	Contract Services (Guid Path)	\$10,000.00

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

POs from \$5,000 – \$9,999

PO #	Vendor	Description	Amount
22002966_PO	Community College League of California	Membership (Pres)	\$9,650.00
22003089_PO	Stefanie M Maio	Contract Services (Workforce Dev)	\$9,600.00
22002823_PO	HACU	Membership (Pres)	\$9,495.00
22002984_PO	Low Voltage Fire Inc	Services & Supplies (Fac)	\$9,495.00
22002928_PO	Christopher William Bracamonte	Food (Stud Supp)	\$9,252.60
22002965_PO	CDW-G	Maintenance Agreement (AIS)	\$9,072.00
22002865_PO	Medical Shipment LLC	Equipment (Nurs)	\$8,982.63
22003156_PO	CulinArt Group	Blanket PO (Comm Ed)	\$8,660.00
22002907_PO	Tortoro Enterprises, Inc.	Contract Services (Stud Svcs)	\$8,547.97
22003078_PO	Stefanie M Maio	Contract Services (Career Ed)	\$8,000.00
22003120_PO	4imprint	Promotional (EOPS)	\$7,890.28
22002955_PO	SD Street Banners & Decor LLC	Contract Services (Fac)	\$7,860.25
22002877_PO	iXplore Universities LLC	Contract Services (Intern Ed)	\$7,000.00
22002837_PO	American Chemical Society	Library E-Resources (Lib)	\$6,913.00
22003195_PO	ProForce Law Enforcement	Equipment (Pol)	\$6,768.87
22002941_PO	Christopher L. Ryan	Contract Services (Workforce Dev)	\$6,500.00
22003022_PO	Kiddie Academy Childcare Learning Center	Financial Aid Non-Cash (CALworks)	\$6,500.00
22002899_PO	Discover Echo Inc	Contract Services (Workforce Dev)	\$6,235.20
22002867_PO	Accu-Prints	Blanket Purchase Order (Nurs)	\$6,000.00
22002998_PO	Verizon Wireless	Blanket Purchase Order (Adult Ed)	\$5,929.56
22003071_PO	CulinArt Group	Blanket PO (Pres)	\$5,412.50
22003084_PO	Costco Wholesale	Blanket PO (Comm Ed)	\$5,412.50
22002861_PO	Thermo Solutions Services USA, Inc.	Maintenance Agreement (Bio)	\$5,213.26
22002931_PO	Cable, Pipe & Leak Detection Inc	Services (Fac)	\$5,000.00
22003123_PO	Blackhawk Network Inc.	Financial Aid Non-Cash (EOPS)	\$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
	No Entries This Month		

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

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

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

MOUs and Grants			
PO #	Vendor	Description	Amount
	No Entries This Month		

Total Contract Expenditures: \$1,501,504.85
Ratify MCC purchase orders 22002793 through 22003225

**Capital Improvement Program Contract and Purchase Order Ratification List
July 26, 2022 – August 22, 2022**

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 (CUPCAA) per PCC §220000 et seq.

CUPCAA POs from \$5,000 – \$200,000			
PO #	Vendor	Description	Amount
	No Entries This Period		

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

POs from \$25,000			
PO #	Vendor	Description	Amount
22003096_PO	Southland Technology	04203 AV Equipment (OC)	\$92,377.14
22003049_PO	ePlus Technology, Inc.	04203 IT Equipment (OC)	\$75,219.68
22003051_PO	CDW Government Inc	04203 AV Equipment (OC)	\$62,063.30
22003047_PO	CDW Government Inc	04203 IT Equipment (OC)	\$46,524.11

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

POs from \$10,000 – \$24,999			
PO #	Vendor	Description	Amount
22003050_PO	CDW Government Inc	04204 IT Equipment (OC)	\$21,799.64
22003048_PO	ePlus Technology, inc.	04201 IT Equipment (OC)	\$16,277.55
22003127_PO	Parron Hall Office Interiors	04207 Furniture (OC)	\$15,025.92
22003052_PO	Dell Marketing L P	04203 IT Equipment (OC)	\$13,057.73
22003054_PO	CDW Government Inc	04201 IT Equipment (OC)	\$12,417.32
22002953_PO	Parron Hall Office Interiors	04207 Furniture (OC)	\$11,412.01
22003053_PO	CDW Government Inc	04204 IT Equipment (OC)	\$10,899.82

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

POs from \$0 – \$9,999			
PO #	Vendor	Description	Amount
22003187_PO	Parron Hall Office Interiors	04244 Furniture (OC)	\$8,756.34
22003056_PO	ePlus Technology, Inc.	04204 IT Equipment (OC)	\$8,208.60
22002763_PO	Lane Science Equipment Corp.	04103 Furniture (SAN)	\$6,174.58
22003126_PO	Communication Wiring Specialists Inc	04202 IT Equipment (OC)	\$4,295.00
22003057_PO	ePlus Technology, Inc.	04204 IT Equipment (OC)	\$3,509.47
22003186_PO	National Security Works	04004 IT Equipment (CLC)	\$2,880.00
22002952_PO	Mobile Mini	04108 Temporary Facilities (SAN)	\$2,600.00
22003185_PO	Konica Minolta Business Solutions	03722 Maintenance Agreement (OC)	\$2,000.00
22003055_PO	ePlus Technology, Inc.	04004 IT Equipment (CLC)	\$1,599.94
22003067_PO	Elite Relocation Services	04004 Moving Services (CLC)	\$722.00
22002752_PO	GST Inc	04004 Equipment (CLC)	\$659.43
22003169_PO	CDW Government Inc	04102 IT Equipment (SAN)	\$627.22
22002794_PO	Elite Relocation Services	04004 Relocation (CLC)	\$572.00
22002756_PO	CDW Government Inc	04109 Media Equipment/IT Supplies (SAN)	\$248.82

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
	No Entries This Period		

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
20000593_PO	Balfour Beatty Construction LLC	04204 Change Order 11 (OCN)	\$132,868.50
20000594_PO	Balfour Beatty Construction LLC	04208 Change Order 15 (OCN)	(\$59,611.00)

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

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

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

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

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

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

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

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

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

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

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

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

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

MM-19-013 – Inspector of Record Task Orders			
PO #	Vendor	Description	Amount
	No Entries This Period		




MM-19-013 – Inspector of Record Task Change Orders			
PO #	Vendor	Description	Amount
	No Entries This Period		

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

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

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

Total Contract Expenditures: \$493,185.12			
Ratify purchase orders — 22002572, 22002756, 22002763, 22002794, 22002952-22002953, 22003047-22003057, 22003067, 22003096, 22003126-22003127, 22003169, 22003185-22003187			
Ratify purchase orders (Task Orders) — N/A			
Ratify purchase orders (Contracts) — N/A			

Subject: Public Hearing: 4:00 p.m. – FY2022/23 Final Budget	Attachment: None
Category: Action Items	Type of Board Consideration:  Information Consent Action
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



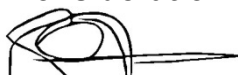
In accordance with the provisions of Education Code §58301, the governing board of each district shall hold a public hearing on the proposed budget for the ensuing fiscal year. The hearing may be concluded on the proposed budget when there are no requests for further hearing on file. The budget shall not be finally adopted by the governing board until after the public hearing has been held.

STATUS

Notification of dates and locations at which the proposed budget may be inspected by the public and the date, time, and location of the public hearing has been published in accordance with the applicable Education Code sections. The public hearing on the FY2022/23 final budget will commence no earlier than 4:00 p.m. and as close to 4:00 p.m. as the business of the board permits.

RECOMMENDATION

For information only.

Subject: Adopt Fiscal Year 2022/23 Final Budget	Attachment: FY2022/23 Final Budget
Category: Action Items	Type of Board Consideration: Information Consent  Action
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND




A final budget workshop was conducted for the Board of Trustees on September 8, 2022.

STATUS

On this date, a public hearing concerning the proposed final budget is included on the board agenda. After that hearing, the board will be asked to adopt the FY2022/23 final budget. Although the term “final budget” is used, during the course of the fiscal year, transfers are made among various accounts. Additional revenues and transfers between funds and between the major object categories require board approval; transfers within the same fund and within the same major object categories do not require board approval. Major object categories are academic salaries, classified salaries, employee benefits, supplies and other small tangibles, contracts and other intangibles, facilities and equipment, and transfers. The FY2022/23 final budget is available online at:
<https://hub.miracosta.edu/boarddocs/09152022/FY23FinalBudget.pdf>

RECOMMENDATION

Adopt the FY2022/23 final budget, as presented.

Subject: Authorize Vice President, Administrative Services to Approve Guaranteed Maximum Price (GMP) and Execute Change Order to the Design Build Contract for Oceanside Library Building Renovation Project Memorializing Same	Attachment: None
Category: Action Items	Type of Board Consideration: Information Consent Action 
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

On November 19, 2020, the board approved the award of a Design-Build Contract for Collaboration Phase Services and Design Through Agency Approval and Final Guaranteed Maximum Price Phase Services (“Contract”) for the Oceanside Library Building Renovation project (“Project”) to Level 10 Construction, Inc. and Architects Mosher Drew (“DBE”). Via this same board agenda item, the board directed district staff to bring the final proposed Guaranteed Maximum Price (“GMP”) for the construction phase of the project back to the board for approval when district staff has received same from the DBE.

On March 14, 2019, the board approved Item No. VII.G. entitled “Approve Authorization for the Vice President for Administrative Services to Execute Change Orders and Contract Amendments for Measure MM Bond Program and Other District Facilities Contracts based on recommendations from District Staff and outside legal counsel, John P. Dacey, Esq. of Bergman Dacey Goldsmith, PLC”. The board action was based on the authority provided to the district by the legislature pursuant to, without limitation, Education Code sections 81655 and 81656. The district has operated without incident since then.

Since then, district staff and the Program Management Office (“PMO”) have recognized a need to efficiently manage the highly competitive and escalating construction bidding market by securing and expediting the approval of the GMP for the construction phase of the Project. During the upcoming months, the PMO and district staff are to receive and review the DBE’s proposed GMP for the Project’s construction phase. As the board’s meeting schedule does not timely coincide with the PMO and district staff’s receipt of the DBE’s proposed GMP, before construction bidding conditions fluctuate, staff recommends that the board delegate its authority to the vice president, administrative services to approve and execute a change order to the Project Contract to memorialize the GMP for the project’s construction phase, as long as the GMP amount does not bring the project’s total contract value above the established project budget of \$32,480,013.

STATUS

As applicable to construction contracts and professional service agreements, Education Code sections 81655 and 81656, both acknowledge a governing board's discretion to delegate its authority for the entering into of professional and construction contracts, and the authorization of change orders thereunder, provided that: (i) The delegation of authority "... shall prescribe the limits of the delegation as to time, money, and subject matter; (ii) All transactions entered into by the officer or employee shall be reviewed and ratified by the governing board every 60 days; and (iii) In the event of malfeasance in office, the community college district officer or employee invested by the governing board with the power to contract shall be personally liable for any and all moneys of the district paid out as a result of the malfeasance." Further, the officer or employee of a district can only be delegated that authority which the board would have under applicable law. (Education Code sections 81655, 81656, 70902 (a) (1) and (d), and applicable case law).¹


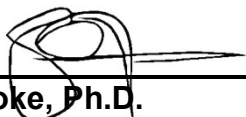
The delegation of authority being requested is only to the extent of the project's board approved 'Projected Budget' unless the board subsequently approves an increase.

RECOMMENDATION

Given the foregoing, district staff, the PMO, and outside legal counsel, Cauvel & Dacey, P.C., all recommend that the board approve the following:

- 1) Authorize the vice president, administrative services to approve and execute a change order to DBE's Contract to memorialize the GMP for construction phase services for the Oceanside Library Building Renovation project as long as the amount of the GMP does not bring the total Contract value above the established Project budget of \$32,480,013; and
- 2) Direct district staff that this change order be brought before the board for ratification within sixty (60) days of the vice president, administrative services approving and executing the change order to the Project Contract.

¹ The Guide to Bidding and Contracting for School Districts and Community College Districts originally produced by the San Diego County Counsel's Office are in accord (pages 97 thru 98 thereof).

Subject: Approve Emeritus Status for Full-Time Faculty Member	Attachment: None
Category: Action Items	Type of Board Consideration: Information Consent  Action
	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Each year, the superintendent/president presents to the Academic Senate the names of retiring faculty who meet the qualifications for emeritus status.


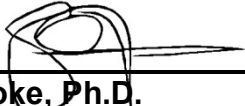
STATUS

At the Academic Senate meeting on September 2, 2022, the following full-time faculty retiree was recommended for emeritus status:

Leslie Nemour

RECOMMENDATION

Approve emeritus status for full-time retiree as stated.

Subject: Board Policy 3410 – Nondiscrimination	Attachment: Board Policy 3410 – Nondiscrimination
Category: Board Policies – Second Reading	Type of Board Consideration: Information Consent  Action
	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

Revisions to Board Policy 3410 – Nondiscrimination have been approved by College Council, and the policy is now presented for a second reading and adoption by the board of trustees.

Administrative Procedure 3410 is included for reference only.

RECOMMENDATION

Adopt Board Policy 3410 – Nondiscrimination.

The district is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The district, and each individual who represents the district, shall provide access to its services, classes, and programs without regard to ~~national origin, immigration status, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, physical or mental disability, or veteran status, age, ancestry, color, physical or mental disability, pregnancy, gender, gender identity, gender expression, marital status, medical condition, genetic information, national origin, parental status, race or ethnicity, religion, sexual orientation, military or veteran status,~~ or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. In addition to the aforementioned legally protected characteristics, the district also has an interest in nondiscrimination based on additional factors such as accent, citizenship status, economic status, and ethnic group identification even though students or employees could not make a legal claim of discrimination based on these factors.

The superintendent/president shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No district funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the district or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of ~~national origin, immigration status, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, physical or mental disability, or veteran status, age, ancestry, color, physical or mental disability, pregnancy, gender, gender identity, gender expression, marital status, medical condition, genetic information, national origin, parental status, race or ethnicity, religion, sexual orientation, military or veteran status,~~ or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

~~Also see AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, BP/AP 3433 Prohibition of Sexual Harassment Under Title IX, AP 3434 Responding to Harassment Based on Sex Under Title IX, AP 3435 Discrimination and Harassment Complaints and Investigations, BP/AP 3450 Sexual and Other Assaults on Campus, and BP/AP 7100 Commitment to Diversity in Hiring. See Administrative Procedure 3410.~~

Adoption History: 4/7/09, 5/20/15, ~~xx/xx/xx~~
Reference Update: 11/14, 1/15, 2/17, 4/18
References: Education Code §§66250 et seq., 72010 et seq., 87100 et seq.
~~Title 5 §§53000 et seq., 59300 et seq.~~
Penal Code §422.55
Government Code §§12926.1, 12940 et seq.
Title 2 §§10500 et seq.
~~Title 5 §§53000 et seq., 59300 et seq.~~
Labor Code Section 1197.5
ACCJC Accreditation Eligibility Requirement 20
ACCJC Accreditation Standard Catalog Requirements
CCLC Update: #29, 10/16; #32, 4/18; #37, 10/20
Steering: S/P / N/A

Education Programs

The district shall provide access to its services, classes and programs without regard to, national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, physical or mental disability, accent, citizenship status, ethnic group identification, economic status, or veteran status, or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender expression. "Gender expression" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. The district shall not prohibit any student from enrolling in any class or course on the basis of gender.

Academic employees, including but not limited to counselors, instructors and administrators shall not offer program guidance to students that differs on the basis of gender.

Insofar as practicable, the district shall offer opportunities for participation in athletics equally to male and female students.

Employment

The district shall provide equal employment opportunities to all applicants and employees regardless of race or ethnicity, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, immigration status, or military and veteran status.

MiraCosta Community College District

Effective Date:	4/7/09, 7/21/22
Periodic Review:	3/19/16
Reference Update:	11/14
References:	Education Code §§200 et seq., 66250 et seq., 72010 et seq., 87100 et seq. Government Code §§11135, 12926.1, 12940 et seq. Labor Code § 1197.5 Penal Code §§422.55 et seq. Title 5, §§53000 et seq., 59300 et seq. Title 2 §§10500 et seq. Accrediting Commission for Community and Junior Colleges (ACCJC) Accreditation Eligibility Requirement 20 ACCJC Standard Catalog Requirements
CCLC Update:	#29, 10/16; #32, 4/18; #37, 10/20
Steering:	S/P / N/A

The MiraCosta Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. The district is committed to a continuing good faith effort to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity and are not subjected to discrimination in any program or activity of the district on the basis of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, physical or mental disability, accent, citizenship status, ethnic group identification, economic status, or veteran status, or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. The district will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the district provides an inclusive educational and employment environment.

Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity Plan (see Appendix I.D) will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria, as well as be responsive to the district's needs.

The district shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on any the basis of their race or ethnicity, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, immigration status, or military and veteran status.

Also see:

BP 3410 Nondiscrimination

BP/AP 3420 Equal Employment Opportunity

BP/AP 3430 Prohibition of Harassment


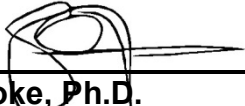
BP/AP 3433 Prohibition of Sexual Harassment Under Title IX

AP 3434 Responding to Harassment Based on Sex Under Title IX

AP 3435 Discrimination and Harassment Complaints and Investigations

BP/AP 3450 Sexual and Other Assaults on Campus

BP/AP 7100 Commitment to Diversity in Hiring

Subject: Board Policy 6300 – Fiscal Management	Attachment: Board Policy 6300 – Fiscal Management
Category: Board Policies – First Reading	Type of Board Consideration:  Information Consent Action
	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

Revisions to Board Policy 6300 – Fiscal Management have been approved by College Council, and the policy is now presented for a first reading by the board of trustees.

Administrative Procedure 6300 is included for reference only.

RECOMMENDATION

For information only.

The superintendent/president shall establish procedures to assure that the district's fiscal management is in accordance with the principles contained in Title 5, [section 58311](#), including:

- A. Adequate internal controls exist.
- B. Fiscal objectives, procedures, and constraints [are communicated](#) to the Board of Trustees and employees.
- C. Adjustments to the budget [are made](#) in a timely manner, when necessary.
- D. The management information system provides timely, accurate, and reliable fiscal information.
- E. Responsibility and accountability for fiscal management [are clearly delineated](#).

The superintendent/president shall also establish procedures that satisfy the U.S. Education Department General Administration Regulations (EDGAR) Second Edition for any federal funds received by the district.

The books and records of the district [shall be maintained](#) pursuant to the California Community Colleges Budget and Accounting Manual.

The books, records and internal controls of the district shall be compliant with Generally Accepted Government Auditing Standards and/or Generally Accepted Accounting Principles, as applicable.

As required by law, the Board of Trustees [shall be presented](#) with a quarterly report showing the financial and budgetary conditions of the district.

As required by the California Community Colleges Budget and Accounting Manual, expenditures [shall be recognized](#) in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

[The district shall maintain a minimum reserve for economic uncertainties equal to two \(2\) months of total unrestricted general fund operating expenditures \(17%\).](#) See Administrative Procedure 6305, Reserves.

MiraCosta Community College District

Page 1 of 1

Adoption History:	2/17/09, 10/19/10, 1/19/17
Periodic Review:	10/26/16
Reference Update:	11/14
References:	Education Code §84040(c) Title 5, §58311 ACCICA accreditation Standard III.D 2 Code of Federal Regulations Parts 200.302(b)(6)-(7), 200.305, and 200.400 et seq.
Steering:	VPBAS / N/A
CCLC Update:	#29, 10/16

Fiscal management shall conform to the following standards:

1. Provide for responsible stewardship of available resources.
2. Provide for safeguarding and managing district assets to ensure ongoing effective operations; maintenance of adequate cash reserves; implementation and maintenance of effective internal controls; determination of sources of revenues prior to making short-term and long-term commitments; establishment of a plan for the repair and replacement of equipment and facilities.
3. Provide for an organizational structure that incorporates a clear delineation of fiscal responsibilities and staff accountability.
4. Provide that appropriate administrators keep the board current on the fiscal condition of the district as an integral part of policy and decision-making.
5. Provide for development and communication of fiscal policies, objectives, and constraints to the board, staff, and students.
6. Provide for an adequate management information system that gives timely, accurate, and reliable fiscal information for planning, decision-making, and budgetary control.
7. Provide for appropriate fiscal policies and procedures and adequate controls to ensure established fiscal objectives are met.
8. Provide a process to evaluate significant changes in the fiscal environment and make necessary, timely, financial, and educational adjustments.
9. Provide both short-term and long-term goals and objectives, and broad-based input coordinated with district educational planning.
10. Practice effective oversight of finances, including management of financial aid, grants, externally funded programs, contractual relationships, auxiliary organizations, and institutional investments and assets.

MiraCosta Community College District

Effective Date: 2/2/10, 10/19/10, 9/16/16, 12/1/16, 7/19/18
 Reference Update: 11/14
 References: Education Code §84040(c)
 Title 5, §58311
 ACCJC Accreditation Standard III.D.9
 2 Code of Federal Regulations Parts 200.302(b)(6)-(7), 200.305, and 200.400 et seq.
 CCLC Update: #25, 11/14; #29, 10/16
 Steering: VPAS

11. Additional authorizations are required on major purchases at these levels of approval:
 - a. Up to \$15,000.00: one administrator authorization
 - b. Greater than \$15,000.00: two administrator authorizations, where the final approver is the division vice president. If the first approver is the president, then the second approver is the vice president administrative services.
 - c. Change orders to existing purchase orders that increase the amount to greater than \$15,000, require a final division vice president approval.
12. Provide financial information to ensure all financial resources are used with integrity in a manner consistent with the mission and goals of the institution.

The books, records, and internal controls of the district shall be compliant with Generally Accepted Government Auditing Standards and/or Generally Accepted Accounting Principles, as applicable.

Federal Grant Funds

Allowable Costs

Prior to obligating or spending any federal grant funds, the superintendent/president or designee shall determine whether a proposed purchase is an allowable expenditure of federal funds in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award. They shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The superintendent/president or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California Community Colleges Budget and Accounting Manual.

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than ninety (90) days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.343)

Procurement

The superintendent/president or designee shall comply with the standards specified in 2 CFR 200.317-200.326 and Appendix II of Part 200 when procuring goods and services needed to carry out a federal grant, as well as any more restrictive state laws and district policies concerning the procurement of goods and services.

As appropriate to encourage greater economy and efficiency, the superintendent/ president or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property.

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed \$3,500 threshold specified in 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code sections 20650 and 20651, the superintendent/president or designee shall obtain price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)
3. Contracts for goods or services over the bid limits required by Public Contract Code sections 20650 and 20651 shall be awarded pursuant to California law and BP 6330–Purchasing and Contracts, unless exempt from bidding under the law.
4. If a purchase is exempt from bidding and the district’s solicitation is by a request for proposals, the award may be made by a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered.
(2 CFR 200.320)
5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district’s request, and/or competition is determined inadequate after solicitation of a number of sources.
(2 CFR 200.320)
6. Time-and-materials-type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials-type contract means a contract whose cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (2 CFR 200.328)

For any purchase of \$25,000 or more, the superintendent/president or designee shall verify any vendor that is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.213)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured, and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand that must be met by

offers. In addition, every solicitation shall identify all requirements that the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The superintendent/president or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The superintendent/president or designee shall ensure all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200—Contract Provisions for Nonfederal Entity Contracts Under Federal Awards. (2 CFR 200.326)

Capital Expenditures

The superintendent/president or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

Conflict of Interest

No member of the board of trustees, district employee, or district representative shall participate in the selection, award, or administration of a contract supported by federal funds if they have a real or apparent conflict of interest, such as when they or a member of their immediate family, their partner, or an organization, which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BP/AP 2710—Conflict of Interest and AP 2712—Conflict of Interest Code.

Cash Management

The superintendent/president or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project. Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account. The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The superintendent/president or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

Personnel

All district employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.333, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.333)

Audits

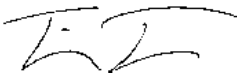
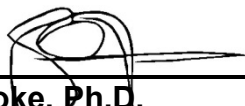
Whenever the district expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The superintendent/president or designee shall ensure the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within thirty (30) days after receipt of the auditor's report or within nine (9) months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event the audit identifies any deficiency, the superintendent/president or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511).

- Procedures for determining allowable costs in accordance with EDGAR Second Edition Subpart E Cost Principles.
- Procedures to implement the requirements of 2 Code of Federal Regulations Part 200.305 governing payments.

Subject: Municipal Storm Water Management Plan Annual Implementation Update	Attachment: MCCD 2021-22 Municipal Storm Water Management Plan Annual Progress Report
Category: Information Items	Type of Board Consideration: Information Consent Action
Recommended:  _____ Tim Flood Vice President, Administrative Services	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

In 2006, the board adopted a Storm Water Management Plan (SWMP) for the district. The SWMP identifies the best management practices (BMPs) that are being implemented throughout the district to prevent pollution storm water runoff. The Municipal Storm Water Management Plan Annual Progress Report is prepared by the San Diego County Office of Education’s Municipal Storm Water Group.

STATUS

The annual report shows that district staff continued to show substantial compliance in implementing the board’s 2006 SWMP and are continuing work to protect California’s storm water from pollution.”

RECOMMENDATION

For Information only.

**MIRA COSTA COMMUNITY COLLEGE DISTRICT
2021-2022 Municipal Storm Water Management Plan
Annual Progress Report**



	Task	School Year(s)*	BMP Implementation Detail
A. Program Management Element			
✔	1. Take Board action to voluntarily adopt SWMP.	2006-11	Complete
✔	2. Take Board Action to amend District Policy to facilitate effective enforcement of storm water requirements.	2010-11	Complete
B. Public Education and Outreach Program			
🔄	1. Discuss storm water issues with custodial and maintenance staff.	Biennial; 2006- Present	<p>Custodial and maintenance staff receive training every two years, which includes basic training on the storm water system, effects of pollution, and pertinent updates on storm water regulations, the implementation of the District Energy and Sustainability Policy (BP 3260) and related Administrative Procedures.</p> <p>2014-Present: Monthly storm water messages provided by the FACJPA are shared with custodial, facilities, grounds, maintenance, transportation, and utility staff members via email, and they are required to respond with an acknowledgement that they have read it.</p> <p>2018-present: An online training program has been implemented for the District and includes storm water training modules.</p>
🔄	2. Provide for student participation in educational programs.	Annual; 2006- Present	Students continue to participate in classes covering pollution and human impacts on the natural environment, such as: Introduction to Sustainable Horticulture (HORT 110); Soil Science, Physical Geology, and Oceanography. Weekly electronic newsletters are also delivered to students and staff and contain environmental messages often related to storm water quality in the "Conservation Corner."
🔄	3. Distribute educational materials to school sites.	Annual; 2011- Present	<p>Calendars were distributed to school sites, and posted/handed out as applicable in prior years.</p> <p>2014-2016: A storm water opportunities poster is distributed to school sites for posting</p> <p>2014-Present: Applicable monthly messages provided by the FACJPA are distributed and posted where visible to students, staff, and faculty as appropriate.</p>
✔	4. Gather information regarding the different ways students are already being educated about storm water runoff and pollution.	2012-13	Students learn about storm water runoff and pollution as part of a recycling program, and classes covering pollution and human impacts on the natural environment, such as: Introduction to Sustainable Horticulture (HORT 110); Soil Science, Physical Geology, and Oceanography.

Note: BMP = Best Management Practice ✔ = Task complete 🔄 = Task ongoing ✖ = Task outstanding or planned

* Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.



Task		School Year(s)*	BMP Implementation Detail
✓	5. Add storm water language to small contract forms and applications for use of school facilities.	2012-13	Complete
C. Public Involvement and Participation Program			
🔄	1. Notify and provide for student and staff participation in storm water related activities in the watershed.	Annual; 2009-Present	Provide for student and staff participation in Earth Day, Arbor Day, and Lagoon Conservancy activities, as well as environment-related student clubs, and trips to the urban orchard; notify students and staff of opportunities to participate in watershed activities. A storm water opportunities poster including numerous storm water related events and activities is provided by the FACJPA annually and distributed to sites to encourage student and staff involvement in the watershed. Additionally, students and staff continue to participate in Earth Day, Arbor Day, and Lagoon Conservancy activities, as well as environment-related student clubs, and trips to the urban orchard.
✓	2. Place copy of Storm Water Management Plan on District website.	2012-13	Complete
✓	3. Gather information to determine how students and staff are involved in watershed activities and document.	2013-14	Students and staff continue to participate in Earth Day, Arbor Day, and Lagoon Conservancy activities, as well as environment-related student clubs, and trips to the urban orchard. Additionally, a Sustainability Advisory Committee has been created, and meets monthly to coordinate District efforts, including rainwater catchment system, retention basin, and bio swale installations. This committee includes representatives from student government, and sign-in sheets are kept to track attendance.
D. Illicit Discharge Detection and Elimination (IDDE) Program			
✓	1. Prepare outfall maps	2009-11	Outfall maps were prepared, showing where drainage leaves each site, labels were added at inlets in high foot traffic areas, and District staff was trained on the control of non-storm water runoff and proper disposal of chemicals and wash water.
✓	2. Identify and prohibit activities that could result in an illicit discharge.	2009-10	Student car wash activities were disallowed.

Note: BMP = Best Management Practice ✓ = Task complete 🔄 = Task ongoing ✖ = Task outstanding or planned





* Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.




Task		School Year(s)*	BMP Implementation Detail
	3. Provide and document annual training for District staff and document using sign-in sheets.	Biennial; 2011- Present	District staff receive formal training every two years, which includes basic training on the storm water system, effects of pollution, and pertinent updates on storm water regulations. This also includes implementation of the District Energy and Sustainability Policy and related Administrative Procedures, which include water use topics. 2014-Present; Monthly storm water messages provided by the FACJPA are shared with pertinent staff members. An automatic tracking program is used to document training activities.
	4. Install or refresh inlet labels, where needed.	As- Needed; 2013- Present	Labels are refreshed as-needed, and on a recurring work order system. Additional labels are placed in high traffic areas where applicable.
	5. Revise outfall maps to show storm drain inlets and permanent BMP locations.	2014-15	Complete
	6. Check for illicit discharges at each site, possibly as part of FIT observations.	Annual; 2013- Present	The District has incorporated IDDE screening into their existing inspection program, and is utilizing the supplemental inspection tool provided by the FACJPA.
E. Construction Site Runoff Control Program			
	1. Utilize contract language requiring compliance with CGP at large construction sites (1 acre or greater).	As- Needed; 2009- Present	The District has verified that storm water language is in their architect and construction templates, and when large projects have been underway, the SWPPP is enforced. Construction projects are currently underway in numerous stages through a capital improvement bond, including three major projects at the Oceanside campus (Health and Wellness Hub which is a gym, kinesiology and allied health/nursing, student services and the administration building renovation). Storm water treatment features are being constructed as part of the overall project plans.
	2. Provide and document annual training for District staff regarding use of BMPs at both large and small (less than 1 acre) construction sites and document.	Annual; 2006- Present	Staff are trained annually on BMPs for small maintenance or landscaping projects. Staff also attend weekly construction meetings throughout the life of the active San Elijo project, which include construction BMP implementation training.

Note: BMP = Best Management Practice = Task complete = Task ongoing = Task outstanding or planned
 * Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.



Task		School Year(s)*	BMP Implementation Detail
	3. Monitor construction activities at small sites and install BMPs where needed to prevent storm water pollution.	As-Needed; 2011-Present	BMPs are deployed as appropriate to activities for small maintenance and landscaping projects, and inspections are conducted weekly. Currently, the field at the Oceanside campus is under construction.
F. Pollution Prevention/ Good Housekeeping for Operations Program			
	1. Identify and take steps to eliminate pollutant sources that may relate to District landscaping, grounds-keeping, custodial, material storage, and transportation activities.	Annual; 2006-Present	The District continues to implement an IPM program, minimize fertilizer use; collect litter, and use green custodial products. Materials stored outdoors have been evaluated for exposure to storm water. Staff has been trained regarding BMPs that should be used to prevent storm water pollution. In 2016, irrigation runoff was eliminated throughout the District facilities with the implementation of a new system that utilizes a central weather station and MP rotators to reduce watering durations and frequencies. The District has been very pleased with the effectiveness of this new system and plans to continue using it.
	2. Continue to minimize and take steps to assure that materials stored outside are not exposed to storm water.	Annual; 2011-Present	Significant materials at the District Maintenance Facility have been placed into shipping containers, beneath a permanent roof, or indoors. Drip pans have been placed under equipment, and items that pose a threat to storm water quality have been covered. The District is also in the process of installing a permanent structure or canopy to house maintenance materials and equipment, and an enclosed waste storage area including a trash compactor has been included in the District's master plan. The cleaning area in the Maintenance Yard is discharged to the sanitary sewer via an interceptor.
	3. Continue to provide and document annual training for District staff and document using sign-in sheets.	Annual; 2011-Present	Custodial and maintenance staff receive training every two years, which includes basic training on the storm water system, effects of pollution, and pertinent updates on storm water regulations. This also includes implementation of the District Energy and Sustainability Policy and related Administrative Procedures. Staff applying pesticides receive specialized training annually, and onsite food vendors are required to attend a training session annually. 2014-2016: Monthly storm water messages provided by the FACJPA are shared with pertinent staff members.

Note: BMP = Best Management Practice ✓ = Task complete  = Task ongoing ✗ = Task outstanding or planned

* Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.




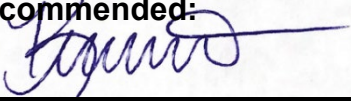
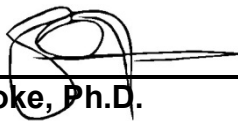
Task		School Year(s)*	BMP Implementation Detail
	4. Inspect facilities, including catch basins and permanent BMPs. Clean where needed to maintain effectiveness in trapping debris and sediment.	Annual; 2011-Present	The District has incorporated storm drain and BMP inspection and maintenance into their existing inspection program, and is utilizing a work order system to track cleaning activities. In 2014, one inlet was improved structurally to reduce erosion from the surrounding area. In 2015, an extra effort was made to maintain brow ditches; removing overgrown vegetation and accumulated sediment and debris. Straw wattles and other BMPs were also applied where needed to prevent pollutant transport and are replaced annually. New bioswales were also installed on campus to provide storm water retention and treatment.
	5. Identify special activities where there is the potential for storm water pollution. Take steps to prevent storm water pollution.	Annual; 2011-Present	Cafeterias, an auto shop, and a horticultural facility have been identified as a potential pollutant source. To prevent pollutant discharge, all food waste is bagged prior to placement in dumpsters, dumpster areas are covered, grease bins are covered and contained, and grease interceptors are serviced annually to prevent backups. The District also commissioned a sewer pipe televising project to identify areas where maintenance is needed. Automotive fluids are stored appropriately within contained and covered areas, spill kits are available, and automotive parts are kept under cover. The auto shop recently had an overhead cover built over its work areas. Horticultural wastes are managed appropriately, and any chemicals are stored appropriately within covered and/or contained areas.
G. Post Construction Storm Water Management Program			
	1. Identify and inspect existing post-construction BMPs. Provide maintenance as necessary to maintain BMP effectiveness.	Annual; 2010-Present	The District has installed the following post-construction BMPs: a retention basin and in-ground sand filter (San Elijo campus), and detention basins and sediment traps (Oceanside campus). A detention basin is planned for the San Elijo campus. All post-construction BMPs are inspected annually, and cleaned out/maintained as needed as part of regular facility maintenance procedures in October, and during and after storms.
	2. Include County post-construction BMPs on both major and minor and improvement projects where possible.	As-Needed; 2011-Present	No improvement projects are currently in progress. The following resources are consulted when considering improvement projects: - City of Oceanside: www.ci.oceanside.ca.us/gov/water/clean/default.asp - County of San Diego (for new construction or renovation) See Chapter 4 – Guidance for Selection of Permanent BMPs in the San Diego County Standard Urban Storm Water Mitigation Plan for Land Development and Public Improvement Projects: www.sdcountry.ca.gov/dpw/watersheds/susmp/susmp.html - San Diego County Low Impact Development Handbook: www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf

Note: BMP = Best Management Practice = Task complete = Task ongoing = Task outstanding or planned
 * Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.



Task	School Year(s)*	BMP Implementation Detail
H. Effectiveness Assessment		
✓	1. Develop plan to track short- and long-term progress.	2015-16
		A work order system has been established, and a storm water-specific tag is used to track efforts. A recurring workorder has been set to occur every October, to ensure rainy season preparedness using the FACJPA pre-rain checklist.
✓	2. Evaluate the effectiveness of the District's existing storm water management program. Determine steps the District can take to further mitigate impacts on storm water quality.	2014-17
		The District has evaluated the effectiveness of its storm water management program efforts on its main campus, and has identified an area where a biogarden will be installed to eliminate a flooding issue, and thus reduce pollutant transport. Additionally, roof downspouts have been identified and redirected to landscaping where possible. Additionally, mulch was applied to a large area at the San Elijo campus, which effectively eliminated an erosion issue.
✓	3. Identify how existing control measures and or activities can be modified to improve the effectiveness of the District storm water management program.	2015-17
		The District has created a Master Plan, which includes installing additional bioswales on campus, enclosing waste storage areas, reducing water use, and other projects to improve storm water quality.

Note: BMP = Best Management Practice ✓ = Task complete ⚙ = Task ongoing ✖ = Task outstanding or planned
 * Due to the shelter-in-place directives provided by local public health officials in response to the COVID-19 Emergency, many program components were postponed or modified during the 2020-21 school year. Where possible, activities such as training and education were moved to virtual platforms.

Subject: Instructional Services Division Report	Attachment: None
Category: Information	Type of Board Consideration:  Information Consent Action
Recommended:  <hr/> Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

School of Arts, International Languages, and Ethnic Studies

- **Return of the Arts:** It has been exciting to see on-campus instruction draw back greater numbers of students. The production and publication of our new [Arts Calendar](#) for this semester is a further sign of the greater return to normal operations.
- **Ethnic Studies:** The recent hire of a fulltime faculty in Ethnic Studies and the formal establishment of a department are very significant developments. Work is now underway to pursue immediate projects that are most pressing and are viable within this year’s curriculum deadlines. A constituent workgroup is also being reconvened to help inform future developments and to provide dialogue and input on key considerations and key developments.
- **Awards:** The board may likely have already heard the great news about this year’s [Downbeat Magazine](#) competition awards, with the MiraCosta Oceanside Jazz Orchestra being named the national community college winner for large jazz ensembles, and student Adam White being given an Outstanding Performance award as a jazz soloist. In addition to these, and the Kennedy Center American College Theatre Festival awards announced in March, we’ve also learned that Music Technology student, Beau McLeod, was just awarded a \$10,000 scholarship from the Music Forward Foundation – which is a music industry foundation connected to Live Nation and House of Blues. In further happy news, MiraCosta College art students, Olivia Prior, Adriana Rossarolla, and Julia Martinez were just presented Merit Awards for Achievement as part of an annual competition. Thanks and appreciation are due to associate faculty colleagues, Kristina Nugent and Diane Adams, who have been instrumental in fostering opportunities for students via the San Dieguito Art Guild’s annual events.
- **International Education:** The MiraCosta College Study Abroad trip has returned! The trip to Florence, Italy, was well-attended and has been very impactful to students. The trip leaders will work with the dean and the wider international education advisory committee to evaluate the challenges and successes, and results of the pre and post student surveys, and of student learning outcomes assessments. Planning is now underway for a new study abroad program, this time to Costa Rica for summer 2023.

School of Mathematics and Science

- **Biomanufacturing Baccalaureate:** In August 2022, the national publication *INSIGHT Into Diversity* named our bachelor's degree program as a recipient of the "2022 Inspiring Programs in STEM" award and featured the program in the publication with a picture of one of our students. The award application identified the four graduating cohorts that have produced 91 bachelor's degrees with program completion and employment both at 93 percent. There are no identified equity gaps in access or success since its inception.
- **Bioscience Workforce Development Hub:** The Hub was created through seed funding from the CCCCO, and the team of Keau Wong and Terri Quenzer have been engaging at both regional and statewide levels. The team has applied for external funding and, to date, they have received \$4.2M in awards. The awards vary from one year to five years with a focus on work-based learning opportunities for students in the biosciences. The most recent award from the California Institute for Regenerative Medicine for \$2.9M is the first funded grant that we were eligible to apply by virtue of being a baccalaureate-granting institution. Additional awardees from CIRM include top institutions within the CSU and UC systems in addition to our sister program in Northern California, Solano College.
- **Social Work and Human Services (Sean Davis and Taylor Tirona):** MiraCosta joined a consortium of colleges in the region to participate in the Regional Equity and Recovery Partnership through the San Diego Workforce Partnership. The grant will strengthen social work pipelines through strategic, collaborative, and innovative efforts focused on targeted outreach, recruitment, and retention. MiraCosta will have access to textbook reimbursement, tuition support, childcare stipends, and embedded counselors for our social work students. This is a three-year initiative.
- **California Medicine Scholars Program:** MiraCosta joined a Region X consortium to expand pathways to medical school. The program, representing \$1.87M in funding from the Foundation for California Community Colleges, has an explicit focus on recruiting community college students historically underrepresented as physicians. Supportive pathways will be developed to four-year institutions and into medical school. The consortium applied for the grant in the spring, received notification in the summer, and will begin work this fall. The grant will run for three years.

School of Career Education

- Leveraging regional and local **Strong Workforce marketing efforts**, we piloted a direct student contact service that led to over 100 students enrolling in summer and fall 2022 courses. The student contact service would receive and return phone calls and emails from prospective students who interacted with a MiraCosta College career education digital advertisement. Students commented that the service was instrumental in their enrollment in the college and made them feel cared for. The pilot continues through June 2023, and results from the pilot will be used to inform improvements to our marketing, recruitment, and enrollment assistance processes.
- Faculty in the business and communications departments collaborated on a Strong Workforce pilot project called **Open Doors** in which MiraCosta worked with Nordson Corporation to expand diversity, equity, and inclusion workplace practices while providing students with valuable work-based learning experiences. During the first half of the semester, business and communication student interns learned about digital advocacy and honed their social media/marketing skills. Students interviewed with and were selected by leadership from two employer resource groups at Nordson, one for women and one for Black employees. The work culminated in two equity workshops

tailored to meet the needs of the employee groups. The expanded second cohort of students will begin working with small women-owned businesses this fall.

- We have adopted a **credit for prior learning implementation** framework that will guide our expansion of prior learning assessment across a growing list of disciplines. Bringing together instructional faculty, counselors, student services professionals, and administrators, we are designing new assessment methods and student-centered processes to ensure students are recognized for the rich experience and knowledge they bring with them to MiraCosta. Awarding students academic credit for their prior learning will promote more equitable student success and program completion.
- The Perkins Plan Advisory Committee and Strong Workforce Advisory Group recommended a **new Career Education Advisory Board Handbook** to assist instructional programs in developing and improving engagement with their industry and employer advisory boards. Additionally, in collaboration with the San Diego and Imperial Counties Regional Consortium, we hired a new **Regional Employer Relations Liaison** for MiraCosta who will assist in broadening and deepening our relationships with local employers for career education program development and to increase work-based learning and career opportunities for students. In April, we hosted our first in-person Job and Internship Fair in over two years. With heavy marketing, we hosted 45 employers who met with 322 students. Employer survey results showed 19 respondents hired students as a result of these efforts.
- The Business Department launched its **supply chain management** program this semester with 20 students in the first cohort of the program. Another cohort will start in spring 2023 with the current cohort continuing in spring.
- The Nursing Department will be adding a **second certified nursing assistant cohort** in summer 2023. That will double the number of students who may pursue a CNA career each summer.
- The Nursing Department will be bringing back the **full time licensed vocational nursing** program in summer 2023. That will result will be students earning their LVN degree and license in half the time as the current 2.5 years part time towards starting their career or pursue an RN degree.

The Learning Centers

- **Writing Center (WC):** In fall 2021, 1,008 students used our drop-in/Zoom appointments. In spring 2022, 930 students accessed our drop-in/Zoom appointments. Further, in spring 2022, 1,600 students used our in-person drop-ins when we returned to the Oceanside Campus. Based on the fall 2021 and spring 2022 numbers, students have the need to access the WC both online and in person.
- **Tutoring and Academic Support Center (TASC):** TASC has planned and organized twenty-three embedded tutoring sections across nine disciplines for the fall 2022 semester. The Transitions Scholars Program, in partnership with the Student Equity Department, hosted a new student orientation for over thirty incoming scholars. We currently have over 65 students enrolled in Transitions Scholars.
- **STEM Learning Centers (STEMLC):** STEMLC is the new merged center combining the STEM Center and the Math Learning Center. The STEMLC has a new logo that joins both areas into one, and this merge should reduce frustration for students, staff, and faculty looking for assistance in any of the supported courses. The STEM Coordinator position rotated from Dr. Raymond Clark (Biology) to Dr. Tina Johnson (Chemistry) in August 2022. From fall 2020 to spring 2022, the *STEMLC is up over 25 percent in unduplicated students and in total interactions*. This is very good news after the large drops brought on by the pandemic. Student data indicates high demand for

the online services during late evening and weekend hours. With more on-campus courses in fall 2022, the STEMLC is also expanding on-campus support at all sites.

Library

The MiraCosta librarians and library staff continue to work diligently to provide instruction and services to our students in person and online. All three campus libraries are open, and early indications are that the number of students utilizing in-person services in the library buildings has significantly increased over spring 2022.

- The library is in the midst of the ninth consecutive semester of loaning laptops and mobile hotspots to students. Through generous grants from the MiraCosta College Foundation and the San Diego Family Foundation, the library contracted with T-Mobile to **provide 500 students with high-speed internet** in support of online learning each semester.
- The library recently deployed a set of **smart lockers** at the Oceanside Campus. These lockers provide 24/7 access to students who need to pick up items outside campus service hours. Students have been picking up loaner laptops and mobile hotspots from the lockers since August 15. The lockers are also available for other departments that need to leave items for student pick up, including emergency groceries, lab kits, and automotive tools. At the CLC, a **media vending machine** was installed in the student lounge. This machine gives students the ability to check out DVDs and audio books outside of the library's service hours.
- In recognition of **Latinx Heritage Month**, the Library Department has curated an on-ground and online exhibit honoring the profound impact Sylvia Mendez had on ending school segregation in California. Entitled "This is What Courage Looks Like," this exhibit highlights the efforts of the Mendez family (in their landmark case *Mendez vs. Westminster*) to successfully end *de jure* segregation in California and eventually set the stage for *Brown vs. Board of Education*. The exhibit can be viewed now through September 30, 2022, at the Oceanside Campus, on the second floor of Building 1200, and [online](#).

Community Education and Workforce Development (CEWD)

- Community Education and Workforce Development (CEWD) successfully launched its first annual **AugustFest** at the San Elijo Campus on Saturday, August 27, with participation from over 300 community members and MiraCosta College employees. The purpose of the event was to increase awareness of the many programs, classes, and workshops offered by our department. Given the strong turnout, we expect that this event will contribute positively to our overall enrollment in the coming months.
- The John Landes Recreation Center contract with the City of Oceanside came to end in June. Our hope is to perform a remodeling of a section of TCI to accommodate BrewTech and welding and to reinstate those programs in mid-2023.
- MiraCosta TCI **BrewTech** students submitted beer samples to the 2022 National Collegiate Beer Tasting Championship, and they came in second place this year! Our submissions received two gold medals, one silver, and a one bronze.

Continuing Education (Noncredit) / CLC

- The **Welcome Fest** at the Community Learning Center (CLC) on Saturday, August 20, was a tremendous hit! In all, we had over 400 attendees. Many of those attending were members of the community who have never taken classes with us. We were able to

register approximately twenty new students that day and make connections with many more who expressed interest in becoming part of the MiraCosta community in the future.

- The CLC is the busiest it has been since the start of the pandemic! We have 55 class sections being offered on site, and several more at other locations in our district area. Students are taking advantage of the spaces we created for them as a result of our recent renovations, such as the student lounge, the lobby area of the CLC, the learning commons, study rooms, and more.
- Our first cohort in the **Affordable Housing Management** certificate program just started, and demand has been high. We will continue to build on this certificate by connecting students upon completion to the real estate certificate available through CEWD.

San Elijo Campus

- On August 6, **Welcome Fest** came to the San Elijo campus. The event welcomed students and their families to learn more about MiraCosta College and all that it has to offer. In addition to campus tours, assistance from student services, academic and student support services information (and swag!), games, music, and food, students had the opportunity to connect with Academic Career Pathways faculty and classified professionals to help students identify career paths.
- San Elijo hosted **the Convivencia Para La Educación** event, which promoted higher educational opportunities within the Cardiff area and at MiraCosta College. The event, coordinated by Latinas Unidas por la Educación (L.U.P.E.), included music, foods, information tables, opportunity drawings, and inspirational and informational presentations by MiraCosta College's very own María Figueroa and Gaby Beas Love.
- The San Elijo Campus hosted the **Student Equity Department** for a two-day retreat. The retreat was designed to gear up the department for the 2022/23 academic year and beyond.
- San Elijo Campus hosted the fall 2022 Letters Department retreat. Full-time and associate faculty participated in the all-day event, which included a morning vibe session, course and enrollment discussions, Writing Center, Communities of Practice, the English 100 Course Outline of Record, and pedagogical discussions.
- On August 16, the MiraCosta College Foundation Board held its retreat at the San Elijo campus and that evening, faculty orientation focused on the re-opening of the San Elijo campus, which gave an overview of construction updates, services provided, and a campus tour.

Guided Pathways

Guided Pathways implementation efforts continue to take priority for the institution. We are making progress with implementing high-touch supports during onboarding and first-year in college phases through the ACP Success Team efforts. We are also focusing on structural transformations in and outside the classroom.

- This fall, our **ACP Success Teams are providing intentional support to about 1,300** first-time-in-college Latinx, Black/ African American, Adult Learners students. To increase our capacity, we have hired and onboarded dedicated staff. Each of our ACP success teams now has a dedicated campus aide to provide case management services. Over the summer, these staff members received cross training in our academic counseling office to better connect students with education planning services. The Counseling Department has hired full-time counselors for the three largest ACPs. We have also hired an additional 14 peer mentors that will be assigned to the ACP teams to foster a strong peer-to-peer connection and continue to grow these learning communities.

- ACP success teams continued to improve onboarding of new students. This summer, we hosted the **New Student Seminar program, which served about 100 first-time-to-college students** from our disproportionately impacted populations (Latinx, Black/African American, Adult Learners). Students worked with a career counselor to do a deep dive into career exploration, make better informed decisions about their major and which pathway was best for them, meet with an academic counselor, connect to campus resources, and build community amongst their peers, setting them up for success in their first year at MiraCosta. ACP success teams also actively participated in Welcome Fests at all three campuses promoting programs within pathways. Students interacted with ACP support staff and faculty from a variety of disciplines. Campus tours highlighted academic spaces connected to each ACP to provide students with a closer look at our dynamic learning environments.
- In June 2022, we implemented a **“Light the Fire” Institute**, a two-day summer retreat for faculty professional development, based on ideas presented at the statewide California Guided Pathways Institute in April 2022. Full time and associate faculty (35 total) came together to listen to student voices, to reflect on the student perspectives, to hold conversations with each other, and to redesign what we do in the classroom and with our curriculum. The four areas covered in the retreat were: 1) the liquid syllabus 2) student sense of belonging 3) transferrable work skills through a "skill-abus" 4) un-grading philosophies and practices.
- In spring 2022, MiraCosta College acquired and started implementing TargetX, a Customer Relationship Management (CRM) technology platform and a business process framework for coordinated and intentional outreach and support for students during their onboarding, pathway participation, applied learning and co-curricular activities, as they work towards transfer or employment readiness. This fall, we are working on business process mapping and requirements gathering for the outreach and new student recruitment, which is expected for release in January. Case management processes through ACP Success Teams are the next priority for the implementation. With the onboarding of the project manager, the allocation of dedicated developer time, and the onboarding of the CRM Business Systems Analyst, who will start September 19, MiraCosta College will have staffing capacity to support the implementation of the platform across the institution.

Dual Enrollment

This fall, approximately **372 dual enrollment course enrollments** across the courses are offered at our three feeder districts. Most of these enrollments are with our Oceanside Unified School District (OUSD) partners, where we are offering nine courses (online and on-ground) in General Education and Career Pathways. Using Strong Workforce Program funding, we are embedding tutoring services and career and academic counseling services at the high schools to ensure equitable access and success for students in this district. Moving forward, we are contracting with Career Ladders Project (CLP) to create additional CCAP agreements and develop additional academic and career pathways from our local high schools.

Honors Program

- The MiraCosta Honors Program implemented a new **Summer Passport** program to encourage Honors student engagement during the summer months.
- Students experienced a wide range of experiences offered weekly, including Honors coursework, enrichment activities, and special workshops provided by the MiraCosta Career Center.

- Big Highlight: 16 students experienced a campus visit to San Diego State University in June. In addition to the campus tour, the students also met in-person with a transfer counselor, and an Honors administrator presented on the prestigious SDSU Weber Honors College.
- Our Summer Passport finished with the in-person 'Honors Summit' retreat that was attended by nearly 50 students in August.
- The Honors faculty coordinator co-hosted with the Fullerton Honors coordinator, the first ever **Honors Transfer Council of California retreat** on August 10. The Honors Transfer Council of California (HTCC) is a state-wide organization that promotes community college honors education, research, and transfer.
- MiraCosta will virtually host the HTCC for its kick-off meeting in early September.