



MIRACOSTA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

REGULAR MEETING
4 P.M. – THURSDAY – JANUARY 18, 2024
BOARDROOM – OCEANSIDE CAMPUS
1 BARNARD DRIVE – OCEANSIDE, CA

AGENDA

I. CALL TO ORDER AND REPORT OUT FROM CLOSED SESSION

II. FLAG SALUTE / ROLL CALL

III. APPROVE MEETING MINUTES

- A. Special Meeting/Closed Session of December 14, 2023
- B. Organizational Meeting of December 14, 2023

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

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

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

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

V. CHANGES IN AGENDA ORDER

VI. PRESENTATIONS

- A. Foundation Update
- B. FY2023 Annual District and Measure MM Audit Presentation
- C. Equal Employment Opportunity (EEO) Plan Update

VII. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions
- B. Approve Employment Contract for Interim Dean of Counseling and Student Development
- C. Ratify Memorandum of Understanding 24-01 between the MiraCosta Community College District and Faculty Assembly
- D. Ratify Memorandum of Understanding 24-02 between the MiraCosta Community College District and the Faculty Assembly – TREC
- E. Approve Contract with Bay Area Bioscience Education Community
- F. Approve Sabbatical Leave Recommendations for FY 2024/25
- G. Approve Purchase for Furniture, Fixtures and Equipment for OCN Reno Building 1200 Library
- H. Ratify and Approve Contracts and Purchase Orders

VIII. ACTION ITEMS

- A. Approve the MiraCosta Community College District Initial Proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024
- B. Ratify MiraCosta Community College District Classified Confidential Employee Manual
- C. Approve Equal Employment Opportunity Plan
- D. Adopt Resolution No. 9-23/24: Authorize Extension of AC Martin Partners, Inc. Agreement

IX. SECOND READ – BOARD POLICIES (Action Required)

- A. Board Policy 7390 – Telework- deferred until February
- B. Board Policy 7600 – College Police Department

X. INFORMATION

- A. Public Hearing – 4:30 p.m. MiraCosta Community College District Initial Proposal to the MiraCosta Community College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024
- B. Report Update of Emergency Declaration and Emergency Actions for Oceanside Main Power Outages
- C. Annual District and Bond Measure MM Audit Services for FY2023/24
- D. Sunshine the MiraCosta College Academic Associate Faculty CCA/CTA/NEA Initial Proposal to the MiraCosta Community College District for the Contract to Commence July 1, 2024

XI. COLLEGE-RELATED REPORTS

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

- 2. Student Services
- 3. Administrative Services
- 4. Human Resources
- F. Office of the President
- G. Superintendent/President

XII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

XIII. ADJOURNMENT

UPCOMING MEETING

**4 p.m. – February 15, 2024
Regular Business Meeting**

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

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



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

MINUTES OF CLOSED SESSION MEETING

**DECEMBER 14, 2023
(DRAFT)**

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in closed session on Thursday, December 14, 2023, in Room 1054 at the Oceanside Campus. President Frank Merchat called the meeting to order at 2:15 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

Rick Cassar (via phone)	Frank Merchat
Raye Clendening	Anna Pedroza
William Fischer	Jackie Simon
George McNeil	

Administrators present:

Superintendent/President Sunny Cooke
Assistant Superintendent/Vice President Charlie Ng

Others Present:

JPA Representative Roberto Reyes
Legal Counsel Randy Winet

III. DECLARE NEED FOR CLOSED SESSION

At 2:15 p.m., the board announced the need to enter closed session, along with legal counsel and Superintendent/President Cooke and Assistant Superintendent/Vice President Ng, to discuss the following topic:

A. Conference with Labor Negotiators

(Pursuant to Government Code Section 54957.6)

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

B. Conference with Legal Counsel

(Pursuant to Government Code section 54956.9(d)(2))

Anticipated Litigation, Number of Potential Cases: 2

- JPA 23-05816
- JPA 21-05582

- C. Employee Discipline/Dismissal/Release, Number of Potential Cases: 1
(Pursuant to Government Code section 54957)

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

At 3:45 p.m., the board returned to open session to report the following:

A. Conference with Labor Negotiators

(Pursuant to Government Code Section 54957.6)

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

Employee organizations: All Groups

No report.

B. Conference with Legal Counsel

(Pursuant to Government Code section 54956.9(d)(2))

Anticipated Litigation, Number of Potential Cases: 2

- JPA 23-05816
- JPA 21-05582

No action taken.

C. Employee Discipline/Dismissal/Release, Number of Potential Cases: 1

(Pursuant to Government Code section 54957)

No action taken.

V. ADJOURNMENT

The meeting adjourned at 3:45 p.m.

MINUTES APPROVAL:

Frank Merchat
President

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



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

MINUTES OF ORGANIZATIONAL MEETING

**DECEMBER 14, 2023
(DRAFT)**

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, December 14, 2023, in-person in the Boardroom, Room OCT 200, at the Oceanside Campus. President Frank Merchat called the meeting to order at 4:05 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:

Raye Clendening	Frank Merchat
William Fischer	Anna Pedroza
George McNeil	Jacqueline Simon (left at 5 p.m.)
	Kenneth Pilco (Student Trustee)

Board members absent:

Rick Cassar

Administrators present:

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

III. BOARD ORGANIZATIONAL ACTION

A. Election of Officers

1. President

By motion of Trustee Pedroza, seconded by Trustee Fischer, Rick Cassar was elected as president of the board of trustees for 2024.

Vote: 6/0/0

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

Abstentions: None

Absent: Cassar

2. Vice President

By motion of Trustee Pedroza, seconded by Trustee Fischer, Raye Clendening was elected as vice president of the board of trustees for 2024.

Vote: 5/0/1
Aye: Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions: Clendening
Absent: Cassar

3. Board Secretary and Assistant Board Secretary

By motion of Trustee McNeil, seconded by Trustee Pedroza, Dr. Sunita Cooke was elected secretary of the board of trustees, and Julie Bollerud as the assistant secretary of the board of trustees for 2024.

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

B. Fix Dates, Times, and Locations of 2024 Board Meetings

By motion of Trustee Clendening, seconded by Trustee McNeil, the 2024 board meeting schedule was approved, as presented. Regular meetings will begin at 4 p.m.

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

IV. APPROVE MEETING MINUTES

A. Special Meeting of November 9, 2023

B. Workshop of November 9, 2023

C. Regular Meeting of November 16, 2023

By motion of Trustee McNeil, seconded by Trustee Fischer, the board approved the special meeting minutes of November 9, 2023

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

By motion of Trustee McNeil, seconded by Trustee Fischer, the board approved the workshop minutes of November 9, 2023.

Vote: 5/0/1
Aye: Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions: Clendening
Absent: Cassar

By motion of Trustee McNeil, seconded by Trustee Simon, the board approved the regular meeting minutes of November 16, 2023.

Vote: 5/0/1
Aye: Fischer, McNeil, Merchat, Pedroza, Simon
Abstentions: Clendening
Absent: Cassar

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

MiraCosta student Anthony Gonzalez was presented with a \$25,000 check from Bimbo College Grant. Four such grants were awarded nationally from a very competitive field of over 100,000 applicants. The grant is part of the Bimbo USACollege Grant Sweepstakes. Gonzalez expressed his gratitude and excitement, noting this grant's significant impact on his academic journey and personal life.

VI. CHANGES IN AGENDA ORDER

None.

VII. PRESENTATIONS

A. Political and Legislative Update

Director of Public and Governmental Relations, Marketing, and Communications Kristen Huyck provided a general overview of the current political climate at both the federal and state levels that significantly impacts community colleges, with varying policies, funding, and legislative decisions shaping their future.

In the previous legislative session, more than 1,000 bills went to the governor for his signature, and about 85 percent were signed. Of those signed, 81 relate to community colleges, including AB 91, the exemption from nonresident tuition fees for residents who reside near the California-Mexico border, AB 1400 relating to student financial aid, and SB 444 relating to MESA (mathematics, engineering, science, achievement) programs.

Huyck noted that supporting veterans is a common theme among the state and federal legislative representatives that overlay MiraCosta College's district boundaries. Increases to the PELL grant, total cost of attendance and short-term PELL are priorities federally.

B. Facilities Update

Assistant Superintendent/Vice President Tim Flood, Facilities Director Tom Macias, and Kitchell Program Manager David Dunn provided an update on the progress of the district's capital construction program. Gensler's Deborah Shepley provided information relating to the facilities futures planning. An overview of the Measure MM program status summary and our program values and budget information was provided. A total of 42 projects were approved, with 17 in progress, 22 completed to date, and 3 that have not yet started.

Tom Macias reviewed the Community Learning Center project completion list and planning status. He noted that four of the five CLC construction projects have been completed. A solar project will complete the five projects.

Macias reviewed the project completion list and planning status for the San Elijo Campus. Of the 13 projects, 3 projects still need to be completed – a solar project, recycled water project, and path of travel upgrade. He noted that most of the campus was touched in some way.

David Dunn provided an overview of the Oceanside Campus project completion list and planning status. Six projects have been completed, with six active substantial construction projects currently in progress.

Dunn reviewed the sites and targeted move-in dates. The Gym and KHAN buildings will be occupied this spring, followed by the Library and Student Service Building in summer 2024. Renderings of the completed buildings were shared.

Tim Flood shared the efforts to replace the remaining power cable loop sections, the cause of the power failures this semester on the Oceanside Campus. An electrical engineer was brought in to identify solutions and provide recommendations to best move forward with those things that should be completed during the winter break.

In addition to power outages, the pedestrian bridge accident on November 22 was not anticipated. Since it lost complete structural integrity, the portion of the bridge spanning the road has been removed, and the remainder of the bridge will be removed during the winter break. The bridge replacement could take up to 18 months to complete, since it needs to be designed and then go through the DSA approval process before construction can start. The water and electrical lines that ran under the bridge were also rerouted and restored due to the fast work of many people over the Thanksgiving break.

The local hire and small/highly underutilized business (SHUB) enterprise contract award and value data was shared, as this has been an ongoing priority for the board. Almost 92 percent of hired firms are local, which ensures that MM expenditures benefit the local businesses and people within our community. It was noted that the small and underutilized number has gone down due to the very large types of projects the district is currently working on. Subcontracts, however, are continuing to go to small businesses and make up 85 percent (small businesses) /and 40 percent (underutilized businesses).

Deborah Shepley provided highlights of the Facilities Futures Plan, which focused on campus engagement in spring 2023 to maximize voices from students, staff, faculty, and administrators. Both online surveys and in-person focus groups and sessions were provided. External engagement with the communities that we serve has also taken place with the Community Leaders Breakfast, and multiple listening sessions, where attendees were asked what they felt MiraCosta should focus on, and how MiraCosta can be a better partner for the community. Community members provided a lot of great feedback and shared fond memories of the campuses. Shepley noted the futures framework included using an equity, collaborative, adaptable, and sustainable lens.

Trustee Simon left the meeting at approximately 5 p.m.

VIII. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions**
- B. Ratify Memorandum of Understanding 23-07 between the MiraCosta Community College District and the MiraCosta College Academic Associate Faculty**
- C. Approve Spring 2024 Program Components for the Oceanside Unified School District CCAP Dual Enrollment Program**
- D. Approve Updated Course Agreement with San Dieguito Union High School District for the Spring 2024 Dual Enrollment Program**
- E. Approve Updated Course Agreement with Carlsbad Unified School District for the Spring 2024 Dual Enrollment Program**
- F. Approve Wolters Kluwer Health, Inc. Lippincott Full Curriculum Partnership/NurseThink Complete – RN Services**
- G. Approve Assessment Technologies Institute, LLC Nursing Training and Curriculum Services**

- H. **Approve Position Title Change on Prior Authorization Approval**
- I. **Approve Purchase for AV/IT Equipment for OCN New Student Services Building Project**
- J. **Approve Contract with Rx Research Services Foundation for Apprenticeship Pathways Training in Food Safety**
- K. **Approve Agreement with Salesforce, Inc. (Tableau)**
- L. **Approve Study Abroad Association (SAA) Faculty-Led Study Abroad to Costa Rica – Summer 2024**
- M. **Ratify and Approve Contracts and Purchase Orders**

By motion of Trustee McNeil, seconded by Trustee Clendening, consent items A-M were approved.

Vote: 5/0/0
 Aye: Clendening, Fischer, Pedroza, McNeil, Merchat
 Abstentions: None
 Absent: Cassar, Simon

IX. ACTION

A. Approve Filling Board of Trustees Area 7 Vacancy by Provisional Appointment

By motion of Trustee McNeil, seconded by Trustee Fischer, the board approved Filling the Board of Trustees Area 7 Vacancy, formerly filled by Trustee William Fischer, by provisional appointment.

Vote: 5/0/0
 Aye: Clendening, Fischer, McNeil, Merchat, Pedroza
 Abstentions: None
 Absent: Cassar, Simon

B. Adopt Resolution No. 8–23/24 Granting Emeritus Trustee Status to William Fischer, Ph.D.

By motion of Trustee Clendening, seconded by Trustee McNeil, the board adopted Resolution No. 8–23/24, granting emeritus trustee status to William Fischer, Ph.D

Vote: 5/0/0
 Aye: Clendening, Fischer, McNeil, Merchat, Pedroza
 Abstentions: None
 Absent: Cassar, Simon

X. SECOND READING – BOARD POLICIES (Action Required)

A. Board Policy 6250 – Budget Management

By motion of Trustee McNeil, seconded by Trustee Clendening, Board Policy 6250 was adopted.

Vote: 5/0/0
 Aye: Clendening, Fischer, McNeil, Merchat, Pedroza
 Abstentions: None
 Absent: Cassar, Simon

XI. FIRST READING – BOARD POLICIES

A. Board Policy 7390 – Telework

B. Board Policy 7600 – College Police Department

Edits to Board Policy 7390 and Board Policy 7600 were reviewed and discussed, and the policies will be placed on a future agenda for adoption.

XII. INFORMATION

A. Report Update of Emergency Declaration and Emergency Actions for Oceanside Main Power Outages

Assistant Superintendent/Vice President Tim Flood reported on the emergency declaration and emergency actions for the Oceanside Campus power outages.

B. Sunshine the MiraCosta Community College District Initial Proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024

The sunshining of the MiraCosta Community College District Initial Proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024, was provided for information.

XIII. COLLEGE-RELATED REPORTS – all members expressed appreciation for Trustee Fischer and his service to MiraCosta College.

A. Trustees Activities

Trustee McNeil attended the community futures listening session at the CLC, the RAFFY celebration to congratulate those who were graduating in the fall and scholarship recipients. He also attended the year-end celebration put on by the Classified Senate and many MiraCosta basketball games.

Trustees McNeil and Merchat attended facilities liaison meetings, and they thanked the Facilities folks for their great work.

Trustees Clendening, McNeil, Pedroza attended a concert on the Oceanside Campus on December 6, which was sponsored by the MiraCosta Foundation. Trustee Clendening expressed her gratitude for donors being back on campus, and she congratulated the Foundation for the \$10.6 million raised for the college.

Trustee Merchat attended the listening session at the San Elijo Campus and was impressed with the participation of the community members who attended, where student housing was highlighted as a need. He continues to attend the Saturday Farmers Markets at the San Elijo Campus.

Trustee Merchat expressed his appreciation for the opportunity to have served as board president this last year, and he looks forward to continuing to support the goals and endeavors of the board moving forward.

Trustee Fischer expressed his appreciation for the opportunity to serve as board trustee for the last 14 years. He is proud to have been a part of the MiraCosta community, and he will continue to cheer us on.

B. Students

Student Trustee Kenneth Pilco reported he submitted his UC applications and is looking forward to hearing their decision after March.

Pilco attended a MiraCosta dance concert and commended students for their performances.

ASG is setting goals for new amendments and the structure of ASG. Augustin Dao, who is active in the community, was named senator of the month, and is an API

community advocate, was appointed as the new director of diversity, equity, and inclusion.

Pilco acknowledged the work of ASG leaders Rahime Demirci and Brandon Quandt for advocating in a letter to the City of Encinitas for the development of a safe/accessible bike lane to the San Elijo Campus.

ASG is mindful of being fiscally conservative, as there is a projected budget reduction expected over the next three to four years.

A number of events are taking place for students during finals week: study hour on the lawn, community unwind hour with pizza, and petting zoos.

ICC members are exploring the making of a video about the influence of the Club Room's history, the awareness of leadership opportunities, and the impact of clubs on the campus.

C. Classified Employees

Immediate Past Classified Senate (CS) President Carl Banks thanked trustees for approving the release time for the year-end celebration, and he shared that Debby Adler was named as the outstanding classified employee of the semester. Banks encouraged folks to continue submitting nominations in the future.

D. Faculty

Academic Senate (AS) President Leila Safaralian thanked all classified professionals for everything they do for our students and the college, including Academic Senate Executive Assistant Debby Adler, who was named this year's outstanding classified employee of the semester at the year-end celebration. Safaralian also expressed gratitude for colleagues who worked tirelessly this semester through many challenges to serve our students and the institution. She thanked staff in the STEMLC, Writing Center, and all tutoring services that we offer to our students, who express how important this service is to them and to their success. Safaralian thanked new AS senators and the new AS subcommittee chairs Janelle West, Xuchi Eggleton, Scott Fallstrom, and Theresa Bolanos, and the Joyful Teacher in Residence Jim Sullivan.

AS is focusing on student groups in the month of January. She and Curry Mitchell met with ASG student leaders, along with Student Equity and Student Life and Leadership staff regarding the theme and to arrange for further student feedback.

A scheduling summit is planned for February 29 (on campus) and March 29 (off campus), and she encouraged participation.

The Academic Senate and Classified Senate are planning for the Second Annual Cultivating Human Connection on Thursday, January 18, from 9-11:00 a.m. in the Oceanside Campus Dining Hall for all MiraCostans. This year's theme is Season of Change: navigating, struggling, and thriving with change.

E. Vice Presidents

1. Instructional Services

Assistant Superintendent/Vice President Pescarmona submitted a written report.

2. Student Services

Assistant Superintendent/Vice President Wojcik was on vacation and not in attendance.

3. Administrative Services

Assistant Superintendent/Vice President Flood reported projections from the legislative analysts now show the state has a \$68 billion deficit over the next three years.

The demand for commercial properties has improved, which is good news for local property taxes. For now, we're in a holding pattern until we learn more from the Governor's January preliminary budget proposal. Until then, we don't have enough information to know what the impact will be to MiraCosta, especially for the categorical programs that were impacted in the 2008 great recession time period. Given the budget environment, we are fortunate the state has been building emergency reserves and we are a community-supported district versus an apportionment district.

4. Human Resources

Assistant Superintendent/Vice President Ng thanked Trustee Fischer for his dedicated service on the board of trustees, and he thanked Trustee Merchat for his service as board president this year.

Ng thanked the Human Resource, Payroll, and EEO advisory team for their hard work, as well as the associate faculty for coming to an agreement with the power outage and faculty assembly for their feedback about how to best service students in emergency situations.

F. Superintendent/President

Superintendent/President Cooke sincerely thanked Trustee Fischer for his long and meaningful service on the board of trustees. She also thanked Frank Merchat for serving as the board president this year. Cooke echoed the gratitude for MiraCostans, and especially the College Police, Facilities, and ITS staff members, who all worked through an especially challenging semester. She wished for a restful and rejuvenating winter break for all.

XIV. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.

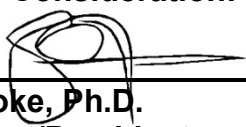
XV. ADJOURNMENT

The meeting adjourned at 6:12 p.m.

MINUTES APPROVAL:

Raye Clendening
Vice President

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

Subject: Foundation Overview and FY2023 Accomplishments	Attachment: PowerPoint Presentation
Category: Presentations	Type of Board Consideration: ✓ Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3 ✓ Goal 4
	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



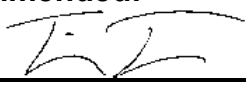

The board of trustees is provided periodic updates of programs and projects.

STATUS

Vice President of Institutional Advancement Shannon Stubblefield will recap MiraCosta College’s Office of Advancement, specifically Foundation accomplishments over the past year and will review the institutional advancement structure.

RECOMMENDATION

For information only.

Subject: FY2023 Annual District and Measure MM Audit Presentation	Attachment: FY2023 Annual District Audit FY2023 Annual Measure MM Audit
Category: Information Items	Type of Board Consideration:  Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3  Goal 4
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

California Education Code §84040.5 requires that the governing board of each community college district shall provide for an annual audit of all funds, books, and accounts of the district in accordance with the regulations of the Board of Governors in order to encourage sound fiscal management practices and fiscal accountability. The MiraCosta Community College District annual audit has been completed and is available on the district website at: <https://www.miracosta.edu/administrative/annual-district-audits/index.html>. The audit firm of Eide Bailly, LLP, certified public accountants licensed by the California Board of Accountancy, conducted the audit. The format and financial statement information is in accordance with the reporting standards of the California Community Colleges Contracted District Audit Manual (CDMA).

STATUS

The district financial audit included examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements, along with assessing the accounting principles used and significant estimates made by management. The results of the audit are found on pages 97-103 of the June 30, 2023, Audit Report.

- Financial Statements: **Unmodified opinion (highest opinion)**. Met internal controls over financial reporting and met compliance with financial statements.
- Federal Awards: Internal Control weakness noted. Met compliance for major programs.
 - 2023-001 Special Tests and Provisions – Return to Title IV (page 99). Three conditions were noted that did not meet internal controls over compliance.
 - 26 of the 60 Return to Title IV calculations had a withdrawal determination date outside of the required timeframe (45 days).



- 5 of the 60 Return to Title IV calculations were incorrectly calculated due to an error in the academic calendar loaded into the financial aid software.
- 1 of the 60 Return to Title IV calculations were incorrectly calculated due to an error in the student's academic status utilized in the calculation.

Management response to 2023-001: During the year-end audit testing phase, the Financial Aid Office was notified in August 2023 of the deficiencies noted on this finding. The Financial Aid Office immediately took action to implement the recommendations in August 2023.

A representative of the audit firm of Eide Bailly, LLP will present the audit report and will be available to answer any questions.

RECOMMENDATION

For information only.

Subject: Equal Employment Opportunity (EEO) Plan Update	Attachment: PowerPoint Presentation
Category: Presentations	Type of Board Consideration: ✓ Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: ✓ Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

In July 2021, the Board of Governors adopted a number of amendments to the existing Title 5 regulations regarding Equal Employment Opportunity (EEO) programs in community college districts. Among other things, the amendments made changes to the process for submitting EEO plans to the Chancellor’s Office, the content of those plans, and certain timelines for submissions. The proposed amendments were certified by the Department of Finance (DOF) last year and are now effective.


Human Resources worked with the Equal Employment Opportunity Advisory Committee (EEOAC) to update the EEO plan for FY2023/24 and submitted it to the Chancellor’s Office on October 2, 2023. The Chancellor’s Office provided feedback to the college on the plan and today’s update will go over the new plan components in addition to the feedback.

STATUS

Assistant Superintendent/Vice President Charlie Ng will provide an update on the EEO Plan.

RECOMMENDATION

Information only.

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

STATUS

1. Retirement of the following classified employees:

Stacy Ingham, Operations Supervisor, Admissions and Records, position P-06210, effective December 30, 2023.

Leo Baniqued, Custodian, position P-00122, effective December 31, 2023.
2. Correction to the employment contract end dates of the following temporary, full-time faculty members:

Kenneth Rogers, Interim Counselor - Veterans Services, position P-10388, fulltime, one-semester, non-tenure track, salary class 5, step 5, 1.1080-time factor, \$122,510.45 per year (2023-24 academic salary schedule), to be prorated for working 98 days during contract period July 1, 2023 – December 31, 2023.

Marisela Sanchez Garzon, Interim Counselor - CalWORKs, position P-10389, full-time, one-semester, non-tenure track, salary class 2, step 2, 1.1080-time factor, \$93,043.19 per year on the 2023-24 academic salary schedule, with final salary placement contingent upon verification, to be prorated for working 98 days during contract period July 1, 2023 – December 31, 2023.
3. Employment of the following regular classified employees:

Cecelia Lauer, Instructional Computer Lab Assistant, ITS Technology Support Services, position P-00239, classified salary range 12, step 1, \$19,369.80 per year, 18 hours per

week, 10 months per year, effective January 18, 2024. Cecelia was selected through an open recruitment process.

Tin Phan, Instructional Computer Lab Assistant, ITS Technology Support Services, position P-00241, classified salary range 12, step 1, \$19,369.80 per year, 18 hours per week, 10 months per year, effective January 18, 2024. Tin was selected through an open recruitment process.

Akossiba Mahounou, Instructional Computer Lab Assistant, ITS Technology Support Services, position P-00237, classified salary range 12, step 1, \$19,369.80 per year, 18 hours per week, 10 months per year, effective January 18, 2024. Tin was selected through an open recruitment process.

Leticia Jacques, Student Services Coordinator, International Office, position P-06212, classified salary range 26, step 2, \$6,799.50 per month, full-time, 12 months per year, effective January 8, 2024. Leticia was selected through an open recruitment process.

Alicia Lopez, Academic Services Coordinator, Academic and Career Pathways, position P-10877, classified salary range 26, step 2, \$6,799.50 per month, full-time, 12 months per year, effective January 8, 2024. Alicia was selected through an open recruitment process.

Alain Joachin, Academic Services Coordinator, Academic and Career Pathways, position P-10878, classified salary range 26, step 1, \$6,445.92 per month, full-time, 12 months per year, effective January 8, 2024. Alain was selected through an open recruitment process.

Jazmin Cueva, Administrative Support Assistant III, Career Center, classified range 16, step 1, \$4,827.50 per month, full-time, 12 months per year, effective December 4, 2023. Jazmin was selected through an open recruitment process.

Christina Esquibel, Police Dispatcher/Records Technician, position P-00307, classified salary range 22, step 2, \$6,057.25 per month, full-time, 12 months per year, effective February 1, 2024. Christina was selected through an open recruitment process.

Michael Truong, Clinical Case Manager, Health Services, position P-10871, classified salary range 30, step 1, \$7,233.75 per month, full-time, effective December 18, 2023. Michael was selected through an open recruitment process.

Xander Grey, Senior Science Laboratory Associate, Chemistry, position P-00355, classified salary range 26, step 3, \$74,794.50 per year, equivalent to full-time, 11 months spread over 12 months per year, effective December 20, 2023. Xander was selected through an open recruitment process.

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

Sayaka Tachibana, Student Services Specialist, International Office, P-06213, has accepted the position of Student Services Coordinator, International Office, position P-00323, classified salary range 26, longevity year 21, \$9,491.83 per month, full-time, 12 months per year, effective December 18, 2023. Sayaka was selected through an open recruitment process.

Rodrigo Gonzalez Rivera, Student Services Coordinator, Student Services, CLC, has accepted the position of Academic Services Coordinator, Academic & Career Pathways,

classified salary range 26, longevity year 7, \$8,176.25 per month, full-time, 12 months per year, effective January 8, 2024. Rodrigo was selected through an open recruitment process.

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

Brian Boynton, Buyer, Purchasing, position P-00097, will serve as Interim Purchasing Supervisor, classified salary range 30, longevity year 8, \$9,271.67 per month, full-time, effective December 11, 2023 – January 19, 2024.

Cindy Arce, Student Services Coordinator, Student Equity, position P-00371, will serve as Interim Program Manager, Academic Success & Equity, classified salary range 31, step 3, \$8,263 per month, full-time, effective December 7, 2023 – January 31, 2024.

Gregorio Reyes, Student Services Specialist, Student Equity, position P-08918, will serve as Interim Student Services Coordinator, classified salary range 26, step 1, \$6,445.92 per month, full-time, effective December 7, 2023 – January 31, 2024.

David Santos, Police Officer, position P-00311, will serve as Interim Police Sergeant, classified salary range 34, longevity year 21, \$11,956.75 per month, full-time, effective January 1 – June 30, 2024.

Analia Zamora, Administrative Support Assistant II, position P-00054, will continue to serve as Interim Program Manager, Service Learning, classified salary range 31, longevity year 7, \$9,447.58 per month, effective August 1, 2023 – February 4, 2024.

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

Mathematics – Basic Skills: Noncredit – Gerardo Mendoza

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.

7. Employment of the following associate faculty members for the 2023 fall session, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Brian Weldele English as a Second Language, Credit

8. Employment of the following associate faculty members for the 2024 spring session, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Joshua	Almond	Art
Kaitlin	Francis	Art
Kristi	Williams	Art
Riccardo	Contu	Biotechnology
Shana	Carr	Business
Addis	Kassegn	Business
Brent	Varga	Computer Science
Sarai	Godoy-Rodarte	Ethnic Studies
Jael	Vizcarra	Ethnic Studies
Gerilyn	Brault	Film
Richi	Kroupa	International Languages
Claudia	Woodard	International Languages
Monika	Birch	Letters, Pre-Transfer
Juan	Castillejos	Mathematics
Chieh-Mi	Lu	Mathematics
Jessica	Perez	Mathematics
Mark	Walker	Mathematics
Doritt	Ernst	Noncredit, General
Amy	Redfeather	Noncredit, General
Danielle	Benard	Nursing and Allied Health
Tyler	Bradford	Nursing and Allied Health
Deebra	Brown	Nursing and Allied Health
Jessica	Corley	Nursing and Allied Health
Jeanette	Maldonado	Nursing and Allied Health
Jonathan	Sepulveda	Nursing and Allied Health
James	Zapf	Nursing and Allied Health
Patrick	Russo	Physical Sciences

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:



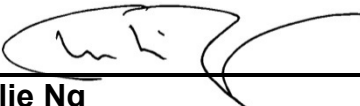
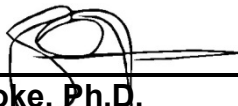
Employee Name	Job Title	Assignment	Department	Pay Rate	Start Date	End Date
Johanna Aguilar	GEAR UP Aide III	Substitute	GEAR UP	\$20.00/hr	12/5/23	6/30/24
Terence Sautia	Student Support Advisor	Substitute	Student Services Welcome Center	\$33.13/hr	12/11/23	6/30/24
Lina Samac	Instructional Aide	Substitute	Workforce IOA	\$23.43/hr	1/2/24	6/30/24
Maria Quinones	Instructional Aide	Substitute	Workforce IOA	\$23.43/hr	1/2/24	6/30/24
Marvin Saint Rose	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/2/24	6/30/24
Alexander Cojocar	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Amberlynn Urzi Tumino	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Amy Le	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24

Angel Silva	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Anisha Shetty	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Anthony Olvera	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Arianna Serrano	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Arman Eftekhari	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Aurora Gregory	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Briza Perez	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Cesar Mendoza	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Chaney Guo	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Coral Santiago	Apprentice I	Substitute	Child Development Center	\$16.00/hr	1/8/24	5/31/24
Crystal Hernandez	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Dayne Glover	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Edith Chavez	Apprentice I	Substitute	Child Development Center	\$16.00/hr	1/8/24	5/31/24
Gabriel Young	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Gaelle Chahwan	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Genessis Tellez	Apprentice I	Substitute	Child Development Center	\$16.00/hr	1/8/24	5/31/24
Helena Barnhouse	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Ian Phillips	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Jack Meacham	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Jessika Martinez	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Joey Ferlatte	Apprentice III	Substitute	Academic Support & Innovations	\$18.00/hr	1/8/24	6/30/24
John Gordon	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Junwoo Kwon	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Kyle Snyder	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Marie Vaughn	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Marshall Harmon	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Marvin Saint Rose	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Michael Geronimo	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Natalie Trautt	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Nathanael Atkins	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Nick Spaulding	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/8/24	6/30/24
Nicole Doubek	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Philip Dietrich	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Riley Brown	Apprentice I	Substitute	Child Development Center	\$16.00/hr	1/8/24	5/31/24
Spencer Wilson	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Tiffany Qualls	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Tressah Tuazon	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Vitoria Belz	Apprentice III	Substitute	STEM Learning Center	\$18.00/hr	1/8/24	6/30/24
Jessica McNair	Apprentice III	Substitute	Academic Support and Innovations	\$18.00/hr	1/15/24	6/30/24
Cassandra Armenta	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24
Cassidy Njama	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24
Dannia Saldivar	Campus Aide I	Short-term	School Relations/Diversity Recruitment	\$16.00/hr	1/19/24	5/24/24
Day Kjoson	Campus Aide II	Short-term	International Languages Lab	\$18.00/hr	1/19/24	5/24/24
Eliana Pelayo	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24

Flor Maria Lopez	Campus Aide III	Short-term	Counseling and Student Development	\$20.00/hr	1/19/24	6/30/24
Jacoby Williams	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24
Jessica Luna Benitez	Administrative Support Assistant I	Short-term	Counseling Operations	\$22.75/hr	1/19/24	6/30/24
Jose Valdovinos Nava	Police Community Service Officer	Short-term	Police Enforcement Unit 2	\$28.67/hr	1/19/24	6/30/24
Kenya Bradley	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24
Luz Duran	Campus Aide III	Short-term	Counseling Operations	\$20.00/hr	1/19/24	6/30/24
Tomomi Maeda	Campus Aide II	Short-term	International Languages Lab	\$18.00/hr	1/19/24	5/24/24
Valerie Ibarra	Campus Aide III	Short-term	Counseling and Student Development	\$20.00/hr	1/19/24	6/30/24
Katherine Hidalgo	Campus Aide I	Short-term	School Relations/Diversity Recruitment	\$16.00/hr	1/26/24	6/30/24
Laylah Higinio	Campus Aide III	Short-term	Counseling and Student Development	\$20.00/hr	1/26/24	6/30/24
Miranda Whittlesey	Art Model	Short-term	Noncredit, General	\$28.00/hr	1/26/24	5/31/24
Ryan Mcdevitt	Assistant Coach	Substitute	Athletics and Intramurals	\$27.85/hr	1/27/24	6/30/24
Ethen Menendez	Campus Aide II	Short-term	Dance	\$18.00/hr	2/1/24	5/17/24
Joseph Prete	Campus Aide II	Short-term	Dance	\$18.00/hr	2/1/24	5/17/24

RECOMMENDATION

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

Subject: Approve Employment Contract for Interim Dean of Counseling and Student Development	Attachment: Employment Contract for Interim Dean of Counseling and Student Development
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

Juan Carlos Reyna, Ed.D., has been selected as the Interim Dean of Counseling and Student Development, effective January 8, 2024. The district has the need to backfill the Dean of Counseling and Student Development position, while the incumbent, Wendy Stewart, Ed.D., serves as the Interim Chief Inclusion, Diversity, Equity, and Accessibility Officer (CIDEAO). The Chief Inclusion, Diversity, Equity, and Accessibility Officer (CIDEAO) is a new position, and the district has appointed Wendy Stewart to serve as full-time Interim Chief Inclusion, Diversity, Equity, Accessibility Officer (CIDEAO) until such time that the district successfully completes a search for a permanent incumbent.

STATUS

Juan Carlos Reyna will serve as the Interim Dean of Counseling and Student Development, full time, deans, doctorate, step 1 of the 2023/24 academic administrators salary schedule. Compensation for the contract period will be \$187,922, prorated for the number of days worked, effective January 8, 2024 – June 30, 2024.

RECOMMENDATION

Approve employment contract for interim administrator, as stated above.

**MIRACOSTA COMMUNITY COLLEGE DISTRICT
EMPLOYMENT CONTRACT
Interim Dean of Counseling and Student Development**

This contract ("Agreement") between the MiraCosta Community College District ("District") and Juan Carlos Reyna ("Reyna") is made as of January 8, 2024.

Recitals

- A. The parties desire to enter into this Agreement to create or continue the employment relationship on the terms and conditions in this Agreement.
- B. Reyna is qualified and willing to act in that capacity on an interim basis.
- 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, the Academic Administrator's Association Working Conditions Manual (hereinafter "Academic Administrator's Manual") as from time to time amended by the District, and the rules and regulations of the District's Governing Board including, but not limited to, Government Code sections 53260 and 53261.
- D. This Agreement is entered into in accordance with Education Code sections 72411(d) and 72411.5.

Terms and Conditions

1. Position and Term.

1.1 Position. District agrees to employ Reyna and Reyna agrees to be employed by District as Interim Dean of Counseling and Student Development. Reyna has the responsibilities and authority that are associated with Reyna's interim position as defined in the position description and all other duties and responsibilities as assigned or required by the Superintendent/President or designee provided that such additional duties shall be consistent with Reyna's interim position. The Board may adopt or amend the position description for the Reyna's interim position at any time as long as the modifications are not inconsistent with the terms of this Agreement or the Academic Administrator's Manual. It is further agreed that Reyna is subject to reassignment in accordance with the Academic Administrator's Manual.

1.2 Term. The term of this Agreement is approximately six (6) months from January 8, 2024, to June 30, 2024, or until such time as the Board, by a majority vote, either (i) terminates Reyna's interim appointment or (ii) appoints a different person to the position on an interim or permanent basis. Either party may terminate this Agreement with or without cause upon thirty (30) days written notice to the other party.

2. Salary and Benefits.

2.1 Salary. Reyna's annual salary shall be as set forth on the Academic Administrator's Salary Schedule that is agreed to between the District and the Academic Administrator's Association and included in the Academic Administrator's Manual. 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). Reyna's salary for the period January 8, 2024 to June 30, 2024, shall be \$187,922, prorated for the number of days worked.

2.2 Benefits. Benefits, including vacation, sick leave and other leaves are set forth in the Academic Administrator's Manual as amended or modified from time to time.

2.3 Allowance. Reyna will be provided a monthly allowance for the purchase of a mobile communication device and service plan acceptable to the District, as per Board Administrative Procedure 6450, currently one hundred twenty-five dollars (\$125) per month as an exceptional heavy user. Reyna acknowledges and agrees that the preceding expense consideration is currently considered as taxable compensation by the United States government and State of California.

3. Working Conditions. All working conditions are set forth in the Academic Administrator's Manual as amended or modified from time to time.

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

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

6. Termination of this Agreement During its Term With Cause. The Board may terminate this Agreement during its term and discharge Reyna if Reyna 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 Reyna 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. A termination for cause shall be carried out in compliance with the provisions applicable to administrative employees as set forth in the Academic Administrator's Manual as adopted by the Board.

7. Provisions of Government Code Sections 53243.3-53243.4.

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

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

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

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

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

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

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

9. Representations and Warranties.

Reyna represents and warrants that Reyna:

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




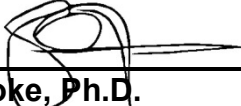
(B) is freely and voluntarily signing this Agreement.

MiraCosta Community College District

Administrator

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

Juan Carlos Reyna, Ed.D.
Interim Dean of Counseling and Student
Development

Subject: Ratify Memorandum of Understanding 24-01 between the MiraCosta Community College District and Faculty Assembly	Attachment: Memorandum of Understanding 24-01 between the MiraCosta Community College District and Faculty Assembly
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc.mission.statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

For the 2023/24 academic year, the district and the Faculty Assembly agreed to the creation of a special project coordinator for the Teaching and Learning Center under Memorandum of Understanding (MOU) 23-01. There is a need to continue this work during the 2024/25 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 a memorandum of understanding.

RECOMMENDATION

Ratify Memorandum of Understanding 24-01 between the MiraCosta Community College District and Faculty Assembly.



MOU Between the
MiraCosta Community College District and
MiraCosta Community College District – Faculty Assembly
24-01

This agreement extends MOU 23-01 and modifies the terms of Appendix 5.1 of the Faculty Assembly 2022-2025 contract to allow for the continuation of the specific project identified below:

- 1) The district and the Faculty Assembly have agreed to the creation of the following special project coordinator: Coordinator, Teaching and Learning Center (“Coordinator”).
- 2) Faculty members interested in the Coordinator position shall submit a letter of interest to the Academic Senate President.
- 3) The selection and evaluation of the Coordinator will be made by the Academic Senate President following consultation with the Vice President of Instructional Services and the Chair of PDP.
- 4) The Coordinator shall provide ongoing and regular reports to the VPIS and to PDP.
- 5) The Coordinator shall be responsible for the leadership of the C³ Teaching and Learning Center to promote faculty-led efforts to:
 - a. **Celebrate** the joy of teaching and learning;
 - b. **Cultivate** innovative and effective teaching and learning strategies; and
 - c. **Connect** with each other to explore interdisciplinary possibilities and applications, equity-minded pedagogies, and culturally relevant instructional practices.
- 6) The Coordinator shall undertake the following responsibilities:
 - a. Collaborate with the Academic Senate, PDP Committee, and academic departments to develop faculty led teaching and learning professional development opportunities;
 - b. Establish a physical presence and collegial atmosphere in the three areas of the TLC, including the informal meeting area, tech/computer work area, and experimental classroom lab/seminar space;
 - c. Develop programming for each of the three areas of the TLC through collaboration with faculty (in departments, small groups and individually);
 - d. Participate in the budgeting, physical space design, and program review activities for the TLC;
 - e. Facilitate one-to-one teaching and learning strategy sessions with colleagues;
 - f. Work with associate faculty to promote the use of the TLC to enhance their connections with full-time faculty colleagues;
 - g. Facilitate the study of teaching and learning by supporting activities such as faculty research, faculty inquiry groups and communities of practice, and connections with the larger teaching and learning profession through conference

- attendance, participation in professional organizations, and the study of scholarship and research;
- h. Develop a series of pedagogy practicums to be recorded and/or live broadcasted in the teaching and learning lab;
- i. Integrate a C³ web space into the existing PDP Canvas page;
- j. Create and distribute a weekly newsletter about C³ activities;
- k. Develop a film series in the C³ to show films, documentaries, webinars, and teaching and learning videos;
- l. Develop and maintain a Teaching and Learning library;
- m. Work with student leaders, the Career Center, and administrators to find ways to involve students in the TLC as interns and/or work study partners; and
- n. Explore ways to use the TLC to connect with NCHEA colleagues and local high school faculty;
- o. Collaborate with the Professional Development Coordinator with the on-boarding of new faculty during their first year of employment.

7) The Coordinator shall be provided with 2 LHE (66 hours) for summer work and 0.6 FTE (9 LHE) reassigned time per semester in fall and spring in support of these responsibilities.




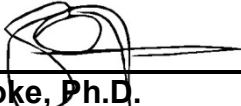
This agreement will become effective upon approval. It shall expire on June 30, 2025.

Sunita V. Cooke, Ph.D.

Mary Gross, M.S.

Signature	Date
Superintendent/President	
MiraCosta Community College District	

Signature	Date
President	
MCCCD Faculty Assembly	

Subject: Ratify Memorandum of Understanding 24-02 between the MiraCosta Community College District and the Faculty Assembly - TREC	Attachment: Memorandum of Understanding 24-02 TREC
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc.mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The district and the Faculty Assembly agreed to Modify Appendix 9 of the Faculty Assembly 2022-2025 contract to allow for additional responsibilities and associated reassigned time for the Tenure Review and Evaluation Committee (Chair) for the 2024/25 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 a memorandum of understanding.

RECOMMENDATION

Ratify Memorandum of Understanding 24-02 between the MiraCosta Community College District and Faculty Assembly.



MOU Between the
MiraCosta Community College District and
MiraCosta Community College District – Faculty Assembly
24-02

This agreement modifies the terms of Appendix 9 of the Faculty Assembly 2022-2025 contract to allow for the additional responsibilities and associated reassigned time for the Tenure Review and Evaluation Committee (TREC) Chair.

- 1) The District and the Assembly agree there is a need for professional training and examination of best practices related to the work of full-time faculty conducting evaluation of full-time and Associate Faculty.
- 2) The TREC Chair and Committee will undertake responsibilities for this training in the fall and spring semesters.
- 3) The TREC Chair will receive 1 LHE (33 hours) of summer preparation time and and 0.40 FTE (6 LHE) Reassigned Time for these and other duties as listed in Article H.2.1 – H.2.3 in both the fall and spring semesters.
- 4) Collaborate with Human Resources for supporting professional training and evaluation best practices.



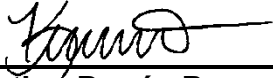

This agreement will become effective upon approval. It shall expire on June 30, 2025.

Sunita V. Cooke, Ph.D.

Mary Gross, M.S.

Signature	Date
Superintendent/President	
MiraCosta Community College District	

Signature	Date
President	
MCCCD Faculty Assembly	

Subject: Approve Contract with Bay Area Bioscience Education Community	Attachment: Basic Services Agreement Award Notice - Grant Agreement #G0435
Category: Consent Items	Type of Board Consideration: <div style="text-align: center;">  Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The Bioscience Workforce Development Hub was awarded an Advanced Technical Education (ATE) grant from the National Science Foundation (NSF) effective October 1, 2023 – September 30, 2026. BioSCOPE (Biomanufacturing Supply Chain Operations Projects for Education) aims to provide work-based learning (WBL) experiences to diverse community college (CC) students and to create a pipeline of historically underserved students from high schools into CA community college biotech (BT) and biomanufacturing (BM) programs. BioSCOPE is a high-impact WBL BM and supply chain operations practice in which CC students manufacture BT laboratory kits at their college following industry quality and regulatory mandates; the kits are used by students in HS and CC biology and BT classes. BioSCOPE provides students with hands-on, pre-internship/pre-apprenticeship training that also provides equitable WBL opportunities in cases where students do not have access to industry internships. This project expands on prior BioSCOPE efforts and incorporates BioSCOPE projects into more college BT and BM programs by providing CC bioscience faculty at multiple colleges with professional development training in BioSCOPE, and also includes accessible learning techniques and DEI best practices that make learning more accessible, inclusive, and equitable. In addition, this project supports partnerships between CCs and Title I HSs that increase BT and BM awareness and bridge HS partners to CC pathways by establishing partner HSs as a customer base for the BioSCOPE products manufactured by CC students.

STATUS

California Education Code section 78021(a) allows the governing board of any community college district may establish, or with one or more community college districts may establish, contract education programs within or outside the state by agreement with any public or private agency, corporation, association, or any other person or body, to provide specific educational programs or training to meet the specific needs of these bodies.

Ying-Tsu Loh, Executive Director of the Bay Area Bioscience Education Community (BABEC), is a Co-Principal Investigator (Co-PI) on this grant. Due to the specialized knowledge required to ensure grant compliance, the district is entering into a three-year agreement through the Bioscience Workforce Development Hub that provides a subaward to BABEC.

Year 1: 10/1/23 – 9/30/24 not to exceed \$101,045

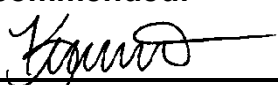

Year 2: 10/1/24 – 9/30/25 not to exceed \$106,504

Year 3: 10/1/25 – 9/30/26 not to exceed \$107,052

Total contract value not-to-exceed \$314,601.

RECOMMENDATION

Authorize the vice president of administrative services to enter into a three-year agreement with BABEC for the total contract value not to exceed \$314,601.

Subject: Approve Sabbatical Leave Recommendations for FY 2024/2025	Attachment: Summary of Sabbatical Leave Applications for AY 2024/25
Category: Consent Items	Type of Board Consideration: <div style="display: flex; justify-content: space-around; align-items: center;"> Information ✓ Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="display: flex; justify-content: space-around; align-items: center;"> Goal 1 Goal 2 ✓ Goal 3 Goal 4 </div>
Recommended:  <hr/> Kristina Denée Pescarmona Assistant Superintendent/Vice President, Instructional Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

Based on the Faculty Assembly contract, the number of sabbatical leaves available is 8 percent of the full-time faculty in an academic year, which for 2024/25 would be sixteen (16). Sixteen (16) faculty members submitted sabbatical leave applications and were forwarded to and approved by the Sabbatical Leave Committee on October 6, 2023, and approved by the Academic Senate on November 17, 2023.

RECOMMENDATION

Approve the 2024/25 sabbatical leave recommendations in the “attachment” link provided above.

1. Name: ALLISON, Megan**Department:** Horticulture**Semester requested:** One year at 50% compensation

Abstract: During Sabbatical leave I plan to prepare for and take the International Society of Arboriculture's Certified Arborist's Exam to earn my Arborist's Certification. This will allow me to teach my department's Horticulture 118 Arboriculture course which has been difficult to find part-time faculty to teach. In addition, I plan to prepare course materials to teach Hort 118 Arboriculture including a course Canvas page and all accompanying course teaching materials.

2. Name: ARQUERO, Kristine**Department:** Chemistry**Semester requested:** Fall 2024

Abstract: It is generally understood and accepted that active learning in STEM classrooms produces greater outcomes for students. Applying an equity lens to science classrooms, however, continues to be an elusive work in progress. Incorporating equity-based activities into course curriculum is a challenge for any instructor. Not only is the study of equity practices in STEM under development, but science instructors themselves lack prior knowledge and rarely have firsthand experience of an equity-based STEM education. In chemistry there is tension between covering all the content required and the significant class time such activities can demand. The primary goal of this sabbatical is to develop data driven instructional tasks, equity-based collaborative activities that engage students in chemical thinking, for CHEM 151. A consequence of this work is the need to create videos to replace the instructional time that is ceded to these new tasks. The secondary goal of this work is to learn from local industry the chemistry knowledge, skills, and abilities expected of interns and entry-level employees. The intention is to integrate these expectations into the general chemistry curriculum in hopes of better preparing our STEM students for employment outside of MiraCosta College.

3. Name: CLUFF, Leah**Department:** Art**Semester requested:** Spring 2025

Abstract: The discipline of art history has been grappling with its dominant focus on the history of Western art for some time. This focus is most apparent in broad survey and art appreciation classes. This has led to a call among many art historians and students of art history to decolonize these courses. For my sabbatical I propose to completely redevelop Art 157 - Art Orientation in order to decolonize this curriculum. The two dominant modes of teaching this course, either thematically or historically, still foreground the history of Western art. I propose to research decolonized Art Orientation and Art Appreciation courses and syllabi from numerous other institutions in order to rework the curriculum at MiraCosta. I will also research best practices for decolonizing curriculum. I propose to contact instructors teaching these courses and ask for their experiences with a decolonized model. My goal is to develop a course that respectfully and appropriately discusses global arts with significant cultural and/or historical context. I would also like to find a Zero Cost Textbook (ZTC) text that might accompany this decolonized course. I would then significantly rework the Art 157 Course Outline of Record to reflect what I learn during this process.

4. Name: COOBATIS, Christy**Department:** Music**Semester requested:** Fall 2024

Abstract: The purpose of this Sabbatical Leave is to create an album of diverse musical works based entirely on improvisation to be used as an outline for a new curriculum design. Upon completion, the album will be made available to the public via streaming on Amazon, Spotify, and Apple Music. A record of each step of the process will serve as an outline for incorporation into the many, different Music Classes I teach. Incorporating Improvisation into Curriculum Design will align the curriculum with the current trends in the music industry.

5. Name: DEINEH, Steven**Department:** Library**Semester requested:** One year at 50% compensation

Abstract: This sabbatical leave allows me to research the most effective methods of college library outreach to students and to write an outreach and student engagement plan for the MiraCosta College Library Department. Due to an increase in online students (courses, degrees) at MiraCosta, the sabbatical will pay particular attention to high impact library outreach and engagement strategies that are remote/online in addition to face-to-face strategies. It will also focus on engagement with underserved populations as determined by the Library department's 21-22 data dashboard (e.g., the library department is seeing disproportionate engagement in library services by Latinx males, Black/African-American males, foster youth, etc.).

6. Name: DUA, Arti**Department:** General Counseling**Semester requested:** Fall 2024

Abstract: During my sabbatical, I will learn strategies to enhance my ability to support students facing mental distress, a growing concern in our counseling services. As a general counselor, I recognize that students seek our assistance for various issues beyond academics. With the return to campus, we've seen a significant increase in students struggling with mental health challenges, consistent with the CDC's data showing a high prevalence of mental illness.

My primary goal during this sabbatical is to deepen my understanding of the type of struggles our students face, especially those disproportionately impacted, who may lack the social capital to access available resources. I intend to use this time to acquire strategies for recognizing signs of distress in students, providing effective support and guidance in 45-minute counseling sessions, whether in person or via Zoom. Additionally, I will focus on familiarizing myself with local and statewide mental health resources, which I can then share with our students.

I will share this knowledge and these resources among counseling faculty by creating a module to add to Canvas and will add resources to our Counselor reference page.

7. Name: HAGEN, Kelly**Department:** Letter**Semester requested:** Fall 2024

Abstract: The purposes of my sabbatical project include (1) engaging in professional development activities to acquire the skills and knowledge necessary to produce a gamified online English 100 course (a course in which game elements—such as storytelling, quests and side quests, leaderboards, and badges—are incorporated to support student engagement and learning) are incorporated to support student engagement and learning, and (2) to develop the course itself in Canvas. For the first part of my sabbatical project, I will research best practices in online teaching and gamified learning, attend conferences on gamification, take courses on gamification and online teaching, and/or collaborate with experts in the field of gamification. For the second part of my project, I will develop an online gamified English 100 Canvas course, which will include course design, content creation, and incorporating game mechanics into the course. Providing students the opportunity to take a gamified version of an online English 100 class will support student engagement, retention, and success. Furthermore, in developing this course, I hope to provide a model of a gamified English 100 to my colleagues in the department, in addition to sharing strategies for incorporating game elements in our classes, both online and in-person. Developing this course will help the department and college offer additional innovative online sections of English 100.

8. Name: HASTINGS, Rachel**Department:** Communication**Semester requested:** Fall 2024

Abstract: The Department of Communication added 4 brand new classes to its course offerings with the goal of launching them during the 2023/24 AY. As the author of our COMM186: Social Media Strategies for Communication and co-author of COMM144: Race and Ethnicity in Communication courses, my sabbatical will be dedicated to researching, curating, designing, and producing digital teaching assets (i.e. slide decks, video lectures, assignments, digital workbooks) for these courses. My goal is to add both breadth and depth to the pedagogical resources and tools that can be used by faculty teaching these courses. For Social Media Strategies, I have a great foundation of resources and activities that I've developed as a part of my teaching arsenal. While on sabbatical, I'll specifically work on curating a series of social media challenges and digital workbooks to supplement and bolster my current materials. I'll also use this time to develop new instructional materials for Race and Ethnicity. As this is a new class, I anticipate researching, writing, and developing digital materials that support the asynchronous learning modality we'll be using to teach this course.

9. Name: HORTON, Wendy**Department:** Counseling**Semester requested:** Spring 2025

Abstract: This sabbatical leave aims to expand my knowledge and expertise in career development and deepen my understanding of career exploration tools. I plan to complete career development courses and participate in webinars. I will read books, journal articles, and other academic materials related to career development. The first pillar of the Guided Pathways model is for students to explore and clarify their career and educational goals. With the Guided Pathways initiative, it is even more crucial that general counseling faculty are also trained in career development theory. As a general counselor, I dedicate most of my time to staying up to date with the ever-evolving landscape of degree and transfer requirements. This sabbatical will provide the time to dive deeper into career counseling and expand my knowledge of how to use career exploration tools. This will enable me to better support my students in choosing career paths that align with their interests, skills, and goals and help them connect their academic goals with potential careers. At the culmination of my research and learning, I aim to create a resource guide and career development framework that will benefit all general counseling faculty.

10. Name: KELLEY, Robert**Department:** Psychology**Semester requested:** Spring 2025

Abstract: The purpose of this sabbatical is to increase the Accessibility and Equity of my Behavioral Statistics courses through the greater embracing of universal design, completion of a Zero Textbook Cost textbook for my students (along with supporting activities and materials), development and integration of 'hands-on' applications to reinforce instructional concepts (see examples at my website www.p21.io), and improvement of instructional materials.

11. Name: McFARLAND, Casey**Department:** KHAN**Semester requested:** Fall 2024

Abstract: The purpose of my proposed sabbatical leave is to create a certificate in Health and Wellness Coaching and develop a course outline for a Health and Wellness Coaching class at MiraCosta College. There is a need to increase the number of health and wellness professionals in the community to support rising behavioral health issues among youth, to support underserved populations, and to support the aging population. Developing a certificate in Health and Wellness Coaching will help fill some of the workforce gaps in healthcare and create more opportunities for gainful employment for our students. To support these efforts, I plan to research certificates in Health and Wellness Coaching and enroll in a class or program on Health and Wellness Coaching. Additionally, I will conduct interviews with community colleges that offer certificates related to health and wellness, attend webinars and conferences, and review curriculum. The research and coursework will provide the knowledge and experience needed to develop the new certificate in Health and Wellness Coaching and create a new course in Health and Wellness Coaching.

12. Name: MORGADO, Pedro**Department:** Biology**Semester requested:** Spring 2025

Abstract: For my sabbatical project, I want to update the instructional material used for Biotechnology in Society (BIO105). Upon being hired at MiraCosta in 2018, I became the lead instructor for Molecular Mechanisms of Disease (BIO340) and BIO105. BIO340 was a never-before-taught course that MiraCosta would begin offering for the Biomanufacturing Bachelors program. As such, developing the course along with iterative improvements to BIO340 have taken precedence in the last few years. With this sabbatical, I intend to focus on both personal growth and actionable goals to help me update the instructional content for BIO105. These include 1) researching and selecting a suitable textbook to replace the current textbook being used. As well as, 2) researching the science of teaching/learning to help inform the update of the course. And finally, 3) delving into the literature around culturally relevant pedagogy to transform my teaching.

13. Name: NAKAMURA, Lemee**Department:** Mathematics**Semester requested:** Fall 2024

Abstract: During my sabbatical leave, I will write supplemental text and exercises with micro-step solutions, focusing on mathematical proofs, and study certain topics to gain deeper knowledge in Linear Algebra. I plan to integrate my notes and the commonly adopted textbook used for this class at MCC and share the material with my colleagues.

Our current textbook is well written. However:

1. Students are unsure if they're solving the problems correctly because the textbook's solution guide does not provide micro steps.
2. Students traditionally have difficulties with proving mathematical theorems because it is their first time seeing them.
3. Most topics have no visual/geometric interpretations to appreciate the beauty of Linear Algebra.

I plan to write the supplemental notes and produce supplemental exercises with micro-step details solutions with a broader range of problems, embed visual interpretations of some topics, create honors topics, and emphasize proofs to mathematical theorems.

I would use my supplementary material in my Math 270 class and assign supplemental exercises as part of the homework assignments.

I plan to produce a document(s) linked to my MiraCosta webpage. It would be available to our students, faculty, and the general public.

14. Name: PAULDING, Michael**Department:** Computer Science**Semester requested:** One year at 50% compensation

Abstract: The purpose of the sabbatical leave is to complete a graduate certificate in the Ethnomathematics and STEM (E-STEM) Institute offered through the University of Hawai'i. This 15-credit program is hosted through UH's College of Education - Curriculum Studies Department and introduces educators to the practice of learning and developing culturally sustaining STEM curriculum. The program itself is a year-long journey, with both in person and hybrid coursework in topics such as Ethnomathematics, curriculum leadership, qualitative research methods and integrated STEM curriculum.



In the coursework of the E-STEM Institute, we will be learning about and developing culturally sustaining curricula through group and interdisciplinary projects. Historically, Computer Science has lacked diversity in terms of race, gender and culture. This sabbatical leave serves to reshape our curriculum to ensure the experiences and histories of underrepresented groups are integrated in the learning process. The completion of this sabbatical project will result in the development of CS curricula to make the subject matter more authentic, representative and engaging for a broader range of students.

15. Name: SANCHEZ, Violeta**Department:** Letters**Semester requested:** Fall 2024

Abstract: I intend to research the genre of life writing and begin to produce an autobiographical text. In my ENGL 100 courses, we read nonfiction work, often including a memoir that centers experiences, identities, and subject matter that are relatable, validating, and/or engaging to my students. I want to devote part of my sabbatical to expanding my knowledge of autobiographical works to include more voices of marginalized and minoritized communities in my course content. I also want to begin my own autobiographical work because as a writing instructor, I believe it is important to model real-life writing for our students. Part of my pedagogical approach as a writing instructor is to encourage my students to see themselves as writers and that their stories are worthy of writing/telling/studying. By writing and sharing an autobiographical work of my own—as well as its process—with my students, I will be better equipped to teach this genre of writing and show my students how I am challenging myself as a reader, writer, and thinker—just as I ask that they challenge themselves as they write, rewrite, and reflect on their own work.

16. Name: TSUYUKI, Chad**Department:** Letters**Semester requested:** Spring 2025

Abstract: For several years, I have been exploring alternative assessment practices (AAPs) and currently use a hybrid system in my courses that I call "Promise Grading." In addition, I am in the process of co-editing a special issue of Teaching English in the Two-Year College that will be dedicated to AAPs and also include perspectives from MiraCosta students. These ongoing efforts speak to my longstanding commitment to AAPs and equity-minded practices that ultimately promote linguistic justice and increase student success. A possible sabbatical will allow me to continue this commitment by diving deeper into the literature, interviewing practitioners, and ultimately developing a resource that can be used by faculty across campus. More specifically, I plan to survey the literature and gain greater expertise via leading figures like Asao B. Inoue and Jesse Stommel. This will enable me to better understand some of the major approaches like specifications and labor-based grading. I also plan to conduct interviews with practitioners to develop a more meaningful understanding of their approaches. Finally, I will take this knowledge and use it to develop a digital ungrading handbook. This resource will give MCC faculty across campus an opportunity to reflect on traditional grading methods, consider alternatives, and develop unique approaches that can be used to address DI groups and increase student success.

Subject: Approve Purchase for Furniture, Fixtures and Equipment for OCN Reno Building 1200 Library	Attachment: None
Category: Consent Items	Type of Board Consideration: Information <input checked="" type="checkbox"/> Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <input checked="" type="checkbox"/> Goal 1 Goal 2 <input checked="" type="checkbox"/> Goal 3 <input checked="" type="checkbox"/> Goal 4
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 office storage and shelving, cabinets, and miscellaneous items, is related to the project needs identified for the Reno Building 1200 Library 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 Spacesaver Intermountain LLC Spacesaver Sourcewell Storage Contract #010920-SPC, for the purchase of specific items at the lowest cost and best overall value for district purchases.





The equipment purchases have been identified with a total cost not to exceed \$175,000, and are detailed below:

Project Name	Cost	Supplier
Reno Building 1200 Library Project	\$175,000	Spacesaver Intermountain LLC

Funds for equipment are budgeted within the district’s Measure MM fund.

RECOMMENDATION

Authorize the vice president, administrative services to proceed with the procurement with Spacesaver Intermountain LLC Spacesaver Sourcewell.

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;">  Information Consent Action </div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <div style="text-align: center;">  Goal 1 Goal 2 Goal 3 Goal 4 </div>
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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 2023 = \$109,300), 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
November 20, 2023 - December 18, 2023**

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.

CCAA POs from \$5,000 – \$200,000			
	Vendor	Description	amt
23005217	Frontier Fence Company Inc	Automotive Privacy Screen (Fac)	\$14,987.00
23005182	Maurice Gannon	B1100 Storage Shed Concrete (Fac)	\$14,950.00
23005180	Maurice Gannon	Clock Tower Paver Removal (Fac)	\$14,800.00
23005181	Maurice Gannon	4500 Trip Hazard Removal (Fac)	\$13,200.00
23005183	Maurice Gannon	Lot 5B Parking Machine Pad (Fac)	\$11,790.00

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			
	Vendor	Description	amt
23005420_PR	Southern Contracting Co.	5KV loop replacement	\$153,172.00

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

from \$25,000 - \$109,300			
	Vendor	Description	amt
23005126	Reach Local Inc	Consulting (PIO)	\$95,000.00
23004948	Silverstone Systems, LLC	Instructional Equipment (AUTO)	\$75,765.26
23005171	CDW Government Inc	Software Maintenance (ITS)	\$62,500.00
23005152	Modern Campus USA, Inc.	Software Maintenance (ITS)	\$51,307.00
23004900	Southwest Solutions Group, Inc	Equipment (Pol)	\$47,114.10
23004961	Select Equipment Sales	Equipment (Fac)	\$41,875.58
23004992	Nth Generation Computing	Security services and consulting (ITS)	\$41,325.00
23005144	Allie's Party Rentals	Commencement Rentals (SS)	\$34,924.97
23005054	Southwest Offset Printing	Printing (Comm Ed)	\$30,548.70
23004957	CDW Government Inc	Software Maintenance (ITS)	\$25,920.00

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

from \$10,000 - \$24,999			
	Vendor	Description	amt
23005108	Open Biopharma Training Institute, Inc.	Contract Services (Fin Aid)	\$22,356.00
23004914	ServareGMP	Contract Services (LEAP)	\$22,346.00
23005184	SAGE Publications, Inc.	Library E-Resources (Lib)	\$21,924.00
23005032	Statewide Association for Community Colleges	Insurance (Risk)	\$20,000.00
23005210	Operation HOPE-North County	Contract Services (LAEP)	\$19,358.00
23005038	Hideaki A. Asto	Research Services (CE)	\$19,200.00
23005211	Open Biopharma Training Institute, Inc.	Contract Services (LAEP)	\$18,854.00
23005107	Open Biopharma Training Institute, Inc.	Contract Services (Fin Aid)	\$17,839.00
23005145	PREMIUM OUTLET PARTNERS	Advertising (PIO)	\$15,930.80
23004892	CDW Government Inc	Equipment and Supplies (ITS)	\$14,709.33
23005166	Ovid Technologies Inc	Annual Contract (LIB)	\$14,574.00
23005185	BMI Audit Services, LLC	Audit Services (HR)	\$14,250.00
23005004	EBSCO Industries	Library E-Resource (Lib)	\$12,912.06

23005212	Operation HOPE-North County	Contract Services (LAEP)	\$12,115.00
23004962	WRD Consulting, LLC	Consulting (Instruct Serv)	\$12,000.00
23005100	Aztec Containers	Equipment (Auto)	\$11,961.63
23005113	Calvin Chan	Registration Page Modernization (CLC)	\$10,750.00
23004893	IBM Corporation	Software Maintenance (ITS)	\$10,320.00

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			
	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			
	Vendor	Description	Amount
	No Entries This Month		

Total Contract Expenditures: \$1,020,579.43
Ratify MCC purchase orders 23004883 through 23005217

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.

Contracts / Grants / Instructional / Miscellaneous Agreements			
Contract #	Other Party	Description	Amount
	San Luis Obispo County Community College District	Library/Information Technology Student Internship Program	None

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.

Liabilities Use Agreements			
Contract #	Licensee	Description	Amount
23000180	Oceanside Unified School District	Staff training for OUSD BASE programs	\$1,001.88
23000179	Saint Constantine & Helen Greek Church	Parking Lot: SAN-4	\$400.00
23000161	New Song Community Church	Staff Christmas dinner	\$170.78
23000135	Adrian Rose Andersen	Private Piano Recital	\$50.00

**Capital Improvement Program Contract and Purchase Order Ratification List
November 20, 2023 – December 18, 2023**

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.

CCAA POs from \$5,000 – \$200,000			
	Vendor	Description	Amount
	No entries		

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

from \$25,000 - \$109,300			
	Vendor	Description	Amount
23005079	Waxie Sanitary Supply	04204 Waxie Big Belly Smart Waste Bins for HWH (OCN)	\$80.25
23004990	Cauvel & Dacey P.C.	03722 District Legal Services (District-wide)	\$55.00
23005083	Waxie Sanitary Supply	04201 Waxie Cleaning Supplies and Equipment for HWH (OCN)	\$87.55

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

from \$10,000 - \$24,999			
	Vendor	Description	Amount
4906	Union Tribune Publishing Co	03722 Bid Advertising Estimated Services for Fiscal Year 23/24 (district-wide)	\$00.00

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

from \$0 - \$9,999			
	Vendor	Description	Amount
4909	Medline (Punchout)	04201 Medical grade bedside tables for the Allied Health Nurse Simulation space (OCN)	\$6.90
5082	VWR International LLC	04204 Ice Machine Base for Gym Ice Maker (OCN)	\$79.26
5081	Uline	04201 Uline Supplies for HWH (OCN)	\$7.90
5138	Grainger	04204 Grainger Supplies for Gym (OCN)	\$.12
4936	Global Equipment Company	04201 Triple Glove Box Holders (OCN)	\$.29
5162	Grainger	04201 Grainger Supplies for HWH (OCN)	\$.70

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

Change Orders			
	Vendor	Description	Amount
3866	Elite Relocation Services	04201 Change Order 1 (OCN)	\$34.64

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			
	Vendor	Description	Amount
23003450	Level 10 Construction	04216 Change Order 9 (OCN)	\$88,605.00

23003447	C W Driver LLC	04202 Change Order 20 OCN	\$50,131.00
23003449	Caliba, Inc.	04207 Change Order 14 (OCN)	\$40,000.00
23003447	C W Driver LLC	04202 Change Order 18 OCN	\$15,925.00
23003448	Balfour Beatty Construction LLC	04215 Chang Order 16 (OCN)	\$5,472.00
23003248	DICA Enterprises, Inc.	04225 Change Order 1 (OCN)	\$3,148.64

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 laws, 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.

17-002 – Geotechnical Engineering Task Orders			
tract #	Other Party	Description	unt
	No Entries This Period		

17-002 – Geotechnical Engineering Task Change Orders			
tract #	Other Party	Description	unt
	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.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.

17-003 – Civil Engineering Task Orders			
tract #	Other Party	Description	unt
	No Entries This Period		

17-003 – Civil Engineering Task Change Orders			
tract #	Other Party	Description	unt
	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.

17-012 – Commissioning Services Task Orders			
tract #	Other Party	Description	unt
	No Entries This Period		

17-012 – Commissioning Services Task Change Orders			
tract #	Other Party	Description	unt
	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.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.

19-013 – Inspector of Record Task Orders			
tract #	Other Party	Description	unt
	No Entries This Period		

19-013 – Inspector of Record Task Change Orders			
tract #	Other Party	Description	unt
	No Entries This Period		

	No Entries This Period		
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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.

19-014 – Special Inspection Task Orders

Contract #	Other Party	Description	Amount
	No Entries This Period		

19-014 – Special Inspection Task Change Orders


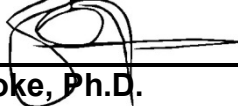
Contract #	Other Party	Description	Amount
	No Entries This Period		

Total Contract Expenditures: \$486,375.25

Ratify purchase orders — 23003248, 23003447-23003450, 23003866, 23004906, 23004908, 23004909, 23004936, 23004990, 23005079, 23005081-23005083, 23005138, 23005162

Ratify purchase orders (Task Orders) — N/A

Ratify purchase orders (Contracts) — 23004908

Subject: Approve the MiraCosta Community College District Initial Proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024	Attachment: None
Category: Action Items	Type of Board Consideration: Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The collective bargaining agreement between the district and the MiraCosta College Academic Associate Faculty expires on June 30, 2024.

As required by Government Code § 3547, the district’s initial proposal for a new agreement must be presented at a public meeting, the public has to be given a chance to comment on the proposal, and the Board of Trustees has to adopt the proposal at a public meeting. This process is generally done in three steps: (1) in a closed session on negotiations, what the district anticipates proposing is discussed and agreed upon; (2) at a board meeting, the district presents the initial proposal publicly to the board as an information item; and, (3) the proposal is put on the next board agenda for public comment and board approval.

STATUS

The district intends to negotiate changes in the terms and conditions of employment contained in the following articles of the agreement with the MiraCosta College Academic Associate Faculty for the contract period to commence on July 1, 2024.

Article 6 Personnel Files: Revision of language related to limit on number of pages of copies of personnel records.

Article 7 Workload and Scheduling Priority: clarify 67% limits for dual classroom and non-classroom assignments; clarify scheduling priority process procedures; negotiate

online education instructional requirements; negotiate honors assignment considerations.

Article 9 Evaluation Procedures: Revise evaluation procedures including clarification related to in-person, online, and non-classroom procedures.

Article 12 Salary Schedule and Placement: Negotiate the salary schedule and language related to initial salary placement.

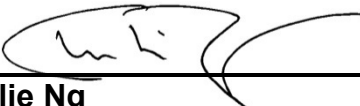
Article 15 Leaves of Absence: Clarify leaves and address recent statutory changes; add procedure for reporting absences for online education.

Article 17 Assigned Time: Add procedure for reporting absences for governance assignments.

Article 20 Term: Term of agreement.

RECOMMENDATION

Approve the MiraCosta Community College District Initial Proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024, as stated above.

Subject: Ratify MiraCosta Community College District Classified Confidential Employee Manual	Attachment: MiraCosta Community College District Classified Confidential Employee Manual
Category: Action Items	Type of Board Consideration: Information Consent Action <div style="text-align: right; margin-right: 50px;">✓</div>
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3 Goal 4 <div style="text-align: center; margin: 0 auto; width: 100px;">✓</div>
Recommended:  <hr style="width: 35%; margin-left: 0;"/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr style="width: 35%; margin-left: 0;"/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

During the fall of 2023, the district engaged in collegial negotiations via the meet and confer process with the Classified Senate pursuant to Board Policy 7140.

STATUS

The district’s negotiators and the Classified Confidential Employees have met and conferred regarding changes to the Employee Manual, which were subsequently ratified by the Classified Confidential Employees. The Classified Confidential Employee Manual is available at the link above, and a copy is on file with the secretary of the board of trustees.

RECOMMENDATION

Ratify MiraCosta Community College District Classified Confidential Employee Manual, as stated above.

Subject: Approve Equal Employment Opportunity Plan	Attachment: Equal Opportunity Plan				
Category: Action Items	Type of Board Consideration: <table style="width: 100%; text-align: center;"> <tr> <td>Information</td> <td>Consent</td> <td>Action </td> </tr> </table>	Information	Consent	Action	
Information	Consent	Action			
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <table style="width: 100%; text-align: center;"> <tr> <td>Goal 1</td> <td>Goal 2</td> <td>Goal 3 </td> <td>Goal 4</td> </tr> </table>	Goal 1	Goal 2	Goal 3	Goal 4
Goal 1	Goal 2	Goal 3	Goal 4		
Recommended: <hr style="width: 80%; margin: 0 auto;"/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration: <hr style="width: 80%; margin: 0 auto;"/> Sunita V. Cooke, Ph.D. Superintendent/President				

BACKGROUND


In July 2021, the Board of Governors adopted a number of amendments to the existing title 5 regulations regarding Equal Employment Opportunity (EEO) programs in community college districts. Title 5 section 53003 requires California Community Colleges to review and update the college’s existing Equal Employment Opportunity (EEO) plan on an annual basis to cover a period of three years. Plans must be submitted to the California Community College Chancellor’s Office at least 90 days prior to board adoption. The district’s EEO Plan was submitted to the Chancellor’s Office on October 2, 2023, and feedback received has been incorporated into the current plan. The district is required to send revised plans approved by the board of trustees to the Chancellor’s Office for public filing.

STATUS

The district’s Equal Employment Opportunity Plan was last updated on January 5, 2024, to reflect the new plan components and available data.

RECOMMENDATION

Approve Equal Employment Opportunity Plan, as stated.

Subject: Adopt Resolution No. 9-23/24: Authorize Extension of AC Martin Partners, Inc. Agreement	Attachment: Resolution No. 9-23/24
Category: Action Items	Type of Board Consideration: Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

AC Martin Partners, Inc. (“AC Martin”) has provided Facilities Master Plan (FMP) Implementation Planning Professional Services for the district’s Measure MM building program under agreement MM18000016, executed August 21, 2018. Two amendments were previously approved, which collectively resulted in extending the term of the agreement to June 30, 2023, and increasing compensation and continuation of services to continue providing these professional services. AC Martin has satisfactorily completed services under the agreement. The district requires the continuation of services described in the agreement to continue updates to the FMP for continuity and consistency in the planning, clarification, and refinement of design and projects. AC Martin’s knowledge of and familiarity with the status of Measure MM Projects and the district’s objectives for the Measure MM projects cannot be duplicated. If the district engages in a competitive selection process for these services, which are in various stages of planning, design, procurement and construction, schedules could be negatively impacted, disrupted, and delayed.

STATUS

The term of professional services agreements is limited to five years under Education Code section 81644. The services under the AC Martin agreement are in the nature of FMP implementation planning as that term is used and defined in Government Code section 4529.12, which generally requires the district to engage in a “competitive selection process” for procuring architectural services.

The district requested that AC Martin submit a proposal for completing FMP implementation planning services. The assistant superintendent/vice president, administrative services, and

Project Management Office (PMO) has reviewed the proposal. The third amendment would reflect the additional continuation of FMP Implementation Planning services through June 30, 2026, and additional compensation of \$75,000.

Notwithstanding the limits on the term of professional services agreement and the competitive selection process for procuring FMP implementation planning services, the district may contract beyond the statutory term limits without a competitive selection process upon findings of necessity by the board. Resolution No. 9-23/24 describes the basis for the district's approval for the third amendment to the agreement without engaging in a competitive selection process.

RECOMMENDATION

Approve Resolution No. 9-23/24 authorizing extension of the AC Martin agreement and amendment no. 3 to the AC Martin Partners, Inc. Professional Services Agreement.

MIRACOSTA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 9-23/24

AUTHORIZE EXTENSION OF AC MARTIN PARTNERS, INC. PROFESSIONAL SERVICES AGREEMENT

WHEREAS, on or about August 18, 2018, an agreement was executed between AC Martin Partners, Inc. (“AC Martin”) and the district for Facilities (FMP) Implementation Planning Services in conjunction with the district’s Measure MM building program; and

WHEREAS, the services under the agreement are in the nature of professional services; district contracts for professional services are limited to a maximum term of five (5) years pursuant to Education Code Section 81644; and

WHEREAS, the original agreement incorporated options of the district to extend the term of the agreement with a maximum of five (5) years; and

WHEREAS, the district approved and issued two (2) amendments to the agreement which collectively extended the agreement term to June 30, 2023; and

WHEREAS, as of the agreement expiration date, the MM Building Program is on-going with projects funded by Measure MM in various stages of development, refining and planning; and

WHEREAS, the district requires the professional services described in the agreement to continue with FMP implementation planning services after expiration; and

WHEREAS, the Government Code Section 4529.12 generally requires contraction and procurement of the professional services described in the agreement by a “competitive selection process”; and

WHEREAS, Californian courts recognize a legal exception to the statutory bidding requirements when a public agency determines that competitive bidding would be futile, unavailing, undesirable, impractical, impossible, and would cause additional delay and additional cost. (*Meakin v. Steveland* (1977) 68 Cal.App.3d 490; *Los Angeles Dredging v. Long Beach* (1930) 210 Cal. 348); and

WHEREAS, engaging in a competitive selection process to procure FMP Implementation Planning Services will be futile, undesirable, and impractical for the following reasons: (i) AC Martin has detailed knowledge of and familiarity with the status of Measure MM projects and the district’s objectives for the projects; and (ii) completion of Measure MM projects may be disrupted and delayed by the time necessary to complete a competitive selection process; and

WHEREAS, AC Martin is ready, willing and able to perform FMP Implementation Planning Services; and

WHEREAS, the district requested AC Martin submit a proposal for performing said professional services from July 1, 2023 to June 30, 2026 (“Extended Term”) based on the terms and conditions of the original and amended AC Martin Agreement; and

WHEREAS, the proposal for completing FMP Implementation Planning Services has been reviewed by the district’s assistant superintendent/vice president, administrative services and Program Management Office (PMO) to confirm the need, cost and scope of services;

NOW THEREFORE BE IT RESOLVED THAT:

1. The foregoing recitals and determinations are true, correct and incorporated herein by this reference.

2. It would be futile, undesirable, impractical and not produce any advantage for the district to engage in a competitive selection process to procure the above referenced professional services for the Extended Term.
3. The district's assistant superintendent/vice president, administrative services is authorized to execute the third Amendment on behalf of the district and take such actions necessary to implement the intent of this resolution.
4. The contract undertaken pursuant to this Resolution shall state, in writing, that the contract shall not be effective unless and until approved or ratified by the board. The purpose of this limitation is to ensure that all third parties doing business with the district are notified that the contract is not final and binding without subsequent board action.
5. The board approves this Resolution and it shall be effective as of its adoption.

DATED, SIGNED AND APPROVED this 18th day of January 2024.

BOARD OF TRUSTEES OF THE
MIRACOSTA COMMUNITY COLLEGE DISTRICT

By: _____
Rick Cassar
President, Board of Trustees

Attest:

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

STATE OF CALIFORNIA)
)ss
SAN DIEGO COUNTY)

I, Sunita V. Cooke, Ph.D., do hereby certify that the foregoing is a true and correct copy of Resolution No. 9-23/24, which was duly adopted by the Board of Trustees of the MiraCosta Community College District at a meeting thereof held on the 19th day of January 2024, and that it was so adopted by the following vote:

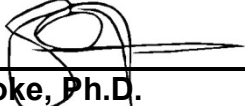
AYES:

NOES:

ABSENT:

ABSTENTIONS:

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

Subject: Board Policy 7390 – Telework	Attachment: Board Policy 7390 – Telework
Category: Board Policies – Second Read	Type of Board Consideration: Information Consent <input checked="" type="checkbox"/> Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: <input checked="" type="checkbox"/> Goal 1 <input checked="" type="checkbox"/> Goal 2 <input checked="" type="checkbox"/> Goal 3 <input checked="" type="checkbox"/> Goal 4
	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

Edits to new Board Policy 7390 – Telework have been completed and approved by College Council. A second read, and adoption by the board will be deferred until the February 15, 2024, meeting.






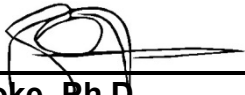
RECOMMENDATION

Adopt Board Policy 7390.

Teleworking is an alternate work arrangement in which an authorized employee may work from an Alternate Worksite instead of commuting to their District Worksite.

Teleworking is a benefit, which the district may grant under appropriate circumstances considering the operational needs of the district and the provisions of this Policy. No employee is guaranteed the right to telework.

The decision to authorize an employee to telework is within the district's sole discretion. Not every job is eligible or adaptable to a teleworking work arrangement. There is no assurance that a teleworking arrangement can be provided or approved by the district. An employee's participation in teleworking is completely voluntary.

Subject: Board Policy 7600 – College Police Department	Attachment: Board Policy 7600 – College Police Department
Category: Board Policies – Second Read	Type of Board Consideration: Information Consent Action 
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported:  Goal 1  Goal 2  Goal 3  Goal 4
	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

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

STATUS

Edits to Board Policy 7600 – College Police Department have been completed and approved by College Council. The policy is now presented for a second read and adoption by the board of trustees.

Administrative Procedure 7600 is provided for your reference only.

RECOMMENDATION

Adopt Board Policy 7600.

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

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

Public safety services must adhere to principles of diversity, equity, inclusion, and accessibility. Public safety services must advance access to education, educational equity, and opportunities for student success by creating safe, secure, peaceful, and inclusive campus environments in which all persons may fully develop their individual potential without fear or undue risk of physical or emotional harm.

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

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

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

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

Use of Military Equipment

~~The chief of police shall obtain approval from the Board of Trustees to adopt a military equipment use policy prior to purchasing, raising funds for, or acquiring military equipment. The superintendent/president shall submit the proposed military equipment policy to the Board of Trustees and make those documents available on the College Police Department website at least 30 days prior to any public hearing concerning the military equipment at issue. The Board of Trustees shall consider the proposed military equipment policy as an agenda item for an open session meeting in accordance with the Brown Act.~~

The superintendent/president will develop procedures to ensure the Chief of Police obtains approval from the Board of Trustees of a military equipment use policy prior to purchasing, raising funds for, or acquiring military equipment as defined in the Government Code.]

Campus Policing and Student Success

The superintendent/president will develop procedures to ensure the District develops a "Public Safety Compact" with District stakeholders, including college police officers. The Public Safety Compact will establish the District's requirements for the delivery of public safety-related services on campus, including the respective roles and responsibilities of administrators, faculty, college police officers, mental health and social services workers, crisis counselors, community non-profits, and other related service providers in responding to the public safety needs of the college.

The District will establish a public safety advisory committee to make recommendations to the District governing board related to District policies governing college public safety services. The District will engage in active efforts to recruit advisory committee members from historically underserved communities.

Policing Data

The superintendent/president will develop procedures to ensure the Chief(s) of Police will record policing data metrics, including key performance indicators, track data related to traffic stops and other officer-initiated contacts, and conduct stakeholder climate surveys focused on college public safety services.

Use of Force

The chief of police shall obtain approval from the Board of Trustees to adopt a military equipment use policy prior to purchasing, raising funds for, or acquiring military equipment. The superintendent/president shall submit the proposed military equipment policy to the Board of Trustees and make those documents available on the College Police Department website at least 30 days prior to any public hearing concerning the military equipment at issue. The Board of Trustees shall consider the proposed military equipment policy as an agenda item for an open session meeting in accordance with the Brown Act.

Report Regarding Complaints

The chief(s) of police shall regularly provide the board with a report regarding complaints against the College Police Department and police officers. This report must disaggregate the complainants by race, gender, religion, or any other characteristic identified by the board.

See Administrative Procedures 7600.

MiraCosta Community College District

Page 1 of 1

Adoption History: 11/3/09, 5/20/21

Periodic Review: 7/7/15, 3/16/16

References: Education Code §§72330 et seq.
Government Code §§3300 et seq.

CCLC Update: #16, 4/09, #28, 4/16, #36, 4/20, #42, 4/23, #42 Addendum, 5/23

Steering: VPAS

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

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

- A. Submission of one copy of their fingerprints, which shall be forwarded to the Federal Bureau of Investigation.
- B. A determination that the employee is not a person prohibited from employment by a California community college district.
- C. If the employee is required to carry a firearm, is not a person prohibited from possessing a firearm.

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

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

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

- A. Schedules and shifts.
- B. Hiring procedures in compliance of Peace Officers' Standards and Training (POST) standards.
- C. Call-back procedures.

MiraCosta Community College District

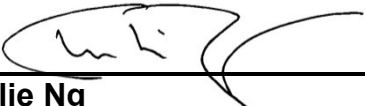

Effective Date: 11/3/09, 2/19/16, 5/6/21
Periodic Review: 7/7/15, 3/10/22
References: Education Code §72330
Government Code §§3300 et seq.
Penal Code §830.32 (a)
CCLC Update: #28, 4/16; #32, 4/20; #38, 4/21
Steering: VPAS / N/A

- D. Weapons practices and weapons retention.
- E. Use of vehicles.
- F. Pursuit practices.
- G. Use of Force procedures.
- H. Discipline procedures.
- I. Training
- J. Department of Justice, California Law Enforcement Telecommunications System (CLETS) Training. Complete CLETS use and training information can be found in the MiraCosta College Police Procedures Manual.

MOU/Clery

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

- A. Operational responsibilities for investigations of the following violent crimes:
 - 1. Criminal homicide: murder and non-negligent manslaughter, manslaughter by negligence
 - 2. Sex offenses: rape, fondling, incest, statutory rape
 - 3. Robbery
 - 4. Aggravated assault
 - 5. Burglary
 - 6. Motor vehicle theft
 - 7. Arson
 - 8. Arrests and referrals for disciplinary action for liquor law violations, drug law violations, and
 - 9. weapons law violations
 - 10. Hate crimes for all of the above crimes and crimes of larceny-theft, simple assault, intimidation, vandalism/damage/destruction of property, motivated by a bias from one of the bias categories;
 - 11. Dating violence, domestic violence, and stalking
- B. Geographical boundaries of the operational responsibilities.
- C. Mutual-aid procedures.

Subject: Public Hearing – 4:30 p.m. MiraCosta Community College District Initial Proposal to the MiraCosta Community College Academic Associate Faculty CCA/CTA/NEA for the Contract to Commence July 1, 2024	Attachment: None
Category: Information Items	Type of Board Consideration: ✓ Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 ✓ Goal 3 Goal 4
Recommended:  _____ Charlie Ng Vice President, Human Resources	Approved for Consideration:  _____ Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND



The collective bargaining agreement between the district and the MiraCosta College Academic Associate Faculty CCA/CTA/NEA expires on June 30, 2024.

STATUS

As required by Government Code §3547, the district’s initial proposal for a new agreement must be presented at a public meeting, the public has to be given a chance to address the proposal, and the board of trustees has to adopt the proposal at a public meeting. The public hearing on the initial proposal to the MiraCosta College Academic Associate Faculty CCA/CTA/NEA will commence no earlier than 4:30 p.m. and as close to 4:30 p.m. as the business of the board permits.

RECOMMENDATION

For information only.

Subject: Report Update of Emergency Declaration and Emergency Actions for Oceanside Main Power Outages	Attachment: None
Category: Information Items	Type of Board Consideration: ✓ Information Consent Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: ✓ ✓ ✓ Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

On November 16, 2023, the board adopted Resolution No. 6-23/24, amending Resolution No. 13-10/11, delegating authority to the superintendent/president to declare an emergency and take emergency actions. On the same day, the board adopted Resolution No. 7-23/24, which gave the superintendent/president delegation authority to declare and take emergency actions for the three Oceanside main power outages, which began October 19, 2023.

STATUS

CUPCCAA (AstroTurf Public Contract Code §22050) authorizes the Board of Trustees to declare an emergency and to authorize procurement of goods/services necessary to address an emergency without advertising for bids or competitive proposals (“Emergency Actions”). CUPCCAA authorizes the Board of Trustees to delegate authority to take Emergency Actions to District staff and for District staff to report Emergency Actions to the Board of Trustees (Public Contract Code §22050(b)).

Pursuant to the board’s adopted Resolution No. 6-23/24, and the requirements under Public Contract Code §22050, the following is an updated report of the emergency action taken and the status of the Oceanside main power outages, and reasons why the emergency will not permit delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency:

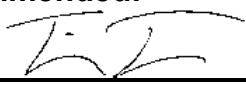

Outage #	Status
1	In the a.m. on October 19, the main Oceanside Campus experienced its initial power outage. Power was restored at approximately 10:33 p.m. Project completed
2	In the a.m. on October 23, the Building 4800 main electrical feeder failed. In addition, on the morning of October 25, the campus experienced a failure in its medium voltage loop causing a campus-wide power outage. Power was successfully restored October 28. Project completed
3	At approximately 5:30 a.m. on November 7, power was lost on the north side of Oceanside Campus due to an additional medium voltage loop failure. Power was restored on November 11 to most of the campus, except for 4200, 4300, and 4400 buildings. Final scope involved de-energizing medium voltage on both ends of the bridge. Project ongoing to include additional electrical loop cable replacement during winter break

Necessary procurements needed to address the emergency:

Outage #	Vendor/Contractor	Work/Goods/Services Description	Current Amount
1-3	Grainger	Tools and Supplies for Bridge and Power Outages 1-3	\$1,187.58
2	Heaslett Sales	Items purchased during Outage 2	\$680.00

RECOMMENDATION

The assistant superintendent/vice president, administrative services will continue to update the board of any emergency action taken and the status thereof until the emergency action is completed.

Subject: Annual District and Bond Measure MM Audit Services for FY2023/24	Attachment: None
Category: Information Items	Type of Board Consideration: <input checked="" type="checkbox"/> Information <input type="checkbox"/> Consent <input type="checkbox"/> Action
Institutional Goals: mcc_mission_statement.pdf (miracosta.edu)	Institutional Goal Supported: Goal 1 Goal 2 Goal 3 <input checked="" type="checkbox"/> Goal 4
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

MiraCosta Board Policy/Administrative Procedure 6400 and under California Code of Regulations, title 5 (Title 5) section 59102, “Arrangements for annual audits for any fiscal year as required by section 84040 of the Education code shall be made final no later than the May 1 preceding that fiscal year.” Each district must inform the Chancellor’s Office of their audit arrangements and identify the auditor under contract no later than May 15 of each year. Financial audits require that the district contract for annual comprehensive fiscal audits by a certified public accountancy (CPA) firm by May 1.

Measure MM, a \$455 million general obligation bond, authorized by Proposition 39, was passed by the voters of the MiraCosta Community College District on Nov. 8, 2016, to provide funding for needed repairs, upgrades, and new construction projects. Proposition 39 requires both a financial and a performance audit to ensure Measure MM is in compliance with Article XIII A, Section 1(b)(3)(C) of the California Constitution.

STATUS

On April 16, 2020, the board approved Eide Bailly LLP, <https://www.eidebailly.com/>, with a five (5) year contract to perform the district’s annual financial audit and the district’s General Obligation Bond *Measure MM* financial and performance audits. Eide Bailly LLP will perform the audit for FY2023/24 during FY2024/25, the fourth year of the contract.

Auditor’s Fees:

Fees for District Audit Services, \$325,000 total for 5 years:

FY2020/21, \$64,000

FY2021/22, \$64,500

FY2022/23, \$65,000

FY2023/24, \$65,500

FY2024/25, \$66,000

Fees for the General Obligation Bond *Measure MM* Financial and Performance Audit Services, \$51,000 total for 5 years:

FY2020/21, \$10,200

FY2021/22, \$10,200




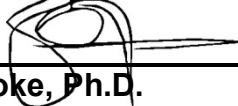
FY2022/23, \$10,200

FY2023/24, \$10,200

FY2024/25, \$10,200

RECOMMENDATION

For information only.

Subject: Sunshine the MiraCosta College Academic Associate Faculty CCA/CTA/NEA Initial Proposal to the MiraCosta Community College District for the Contract to Commence July 1, 2024	Attachment: None
Category: Information Items	Type of Board Consideration:  Information Consent Action
Institutional Goals: mcc mission statement.pdf (miracosta.edu)	Institutional Goal Supported:  Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Charlie Ng Assistant Superintendent/Vice President, Human Resources	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

BACKGROUND

The collective bargaining agreement between the district and the MiraCosta College Academic Associate Faculty expires on June 30, 2024.

As required by Government Code § 3547, the district’s initial proposal for a new agreement must be presented at a public meeting, the public has to be given a chance to comment on the proposal, and the Board of Trustees has to adopt the proposal at a public meeting. This process is generally done in three steps: (1) in a closed session on negotiations, what the district anticipates proposing is discussed and agreed upon; (2) at a board meeting, the district presents the initial proposal publicly to the board as an information item; and, (3) the proposal is put on the next board agenda for public comment and board approval.

STATUS

The Academic Associate Faculty intends to negotiate changes in the terms and conditions of employment contained in the following articles of the agreement with the MiraCosta Community College District for the contract period to commence on July 1, 2024.






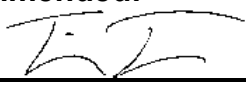

The Academic Associate Faculty’s initial proposal for bargaining is for a new successor contract with changes to the following sections:

Article 2 Rights of the Association: Provide compensated time for all negotiations between the parties.

- Article 5 Dues Deductions: Develop dues deduction system to reflect shorter than a semester work schedules.
- Article 7 Workload Scheduling and Reemployment Preference: Eliminate use of LHE throughout the CBA. Improve scheduling process to honor the work of associate faculty by increasing the available minimum load.
- Article 9 Evaluation Procedures: Clarify observer access process for online evaluation. Provide training to evaluators and observers to ensure a quality faculty and student experience.
- Article 11 Office Hours: Offer equitable compensation for office hours and for student success.
- Article 12 Salary Schedule and Placement: Improve salary to achieve parity with full time faculty.
- Article 13 Health Benefits: Create plan that optimizes state reimbursement to the district for providing quality health insurance to unit members and their families.
- Article 14 Retirement Benefits: Add Social Security as an option.
- Article 15 Sick Leave: Payout of sick leave to unit members not in STRS DB.
- Article 17 Assigned Time: Compensation for unit members performing shared governance.
- Article 18 Grievances: Addition of binding arbitration.

RECOMMENDATION

For information only.

Subject: Office of Administrative Services Board Report	Attachment: <u>Winter Break Facilities Projects Update</u>
Category: College-Related Reports	Type of Board Consideration:  Information Consent Action
Institutional Goals: <u>mcc_mission_statement.pdf (miracosta.edu)</u>	Institutional Goal Supported:     Goal 1 Goal 2 Goal 3 Goal 4
Recommended:  <hr/> Tim Flood Assistant Superintendent/Vice President, Administrative Services	Approved for Consideration:  <hr/> Sunita V. Cooke, Ph.D. Superintendent/President

Continuing work on the Facilities Futures Plan, three community listening sessions were hosted in November to garner feedback from the community. The sessions were held at the San Elijo campus, Community Learning Center, and the Carlsbad Library, and were attended by members of the local community. The results of these listening sessions, as well as a number of focus groups and listening sessions held with MiraCosta students, faculty and staff were presented to both the Budget and Planning Committee (BPC) and the Campus Advisory Committee (CAC) for discussion and analysis. BPC and CAC will continue to work with Gensler to develop Facilities Futures Plan options through the spring semester. The plan is expected to be presented to the board for approval in the fall.

The office continues to support the Student Conduct/Police Advisory Committee (SCPAC) and the Independent Citizens’ Bond Oversight Committee (ICBOC). Most recently, SCPAC met with Chief IDEA Officer Dr. Wendy Stewart to discuss collaboration between SCPAC and the newly formed IDEA advisory. The ICBOC and its advisory committees meet monthly to provide oversight on the Measure MM bond program, reviewing financials and progress of construction projects related to the bond to ensure funds are spent as outlined by the bond measure. The district recently received an A+ on the San Diego County Taxpayers Association’s annual bond transparency report card. MiraCosta was one of only a handful of districts to receive a perfect grade.

The division celebrates the careers of three employees, Facilities Manager Tracy Gibson, Accounting Supervisor Lois Templin, and Cashier II Dori Sexton, after more than 60 years of combined service.

College Police (Val Saadat, Chief of Police)

Commendations/Retirements

After more than a year since the sergeant positions were vacated due to retirements, Officer Jacob Sneary and Reserve Officer Bobby Sterling were promoted through an open recruitment process to fill the two vacancies. Additionally, Reserve Officer Christian Saunders was hired to fill one of the vacant full-time police officer positions.

PSO Jessica Taft serves on the local board of the California Association of Property and Evidence (C.A.P.E.). In November, she was nominated and selected to receive the Property Officer of the Year award. She will be recognized at their annual training conference in March 2024.

Emergency Preparedness Operations

CPR and First Aid training was conducted for members of the police department, as well as employees of the district.

The department responded to three power outages, which resulted in campus closures over the course of several days. The previous training sessions assisted in preparing district personnel to handle the outages, as well as the subsequent challenges faced during the campus closures. The Emergency Operations Center was activated four times during the course of the fall semester to address challenges faced during the power outages, as well as to prepare for severe weather warnings.

Campus Outreach

MCPD was awarded a grant from the Foundation, which provided two e-bikes suitable for patrol-related functions and sent eight officers to train on the proper use and maintenance of the e-bikes. The bikes have allowed officers to contact students throughout the campus and create opportunities to build relationships. The officers on bikes have been well received. To date, the bikes have been used to cover over 300 miles on the Oceanside campus.

Calls for Service

Between September 1, 2023, and January 1, 2024, MCPD responded to more than 1,400 incidents. 70 reports were taken, and a total of 4 arrests were made.

Facilities (Tom Macias, Director)

Non-Capital Improvement Program Project Updates

Oceanside

- The 5-Year Space Inventory and Scheduled Maintenance plans were submitted to the Chancellor's Office.
- Bottle fill stations were installed in Buildings 2200,3000,3600,7000, and 8000 in support of the student Sustainability Club recommendation to the district Sustainability Advisory Committee.
- The Child Development Center safety and security project to install remote lock/unlock for front entrance camera and front door access control was successfully bid and approved by the board in October 2023. Construction to begin June 2024.

- The B2000 Theater Lighting Controls and Infrastructure Replacement project was completed.
- The B8000 Horticulture Shade House Replacement Project was completed.
- The main irrigation backflow at B7000 Horticulture was replaced.
- Staff responded to three major power outages and worked with the district Incident Command Center during the outage until the appropriate repairs were made and power was restored.
- Staff responded to a major emergency on campus involving a tractor-trailer carrying a large excavator that hit the pedestrian walkway bridge. The impact caused significant structural damage to the bridge and broken fire and domestic water lines, and damaged critical electrical, data and site lighting utilities, resulting in the bridge having to be removed.

San Elijo

- Modernization on the interior of SAN 800 was completed in order to allow the SBDC and VBOC and Center of Excellence to relocate from the TCI building to the San Elijo Campus.
- Exterior painting of SAN 700 and SAN 800 was completed.

TCI

- Construction of the new Brew Tech and Welding facilities were completed.

Capital Improvement/Measure MM Program Project Updates

Oceanside

- Construction efforts on the new Gym Building, KHAN Building, Heyden Hall, Student Services Building, Chemistry and Biotechnology Building, Media Arts Complex and the Library Renovation projects continued.
- Notice of Completion was filed for the B2000 Theatre Lighting Upgrades project.
- Design progress on the Communications Hub, Social Justice and Equity Centers Project continued.
- Planning floor repair efforts for the B1000 Administration building over upcoming winter break.
- ADA Compliance Project design was completed and received DSA approval. After bid completion, construction began.
- OC Campus Wayfinding and Signage design efforts continue.
- Began design work on the OC Campus Solar project.
- Designed Swing Space areas for the Communications Hub Equity Village and Student Center Project and submitted to DSA for review.
- Planning for the 4500 Science Building Renovation Swing Space during construction.
- Procurement and selection effort for Design Build Entity on the B4500 Science Building Renovation began.

San Elijo

- Recycled Water Project received agency approvals. Currently planning to issue for bid early Spring 2024.
- Planning continues for Path of Travel to Manchester Project. Currently drafting Coastal Permit Amendment to submit to California Coastal Commission.
- Design for the parking lot solar project continues.

Community Learning Center

- Design for the campus solar project continues.

Fiscal Services (Katie White, Director)

Budget and Planning/Business Analysis

Workday's fall release 2023R2 update was reviewed and analyzed. There were minor changes that had low to no impact to end-users. The 2023/24 Adopted Budget narratives, schedules, and Workday budget updates were completed. Budget amendments continue to be monitored and updated with new grants and changes from departmental requests. The director assisted the vice president with the various financial documents and narratives for the district's Lease Revenue Bond pre-sale work.

Accounting

The annual year-end close for FY2022/23 was completed with submission of the financial statements (311 annual). All annual final audit requests for both district and foundation ledgers were provided. Accounting also assisted in many grant reporting/certification requests. Lead Accountant, Christina Undan, has transitioned to the Interim Accounting Manager position following the retirement of Lois Templin.

Cashier's Office

The Cashier's Office continues to serve students with student payments and third-party payments and continues to monitor student accounts and assist students with payment options. Staff are also coordinated with Admissions & Records on various projects with changes to functional processes with new item types and changes in procedures. Preparation is underway for calendar year 1098-T Tuition statements for students.

Information Technology Services (Anthony Maciel, Associate VP/Chief Information Systems Officer)

ITS management, along with Michelle Onstad, Manager, Library Operations, provided a progress update on the five-year Technology Plan to the board in the fall. The presentation provided an overview of Futures signals and equity implications, as well as a progress update on the plan's strategies/initiatives. The ITS team is working closely with Kitchell to order all the required equipment for the new capital construction buildings that are coming online.

ITS completed the state chancellor's 150-question cybersecurity self-assessment during the month of October, collecting various information on MiraCosta's operations and configurations. The department is working diligently to implement the Microsoft A5 Security license purchased by the state chancellor's office.

ITS welcomed permanent Director, Security and Infrastructure Systems, Cornel Ruston, to the management team. Ruston comes to the district with many years of IT experience with global enterprises designing and managing complex cybersecurity, cyber risk, and vulnerability management programs. He has worked in industries such as healthcare, financial services, and global consulting firms.

Enterprise Application Services (Mark Stramaglia, Interim Director)

The Enterprise Application Services unit concluded several notable projects:

- Developed a new “Priority Registration Groups Declaration Form” in SURF in partnership with Admissions and Records.
- Supported the addition of a new SURF “To-Do List” item for students to complete a Comprehensive Student Education Plan.
- Supported the launch of case management functionality for ACP Success Teams in TargetX, the district’s customer relationship management system.
- Completed the submission of the district’s MIS Summer 2023 and other annual MIS data files to the CCC MIS Data Mart for compliance reporting.
- Applied “PUM 29” and “PUM 30” updates to SURF, which contained bug fixes and financial aid regulatory updates.
- Completed updates to the SARS integration to support the use of “preferred” names.
- Provided technical and development support for the setup of additional punchout integrations within Workday.
- Supported the installation of security and technical updates for SURF in August and October 2023.
- As part of the SharePoint 2016 conversion to SharePoint Online, completed the new Prerequisite Challenge Form and a new site for the Outcomes Assessment Committee.

Security and Infrastructure Systems (Cornel Ruston, Director, Security and Infrastructure Systems)

The Security and Infrastructure Systems team responded to and remediated 930 systems’ issues and incidents from August to October, 2023. The team completed several notable projects and provided districtwide infrastructure systems support including:

Information Security and Systems Engineering

- Provisioned 4,759 new student accounts in Microsoft Office 365 (O365) environment which enabled students to access and use O365 from any location with internet access via any device.
- Reviewed, mitigated, and improved the district’s Black Kite cybersecurity risk score.
- Applied critical system patches on Microsoft servers, Oracle WebLogic databases, and PeopleSoft to protect systems from zero-day security exploits.
- Upgraded 36 Microsoft Windows Servers, which end-of-life in October 2023, from Version 2012 to Version 2019 as part of the ITS technology refresh program.
- For increased efficiency and monitoring, deployed a centralized Uninterruptable Power Supply (UPS) management system allowing the technical team to monitor and check on the health status of each UPS from one central location without having to specifically visit each physical location.

Network Infrastructure

- Configured and deployed networking equipment for Allied Health, Gym, and KHAN new buildings as part of the capital construction projects and make the buildings functional.
- Installed network configurations and server products for the expansion and modernization of the Nursing department's curriculum.
- Modernized network equipment components at the Oceanside campus bookstore.
- Added a virtual local area network segment to accommodate new wireless casting technology in instructional classrooms and conference rooms.
- Performed network software upgrades to latest versions districtwide to ensure security and compliance.
- Re-architected wireless access controllers throughout the district for better performance and availability.
- Applied critical security patches to all network switches throughout the district increasing system cybersecurity.

Technology Support Services (Shanon Macintyre, Interim Director)

The Technology Support Services team has been working diligently to complete multiple projects by procuring, configuring, supporting, and deploying hundreds of devices and pushing thousands of software updates to devices used by students and employees. Notable tasks and projects were:

- Performed semester lab maintenance for over 3,000 student and instructor computers in preparation for fall classes.
- Processed, imaged, and configured over 500 laptops in preparation for student checkout for the library's laptop loan program.
- Technology Systems Analysts processed over 800 client support service requests.
- In conjunction with other district departments, ITS assessed and remediated all technological systems including instructional computer labs, employee computers, and audio-visual components in buildings, labs and classrooms districtwide to ensure students and faculty had a flawless experience after the power outage.

Open Computer Lab

Open computer labs both on campus and online provide access to PC and MAC computers for student and community patrons use. The labs also provide black-and-white and color printing services. Lab assistants aid students on course-related work and help community patrons with a variety of issues. Assistance is available through multiple means to meet the needs of online and on campus students and patrons. In total, Technology Support Services aided 6,299 students in computer labs from August through October 2023.

Number of Students Assisted by Month and Modality

Month	On-Campus	Online
August	986	257
September	2,117	327
October	2,308	304
Total	5,411	888
Total Number of Students		6,299

Training Resources

The department continues to provide training resources to the district through workshops, videos, step-by-step guides, and individualized training for departments, groups, and individuals. Online training opportunities cover more than 19 distinct topics (e.g., Adobe Sign, All About OKTA, Camtasia, Microsoft Teams, OneDrive, Microsoft Word Mail Merge, and Zoom, etc.), including 25 step-by-step video tutorials and over 50 step-by-step user guides. Additionally, online Simple Software Solutions (S³) training workshops are offered bi-weekly to district employees throughout semesters. As of October 2023, a total of 21 individual, departmental, and group training courses have been presented by ITS personnel.

Help Desk

The IT Help Desk team continues to provide students and district employees with a wide range of support services. Services for students include SURF support and troubleshooting (e.g., e-forms, adding and dropping classes, viewing class schedules, wait listing, enrollment dates, payments, class search, search and ordering textbooks, transcripts, etc.) and learning management system—Canvas (e.g., discussion boards, media apps, Turnitin, submission of assignments, uploading and/or downloading of files, locating online classes, and navigation in general). The team also assists students and district employees with account access issues, software application issues, password resets, and accessing and setting up multifactor authentication. Students and district employees may request assistance by phone, email, online, or chat. District employees may also submit a support ticket request.

IT Help Desk Statistics

August - October	Total
Phone Calls	2,963
Email/Voicemail	1,402
Chats	212
Online	885
Total Number of Services Provided	5,462

Media Services

The Media Services team completed multiple projects including:

- Installation of 15 new ADA compliant, ergonomic, classroom teaching lecterns at the CLC campus.
- Upgraded to Visix, an innovative technology, providing better visualization of room event scheduling in the OC3400 Student Center building.
- The team upgraded control panels to enhance functionality and performance within existing HyFlex classrooms.
- Installed digital signage displays in the OC1000 Administration building to inform students on upcoming activities and events across the district.
- In an effort to increase efficiency and provide enhanced management of audio-visual equipment districtwide, the Media Services team purchased, installed, and configured a new centralized management system called Global Viewer.
- Continued participation in capital construction meetings to provide AV design, management review, and support of projects.

Media Services participated and assisted by supporting over 120 events including these key events:

Board Meetings and Workshops	Associated Student Government events including Halloween activities
Classified Senate events	Academic Senate events
Student Services 'Golden Gourd' Competition	Dia De Los Muertos Events at both the San Elijo and Oceanside Campuses
International Student's Costume Party	Umoja Open Mic
International Student's Costume Party	All College Day
Community Leaders Breakfast	Flex Week
Native Days Event	Life Group (weekly)
San Elijo Foundation Board (weekly)	

Purchasing and Materials Management (Mina Hernandez, Director)

Copy Center

The Copy Center continues to increase its in-house productivity versus outsourcing resulting in significant cost savings to the district. Some of the Copy Center's top jobs were producing programs for the Theater department and credit schedule booklets for the Public Information Office, which, historically would have been outsourced.

Purchasing

Purchasing and Facilities have been collaborating in developing requests for proposals to award five-year contracts for various special services. Most recently, DSA Project Inspectors, Geotechnical, and Architects. The goal is to award these master agreements early in 2024.

Purchasing, Fiscal Services, and Kitchell have partnered to develop operating procedures related to Workday's supplier contract module (SCON) for the bond program. The goal of SCON is to ensure the bond's contract management is centrally located in the district's Workday system as the institution of record, and that all contract documents and the associated financial transactions are accessible.

Purchasing continues to develop and test new punchouts with Fiscal Services. The goal is to roll out Dell and VWR punchouts in early 2024.

Warehouse

The Warehouse team is working with Dovetail, Kitchell and Elite, a moving services company, to coordinate all surplus being moved out of the old gym and Wellness Center. This move happened the last few days of 2023 and surplus pickup is scheduled for the beginning of January for public auction. The Warehouse anticipates being busy with various coordination of surplus items to be auctioned the first quarter of 2024.

The Warehouse team ended the last week of the year, ensuring all incoming Purchase Orders were received and delivered on time meeting Districtwide needs and support of our students.

Bookstore (Follett)

Bookstore staff and management have been working hard to prepare for the spring 2024 semester. After a very impactful store restructure that brought a new leadership team into operation at the start of the fall semester, staff have been closely monitoring trends and sales. The increase of digital course offerings and preference for digital materials have continued to

negatively impact the sale of physical course materials, however, digital course material sales have increased by double-digits. This trend began before COVID but was accelerated significantly by the pandemic and looks to be a permanent shift. Issues with the fall textbook adoption process were identified and remedied to ensure the spring process runs smoothly. Adoptions for spring 2024 are at 90.4 percent titles, but only 69.2 percent of expected courses. Staff continue to work with faculty to ensure adoptions for spring are completed in time for the start of term.

Positive sales trends in trade products (backpacks, study guides, non-emblematic office times) and school supplies are a direct result of the partnership with Sugeily Cervantes and the Promise Program, which allows students to use Promise funds at the bookstore at the start of the term. The increased communication to students regarding the program and fund use had a significant impact on funds being accessed. Online sales have followed the same trend as overall sales, with merchandise accounting for a greater portion of sales than texts.

The bookstore kicked off the fall semester with WelcomeFest in August, where staff had the opportunity to interact with incoming students. The partnership with BarCharts, which produces sturdy, two-page study guides popular with students, has been strengthened by providing a more prominent space within the bookstore. Additional floor display changes to the clothing and gift sections of the store were completed to provide a better customer experience.

Food Services (CulinArt)

The cafés at Oceanside and San Elijo continue to be fully open and operational, and catering services, serving breakfast, snacks, lunch and mid-afternoon treats are available at both sites. The Oceanside Café is open Monday-Thursday, 7:30am-4:00pm and Friday, 7:30am-2:00pm, and the Cardiff Reef Café at the San Elijo Campus is open Monday-Thursday, 8:00am-2:00pm.

The café continues to support student clubs and a variety of special events that take place throughout the semester. CulinArt supports students by donating perishable and nonperishable food items to Veterans, the Food Pantry and hungry students in the cafe at the end of every week or before major breaks.