

COLLEGE COUNCIL (CC) MEETING AGENDA
Thursday, January 13, 2022 – 11 a.m.
ZOOM Conference

	Comments / Action / Responsibility
A. Board Agenda Review (Cooke) 10 minutes	
B. District Update (Cooke, All) 10 minutes	
C. All College Day (Cooke) 10 minutes	
D. Flex Week Schedule and Opportunities (Pescarmona, Lara) 10 minutes	
E. Futures Update (Cooke) 10 minutes	
F. Campus Climate Survey Update (Ng) 10 minutes	
G. Redesigning the Student Experience (Lara, Wojcik, Pescarmona) 5 minutes	
H. Accreditation (Cooke, Tarman) 5 minutes	
I. Budget Update (Flood) 10 minutes	
J. Board Policies and Administrative Procedures <ul style="list-style-type: none"> • 4500 AP – Student News Media Updated language and journalism grievance procedures. • 5700 BP – Athletics Updated language for consistency with CCLC. • 5700 AP – Athletics Updated language for consistency with CCLC. 	

K. Roundtable	
In Progress	

COLLEGE COUNCIL (CC) MEETING SUMMARY
Thursday, December 16, 2021 – 11 a.m.
ZOOM Conference

	Comments / Action / Responsibility
L. District Update (Cooke, All) 15 minutes	<p>Sunny Cooke reported the all district webinar was held yesterday.</p> <p>She noted that in addition to mask wearing being required indoors on district property, the state of California has issued an indoor mask mandate from December 15-January 15, due to the expected surge in Covid cases over the holidays, as well as the new Omicron variant.</p>
M. Presentation Etiquette Draft Document (Flood, Salamon) 15 minutes	<p>Tim Flood and Joe Salamon provided an overview of a document drafted by members of BPC that could help internal presenters at the college, as well as external vendors presenting to the college. This effort was a direct result of an incident that occurred where an outside vendor presenting to the Budget and Planning Committee said something that upset members of the audience. The document is intended to be a helpful tool to serve to improve the outcome of presentations. The document will be placed on the DEI webpage as a resource.</p>
N. Professional Development Follow-up (All) 10 minutes	<p>Cooke provided an overview of the report compiled by Achieving the Dream Coach Mary Spilde. Large teams of MiraCostans who have attended the Dream conferences in 2019 and 2020 met with Dr. Spilde and understood the impact of systematic professional learning in supporting the institutional work in student success and equity. We have been working with Dr. Spilde and in spring 2021, a joint invitation letter from Cooke, Lara, and Banks was sent to invite 54 people involved in professional learning across the college from each constituent group to meet with Dr. Spilde. The purpose of the numerous meetings that occurred in</p>

	<p>spring, summer, and fall 2021 was to determine what was working well at MiraCosta and areas of improvement. The report was disseminated and all 54 interviewees were invited to participate and discuss the report in December 2021.</p> <p>Lara noted that faculty wants to engage in more conversations about who was involved in the steps and who provided feedback that led to the report. This may provide a greater understanding of the report.</p> <p>Cooke added that the report can be used as a tool, and additions can be made to the report.</p>
O. Futures Update (Cooke) 10 minutes	Flood reminded members the pool of those who have received Futures training will be expanded in spring. This is expected to start by framing a conversation around the five principles of the Futures work within a flex workshop in January.
P. Campus Climate Survey Update (Ng) 10 minutes	Charlie Ng provided an overview of the working draft the survey group has completed in preparation for getting some of the work done in spring.
Q. Redesigning the Student Experience (Lara, Wojcik, Pescarmona) 5 minutes	<p>Lara reported the last consulting session with Kay McClenny was held, which focused on the reorganization of counseling services by ACPs versus general counseling, albeit there are pros and cons with this model. This is exploration without a particular outcome being forced. Zhenya Lindstrom, Thao Ha, and Lara have been looking at opportunities to engage, and he provided some examples.</p> <p>Joe Salamon encouraged including some interfacing with department chairs and different career-minded workshops.</p>
R. Accountability for Planning (Tarman) 10 minutes	Chris Tarman reminded members that they discussed at the last meeting the need for accountability and a mechanism for reviewing our plans. He noted many things are implement, however, we often don't "stop" doing things, some of which may no longer be effective or needed. Receiving summaries from departments regarding program review

	<p>planning was one option, as well as a top-down component that can organize and plan as a result of the information that percolates. A sub-group of College Council that could take a more intensive look and review the summaries in the spring was one option explored. Guided Pathways data and planning would be a good component to add to this planning.</p> <p>Pescarmona added that plans should be driving the work that is being done, and carving out time for a planning retreat to delve into the plan and include student voices would be beneficial.</p> <p>Members agreed to keep moving forward and start putting together proposals to review and be shared with the long-term planning framework group at their next meeting.</p> <p>It would be beneficial to include some of that information in the ISIR for accreditation.</p>
S. Accreditation (Cooke) 5 minutes	<p>Tarman reported the steering committee met again and is moving forward. He expects spring will be heavy with the writing portion of accreditation self-evaluation. The goal is to have the draft done by the end of the spring semester that can be edited over the summer. It can then be routed through governance in early fall, to the board in November, and submitted to the ACCJC in December.</p> <p>Kevin Bontenbal was named the ACCJC liaison assigned to MiraCosta.</p> <p>The WASC mid-term report is well underway at the CLC.</p>
T. Aspen Prize Submission (Cooke) 5 minutes	<p>Pescarmona reported that forty pages of work has been submitted! She noted that MiraCosta is in the top four percent nationally of institutions serving minority students who were awarded degrees. It's important to celebrate these successes, as this and other accomplishments are a result of the hard work of MiraCostans. Pescarmona said it was a great opportunity personally to learn about and enjoy the successes of the college, and a</p>

	nicely formatted document will be circulated for MiraCostans to review.
U. Budget Update (Flood) 5 minutes	<p>Tim Flood reported Fiscal is wrapping up current year fiscal audit, which will be shared with the college community in January.</p> <p>Half of the HERF and CARES funds (\$18 million) received by the district has been spent. All remaining funds should be allocated by May 2022.</p>
V. Board Policies and Administrative Procedures <ul style="list-style-type: none"> • 3500 AP – Campus Safety Minor CCLC updates and corrected department name. • 3501 AP – Campus Security and Access Minor CCLC updates and corrected department name. • 3720 AP – Computer and Network Use Minor CCLC change. College Council reviewed on 10/7/21, and further information was needed to move forward. • 6810 AP – Control of Non-Service Animals CCLC recommended numbering change for service animal BP/AP (3440). There is no corresponding nonservice animal AP with CCLC, only local AP. Renumbering to AP 3441 to align this AP with existing BP 3440. • 7120.5 AP – Recruitment and Hiring Associate Faculty Suggested updates are based on survey results and research completed by an Academic Senate taskforce and discussions with Human Resources. The edits emphasize EEO regulations and bring greater clarity to the associate faculty recruitment and hiring process. 	<ul style="list-style-type: none"> • 3500 AP – Campus Safety <i>Approved</i> • 3501 AP – Campus Security and Access <i>Approved</i> • 3720 AP – Computer and Network Use <i>Approved</i> • 6810 AP – Control of Non-Service Animals <i>Approved</i> • 7120.5 AP – Recruitment and Hiring Associate Faculty This was pulled from the College Council agenda to allow for a second read by Academic Senate (AS). Once approved by AS, it will come to College Council for approval.
W. Roundtable	<p>Luke Lara provided a background on the edits to AP 7120.5, currently being reviewed by the Academic Senate (AS). AS is hosting a flex workshop both locally and statewide regarding service in governance roles.</p> <p>John Siebelink, ASG EVP, reported that Friday was final ASG meeting of the year; the next meeting is January 28. He noted the document on presentation etiquette was shared by Tim Flood. ASG is busy planning for spring. Pescarmona acknowledged Siebelink's reading at the recent <i>Tidepools</i> event.</p>

	<p>Carl Banks reported the end of the year celebration was successful, and \$3,000 was raised from the gift basket auction for student scholarships.</p> <p>Polo Mariscal reported IPRC is providing two program review flex workshops during flex week.</p> <p>John Makevich reported the first on-campus classes at the CLC took place in fall, and even more will be held in spring. They continue working on re-envisioning marketing plans for the non-credit program.</p> <p>Tim Flood reported the resource allocation divisional priorities have been loaded in the portal.</p> <p>A number of construction projects will start over the winter break. The Student Services Building bid is being finalized, and the Chem/Biotech Building will be started in the spring.</p> <p>Charlie Ng reported the EEO plan is being worked on. The plan will be used as a component for the training of recruitment training.</p> <p>Denée Pescarmona reported they are carefully looking at enrollment numbers, which currently are down for spring. She expects January will be dynamic, as things may be shifted to accommodate the needs of students.</p>
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<i>In Progress</i>	
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Philosophy

College news media are any news/feature publications issued under the name of the college and produced by students as an integral part of instruction/co-curricular learning opportunity in the Student Activities-OfficeServices Division. It may include, but is not limited to, student newspaper reporting, broadcast-news journalism, and internet-news journalism. The For the purposes of this procedure, the term "editorial" refers to all content other than advertising.

College news media, as laboratory publications of the Student Activities-OfficeServices Division, shall provide vehicles to train students for careers in mass communication. College news media shall also serve the entire college community by reporting the news, including college events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.

College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the college community. At the same time, the editorial freedom of the college news media shall entail corollary responsibilities.

Each college newspaper or other news medium (e.g., video, audio, social media, etc.) is published as a co-curricular learning experience offered under the Student Activities-OfficeServices Division. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the students staff. An editorial board should be formed for the news media involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted so as to encourage a responsible exercise of such freedom.

Journalism Grievance Procedures

- A. Definition of a Grievance: A grievance is a complaint that alleges facts that which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.
- B. Informal Grievance Proceedings: Describe a procedure that includes a written complaint to those with direct responsibility for the program and their responsibilities to respond in a timely manner. To file an informal grievance, individuals should contact the Advisor / Student Services Coordinator for the student news media in writing via email. The individual should provide details of the specific grievance applying the definition above. The Advisor / Student Services Coordinator will then follow up with the individual in a timely manner to gather more information, if needed, and provide a decision about the informal grievance.

Effective Date: 4/13/10

Periodic Review:

CCLC Update: -10/2020

Steering: VPSS / N/A

- C. Formal Grievance Proceedings: More formal grievance procedures may include a grievance hearing committee and appeal to the Vice President, Student Services, or designee in a timely fashion. The procedures should include how grievance hearings should be conducted, access to and maintenance of related records, and the responsibility of the authorities to respond to the grievance in a timely fashion. To appeal the decision of the informal grievance proceedings, individuals should contact the Vice President, Student Services in writing via email. The individual should provide details of the specific grievance applying the definition above, including the written informal grievance and the decision, as well as an explanation of their appeal. The Vice President, Student Services, or their designee, will then follow up with the individual in a timely manner to gather more information, if needed, and provide a decision about the formal grievance. The decision of the Vice President, Student Services, or their designee, is final.

The district shall maintain an organized program for ~~men and women~~ students in intercollegiate athletics. The district will offer opportunities for participation in athletics to male, female, and transgender students consistent with state and federal law and California Community College Athletic Association standards. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.

The superintendent/president shall assure that the athletics program complies with state and federal law, the California Community College Athletic Association (CCCCAA) Constitution, Bylaws and Sport Championship Handbooks, and the appropriate conference constitution regarding student-athlete participation.

See Administrative Procedure 5700.

The athletic programs and students participating in athletics at the colleges shall comply with the laws, rules, and regulations established by the State of California and by the California Community College Athletic Association (CCCCAA).

Authority for developing, implementing, and monitoring these procedures is vested in the superintendent/president, with the assistance of the athletic director.

Recruitment

Athletic recruitment will follow the procedures established by CCCCCA Bylaw 2 and its subsections covering athletic recruiting.

Eligibility

Athletic eligibility will follow the procedures established by CCCCCA Bylaw 1 and its subsections.

The following procedural guidelines shall be used in the determination of the eligibility of student athletes to participate in intercollegiate sports:

- A. The athletic director will arrange and attend a student athlete orientation to oversee the completion of eligibility paperwork and answer questions.
- B. Student athletes will be required to submit official college transcripts to ~~the athletic eligibility specialist~~ MiraCosta College Admissions and Records before being certified as eligible to participate in a sport.
- C. The athletic director and an athletic eligibility specialist will compare athletic eligibility paperwork to the application for admission and college transcripts to verify accuracy and consistency of information required to determine both athletic eligibility and residency status for enrollment-fee purposes.

Reporting

Athletic teams will comply with the reporting requirements of the CCCCCA and will provide any data reports that may be required by the Board of Trustees.

MiraCosta Community College District

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Effective Date:	4/6/10, 2/19/16
References:	Title IX, Education Amendments of 1972 Education Code §§66271.6, 66271.8, 67360 et seq. Accrediting Commission for Community and Junior Colleges Accreditation Standard IIC.4 U.S. Code §§1681 et seq.
Reference Update:	4/15, 7/13
CCLC Update:	#26, 4/15
Steering:	VP55 / N/A

Program Review

~~Student-athlete standards of academic progress will follow the procedures established by the CCCAA governing academic eligibility. Specifically, the student-athlete must be continuously and actively enrolled and attending class in a minimum of twelve (12) units during the season of sport. Of the twelve (12) units, at least nine (9) shall be attempted in courses counting toward remediation, career technical education/certificate courses, associate degree requirements, transfer/general education, and/or lower division major preparation courses as defined by the college catalog and/or articulation agreements.~~

Nick Mortaloni

This is not recommended language from the CCLC, and is not about Program Review.

Athletic programs will participate in systematic program review as defined both by the college and ~~by the rotating schedule as~~ established by the Pacific Coast Athletic Conference.

Funding and Fiscal Oversight

All athletics donations and profits from fundraising efforts shall be collected by the athletic director and received by the MiraCosta College Foundation for deposit in the athletics account. All financial records are to be maintained through the MiraCosta College Foundation and are subject to annual audit. The receipt of funds is to be handled in accordance with procedures established by the district. All funds shall be expended in accordance with procedures as established by the district and are subject to the approval of the athletic director. Approval shall be obtained each time before any funds may be expended.

Name, Image and Likeness Activities

This procedure is subject to modification as changes to state law, federal law, and CCCAA legislation are made.

In conjunction with the California Community College Athletic Association (CCCAA) policy and California law, MiraCosta College and the Department of Athletics have developed specific policies to address name, image, and likeness (NIL) activities of student-athletes.

NIL Defined

A name, image, and likeness activity includes any situation in which a student-athlete's name, image, likeness, or personal appearance is used for promotional purposes by a non-institutional entity, including the individual student-athlete, a commercial entity, or a non-institutional nonprofit or charitable entity. While such activities may provide compensation for a student-athlete, those activities that do not provide compensation are also covered under this policy.

Prospective Student-Athlete: The district will not provide a prospective student-athlete with compensation in relation to the athlete's name, image, likeness, or athletic reputation.

Student-Athletes: The District will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of student-athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation by duly licensed athletic agents or attorneys.

NIL Compensation

Subject to the California law, the CCCAA constitution (see bylaw 1.1.6) and MiraCosta College (MCC) athletic department policy, student-athletes may use their NIL in a variety of ways that may include but is not limited to, promoting their own business, promoting or endorsing a corporate entity, conducting camps, lessons, or clinics; making appearances; or signing autographs.

Student-athletes may receive compensation, either in kind or monetarily, for engaging in NIL activities, subject to the CCCAA and the MCC athletics policy.

Student-athletes are prohibited from receiving compensation, either in-kind or monetarily, for engaging in the following NIL activities.

- a. Compensation in exchange for athletic participation, performance or awards at MiraCosta College.
- b. Compensation in exchange for student-athletes decision to attend MiraCosta College.
- c. Compensation for work not performed.

Student-athletes are prohibited from participating in NIL activities when engaged in official team activities (e.g., practice, competition, media obligations, team travel, promotional activities, etc.)

Student-athletes (SA's) should not miss class or other academic obligations (i.e., tutors) for NIL activities

Participating in NIL Activities may impact an SA's ability to receive grant sums from outside sources (e.g., Pell Grant.) The SA should discuss these implications with an institutional financial aid staff member or a Professional Service Provider.

International student-athletes should not enter into any NIL agreements without guidance from MiraCosta's International Office against potential immigration laws.

Institutional Disclosure Requirements

Student-athletes are required to disclose contact information for all parties involved in the use of their name, image, and likeness, as well as any involved professional service providers. The student-athlete must also disclose compensation arrangements and the details of their relationship with involved parties. Student-athletes must disclose the proposed name, image, and likeness activities to the institution at least seven (14) days prior to committing to said activities. If arrangements and details of agreements to promote a commercial product or service are amended, the student-athlete must provide notice within 14 days of the change. If the District determines that a conflict between the student-athlete's contract and the student-athlete's team contract, the athletic director will disclose the conflict to the student or student's legal representative, if any, and identify the contractual provisions that conflict.

Student-athlete must complete the MiraCosta College Athletic Department NIL Activity Form and submit to the athletic director.

Institutional Restrictions

A student-athlete may not enter into an agreement with a third-party that conflicts with any existing sponsorship agreements or institutional contract. If the institution identifies a conflict between the student-athlete's name, image, and likeness activities and an existing sponsorship agreement, the institution shall inform the student-athlete of such a conflict so the student-athlete has the opportunity to negotiate a revision of name, image, and likeness activities with the third-party. That revision is also subject to additional review and approval by the institution.

Student-athletes may not enter into an apparel contract that requires the student-athlete to display a sponsor's apparel, or otherwise advertise for a sponsor, during official team activities if the provision is in conflict with a provision of the student's institution's team contract.

Student-athletes may not engage in name, image, and likeness activities while participating in required institutional activities or while representing the institution.

Student-athletes will not be permitted to use colors, logos, or images, including institutional marks, which identify the institution in any name, image, or likeness activities. A student-athlete may only reference their attendance at the institution and participation in athletics in biographical information. Student-athletes **may not use** institutional facilities for any name, image, or likeness activities, with the exception of use for teaching lessons or for a camp/clinic, provided the rental agreement is in line with that available to the general public. While a student-athlete is permitted to engage in name, image, and likeness activities on the institution's campus, all activities are subject to applicable University policies and procedures regarding third-parties and commercial ventures.

Prohibited Activities

Student-athletes must not use their NIL to promote gambling, alcohol products, tobacco products, adult entertainment, substances banned by the CCCAA and/or NCAA, or products or services that are illegal. Information about NCAA banned substances can be found [here](#). Further, student-athletes are prohibited from using any institutional, conference, or NCAA marks in any name, image, or likeness activity.

Agents

Student-athletes may enter into agreements with professional service providers, including agents. Agent agreements must be for name, image, and likeness activities only and must include details regarding the scope of representation & compensation. Agent compensation must be made at an established rate. Such agreements must be filed with the MiraCosta athletic department (specifically sent to the current athletic director). Student-athletes may not engage with any individual who, directly or indirectly, represents or attempts to represent an individual for the purpose of marketing the individual's athletics ability for financial gain or seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Institutional Involvement

Neither the institution nor an institutional staff member (including volunteers) may be involved in the development, operation or promotion of any student-athlete's name, image, and likeness activities. Further, institutional staff members may not enter into agreements with, or benefit from, a student-athlete's name, image, or likeness activities.

Financial Aid And Tax Implications

Student-athletes should be aware that receiving compensation for NIL activities could have an impact on their financial aid, especially for those receiving Pell Grants. Student-athletes are encouraged to consult with the MiraCosta College Athletics compliance staff to fully understand these potential impacts. Additionally, student-athletes should be aware that receiving compensation for NIL activities could have tax implications. Student-athletes are encouraged to discuss these issues with their tax advisor.

Exceptions

MiraCosta College, at any time, may authorize variances from, or exceptions to, this NIL Policy that are consistent with MiraCosta College's commitment to compliance with federal law, state law, and conference or CCCAA rules.