

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES AGENDA - REGULAR MEETING**

January 13, 2021 – 4:30 PM

Zoom meeting information: [January 13, 2021 zoom meeting link](#)

Or by telephone phone dial: +1 346 248 7799 (US Toll)

CALL TO ORDER

1. OATH OF OFFICE

The Oath of Office is administered to Trustee Anderson

2. APPROVAL OF AGENDA AND MINUTES

2.1 Agenda Approval

2.2 Approval of Minutes of the regular meeting held on December 16, 2020.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

This time is set aside for general public comments. Additionally, comments may be made at the time of discussion of any item. In accordance with the Governor's Executive Order N-29-20, Mendocino-Lake Community College Trustees will be conducting this meeting via teleconference. At the appropriate time on the agenda, the Board President will ask individuals joining the teleconference via phone wishing to make a public comment to unmute themselves by pressing *6 on their phone and state their full name. Individuals joining the teleconference via computer should list their name in the chat (i.e.: "Member of the public's name would like to speak during public comment"). Once the Board President has received a list of all members of the public who wish to speak, they will call upon each member to speak. After being recognized by the Chair, those wishing to make comments are asked to give their name, place of residence and affiliation, if any, and address their comments to the Board President. Trustees may ask questions of the speaker for clarification but will not discuss items that are not on the agenda. If appropriate, the Board may choose to refer the subject to College staff for research or for the item to be placed on a subsequent agenda.

3. CLOSED SESSION

3.1 Conference with Labor Negotiator – Pursuant to Government Code section 54957.6

Designated Representatives: Karas, Cichocki, Polak, Velasco and Marin

Employee Organizations: MCFT, MPFA, Management Team, MLCCCCBU

3.2 Conference with Legal Counsel – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) - one potential case

See attached claim form

Designated Representatives: Karas, Cichocki, Polak, Velasco and Marin

3.3 Public Employee Discipline/Dismissal/Release – Pursuant to Government Code section 54957

Designated Representatives: Karas, Cichocki, Polak, Velasco and Marin

3.4 Public Employee Performance Evaluation – GC 54957

Superintendent/President

RETURN TO OPEN SESSION

REPORT OF ACTION TAKEN IN CLOSED SESSION

PUBLIC COMMENTS

This time is set aside for general public comments. Additionally, comments may be made at the time of discussion of any item. In accordance with the Governor's Executive Order N-29-20, Mendocino-Lake Community College Trustees will be conducting this meeting via teleconference. At the appropriate time on the agenda, the Board President will ask individuals joining the teleconference via phone wishing to make a public comment to unmute themselves by pressing *6 on their phone and state their full name. Individuals joining the teleconference via computer should list their name in the chat (i.e.: "Member of the public's name would like to speak during public comment"). Once the Board President has received a list of all members of the public who wish to speak, they will call upon each member to speak. After being recognized by the Chair, those wishing to make comments are asked to give their name, place of residence and affiliation, if any, and address their comments to the Board President. Trustees may ask questions of the speaker for clarification but will not discuss items that are not on the agenda. If appropriate, the Board may choose to refer the subject to College staff for research or for the item to be placed on a subsequent agenda.

4. **PRESIDENT AND ADMINISTRATION REPORT**

- 4.1 A report from Superintendent/President Karas is presented as information

CONSENT AGENDA

5. **Personnel**

- 5.1 Consideration to approve Personnel List – Part-Time Faculty
Recommendation to approve the list of part-time faculty as presented
- 5.2 Consideration to ratify Resignations – Classified and Full-Time (Categorical) Faculty
Recommendation to ratify the resignations of classified and full-time (categorical) faculty as presented

6. **Other Items**

- 6.1 Fiscal Report as of November 30, 2020
Recommendation to accept the report as presented
- 6.2 Donations
Recommendation to accept the donated items as presented

7. **ACTION ITEMS**

- 7.1 Contracts and Agreements – Quarterly Ratification
Recommendation to ratify the contracts and agreements as presented
- 7.2 Board Policy Additions and Revisions – Second Reading
Recommendation to approve the board policy additions and revisions as presented

8. **INFORMATIONAL ITEMS AND REPORTS**

- 8.1 Mendocino College Foundation, Inc.
Mendocino College Foundation informational report
- 8.2 Constituent Group Reports
Reports from constituent groups are presented as information
- 8.3 Board Policy Additions and Revisions – First Reading
Revisions and additions to Board policies are presented for information and review

9. **TRUSTEE COMMUNICATIONS**

- 9.1 Effective Trusteeship and Board Chair Workshops
Discussion regarding online workshops which will be held January 20, 2021 through January 22, 2021
- 9.2 Trustee Reports
Written and oral reports from Trustees are presented as information
- 9.3 Future Agenda Items
Board discussion about topics to be included on future agendas

10. **ADJOURNMENT**

ADA Compliance: Persons with disabilities needing assistance, please notify the Superintendent/President's Office at 468-3071 no later than 24 hours prior to the scheduled meeting.

Agenda Packet and Supporting Documents Notice: The agenda packet and supporting materials can be found on the college website at : [Board of Trustee meeting documentation](#)

Future Board Meetings:

- *Board Study Session – January 28, 2021*
- *Regular Meeting – February 10, 2021 via ZOOM*

MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES

A regular meeting of the Mendocino-Lake Community College District Board of Trustees was convened on Wednesday, December 16, 2020 using ZOOM remote meeting technology.

GENERAL MATTERS

Call to Order Trustee Pinoli, Board President, called the meeting to order at 4:00 PM.

<i>Board Members</i>	President	Robert Jason Pinoli	present
	Vice President	Marie L. Myers	present
	Clerk	Ed Nickerman	present
	Trustee	Xochilt Martinez	present
	Trustee	John Tomkins	present
	Trustee	TeMashio Anderson	absent
	Trustee	Noel O'Neill	present
	Student Trustee	vacant	

Secretary Timothy Karas, Superintendent/President

Support Staff Mary Lamb, Executive Assistant to the Superintendent/President

Staff Representatives Eileen Cichocki, Assistant Superintendent/Vice President of Administrative Services (present)
Debra Polak, Vice President of Academic Affairs (present)
Ulises Velasco, Vice President of Student Services (present)
Nicole Marin, Director of Human Resources (present)

<i>Constituent Representatives</i>	Academic Senate	Catherine Indermill, President (present)
	Classified Senate	Mayra Sanchez, President (present)
	Management Team	Janelle Bird, President (present)

Oath of Office The Oath of Office was administered to Trustees Myers, O'Neill and Pinoli by Superintendent/President Karas per Education Code guidelines.

Agenda Approval M/S (Nickerman/Tomkins) to approve the agenda as amended. The amendment being the removal of closed session as there are no items to be discussed and removing item #6.4 from the consent agenda and placing it under action for discussion and recognition. The matter was approved via the following vote:

Ayes	Myers, Nickerman, O'Neill, Martinez, Tomkins and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

Approval of Minutes M/S (Myers/Martinez) to approve the minutes of the regular board meeting held on November 18, 2020 as presented. The matter was approved with the following vote:

Ayes	Martinez, Myers, Nickerman, O'Neill, Tomkins, and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

M/S (Myers/Martinez) to approve the minutes of the board study session held on December 1, 2020 as presented. The matter was approved with the following vote:

Ayes	Martinez, Myers, Nickerman, Tomkins, and Pinoli
Noes	None
Abstentions	O'Neill
Absent	Anderson

Public Comments

- Toni Fort, SEIU Chapter 1031 President, read a statement from the members thanking the Management Team for their work during this difficult time and wishing everyone a happy holiday.

ANNUAL ORGANIZATIONAL MEETING

Election of Officers

Board President Pinoli clarified a statement made in the packet regarding notification of the Superintendent/President by any board members intending to run for office. This statement was in error and this action was not completed.

The order of election was for the offices of President, Vice President and Clerk. The floor was opened for nominations for the 2021 year followed by the following motions and voting:

M/S (Nickerman/Tomkins) to elect Trustee Pinoli as President of the Board of Trustees for the 2021 year. The matter was approved with the following vote:

Ayes	Tomkins, Nickerman, Myers, Martinez and O'Neill
Noes	None
Abstentions	Pinoli
Absent	Anderson

M/S (Nickerman/Tomkins) to elect Trustee Myers as Vice President of the Board of Trustees for the 2021 year. The matter was approved with the following vote:

Ayes	Tomkins, Nickerman, Pinoli, Martinez and O'Neill
Noes	None
Abstentions	Myers
Absent	Anderson

M/S (Pinoli/Nickerman) to elect Trustee Martinez as Clerk of the Board of Trustees for the 2021 year. The matter was approved with the following vote:

Ayes	Tomkins, Nickerman, Myers, Martinez, Pinoli and
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	O'Neill
Noes	None
Abstentions	None
Absent	Anderson

Meeting Dates and Times

The proposed meeting dates for 2021 were presented as follows:

January 13, 2021 – Special Meeting	January 28, 2021 – Study Session	February 10, 2021 – Regular Meeting
March 10, 2021 – Regular Meeting	April 14, 2021 – Regular Meeting	May 12, 2021 – Regular Meeting
June 9, 2021 – Regular Meeting	August 11, 2021 – Regular Meeting	September 8, 2021 – Regular Meeting
October 13, 2021 – Regular Meeting	November 10, 2021 – Regular Meeting	December 15, 2021 – Regular Meeting

If the current COVID-19 situation has been resolved, the April meeting would be held at the North County Center, the June meeting at the Lake Center and the September meeting at the Coast Center. The December meeting will be the Annual Organizational meeting. The proposed meeting time for all regular meetings is 4:00 PM.

After reviewing the information presented and discussion regarding the start time of the regular meetings, the following action was taken:

M/S (Martinez/Nickerman) to approve the 2021 dates as amended with the start time set at 4:30 PM while using ZOOM technology during COVID times and will return to 4:00 PM once we can again meet in person. An additional amendment is the addition of a regular meeting on January 13, 2021. The motion was approved with the following vote:

Ayes	Tomkins, O'Neill, Myers, Pinoli, Martinez, and Nickerman
Noes	None
Abstentions	None
Absent	Anderson

PRESIDENT AND ADMINISTRATION REPORT

A written report was presented by Superintendent/President Karas who added the following information:

Superintendent/President Karas highlighted the retirement of Katie Fairbairn which will be discussed later in the agenda. She has held the position of Foundation Board Executive Director for 10 years and has been with the college for 25 years.

Superintendent/President Karas informed the board he along with the three Vice Presidents met with Senator McGuire on Monday and provided him with an update on the Construction program. They will be meeting with him again sometime during the first quarter of 2021.

During the last Board meeting, there was a question regarding the demographics of our dual enrollment students. This information has been included in this month's report. Also included is the requested Work Experience information for the board members to review.

Following up on the Chancellor's Call to Action, the Executive Leadership Group crafted a statement which is also included in the packet as well as the statements from the various constituent groups.

CONSENT AGENDA

M/S (Nickerman/Tomkins) Board of Trustees does hereby approve the Consent Agenda as presented. The consent agenda was approved with the following vote:

Ayes	Martinez, Myers, Nickerman, Tomkins, O'Neill, and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

Items with an asterisk * were approved by one motion as the Consent Agenda.

Personnel

Consideration to approve the personnel list – Short-Term Non Continuing (STNC) Employees

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the employment of the short-term non-continuing (STNC) employees as submitted and presented at the meeting pending receipt of all necessary employment eligibility requirements.

Consideration to approve personnel list – Part-Time Faculty

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the employment of the Part-Time Faculty for the Spring 2021 semester as presented pending receipt of all necessary employment eligibility requirements.

Consideration to approve employment – Classified

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby employs Ning (Jenny) Yang, effective January 1, 2021 pending receipt of all necessary employment eligibility requirements.

Consideration to approve Working Out of Class and Extra Duties Compensation

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby approves the Working Out of Class and/or Additional Duties of Denise Solgat, Amy Nelson, Mayra Sanchez, Janet Jones and Joseph Atherton as presented.

Other Items

Fiscal Report as of October 31, 2020

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby accept the fiscal report as of October 31, 2020 as presented.

Donation

*RESOLVED, That the Mendocino-Lake Community College District Board

of Trustees hereby accepts the donation to Mendocino College by Heather Penny.

ACTION ITEMS

2019/20 Audit Report

After reviewing the information, presentation and discussion, the board took the following action:

M/S (Myers/Nickerman) that the Mendocino-Lake Community College District Board of Trustees does hereby receive the audit report presented for the year ended June 30, 2020 with the following vote:

Ayes	Martinez, Myers, Nickerman, O'Neill, Tomkins and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

Board Policy Additions and Revisions – Second Reading

After reviewing the information presented and discussion, the board took the following action:

M/S (O'Neill/Tomkins) that the Mendocino-Lake Community College District Board of Trustees does hereby adopt the additions and/or revisions to Board Policy 1100, Board Policy 4230 and Board Policy 7330 as presented with the following vote:

Ayes	Martinez, Myers, Nickerman, O'Neill, Tomkins and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

College and Career Access Pathways (CCAP) Partnership Agreements – Second Reading

Copies of the new College and Careers Access Pathways (CCAP) partnership agreements with the Anderson Valley Unified School District, the Ukiah Unified School District, and the Willits Unified School District are presented for review and approval. After reviewing the information, the board took the following action:

M/S (Myers/Nickerman) that the Mendocino-Lake Community College District Board of Trustees does hereby approve the College and Careers Access Pathways (CCAP) partnership agreement with the Anderson Valley Unified School District, the Ukiah Unified School District and the Willits Unified School District as presented with the following vote:

Ayes	Martinez, Myers, Nickerman, O'Neill, Tomkins and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

Consideration to ratify Resignation – Management Team

This item was pulled from the consent agenda for discussion and recognition. Each of the board members present recognized and thanked Ms. Fairbairn for her hard work and dedication on behalf of the college and our students. Upon completion of the recognition, the board took the following action:

M/S (Nickerman/Tomkins) that the Mendocino-Lake Community College District Board of Trustees does hereby ratify the resignation of Katie Fairbairn as presented with the following vote:

Ayes	Martinez, Myers, Nickerman, O'Neill, Tomkins and Pinoli
Noes	None
Abstentions	None
Absent	Anderson

INFORMATIONAL REPORTS

Mendocino College Foundation, Inc.

A written informational report was submitted by Katie Fairbairn, Executive Director of the Mendocino College Foundation who added the Fort Bragg Rotary has committed to sixteen Adopt-A-Fifth Grader sponsorships this year. It looks like it will be a huge year for the Adopt-A-Fifth-Grader program.

Friends of the Mendocino College Field Station and Natural Sciences Affiliate

A written informational report was submitted by Dr. Steve Cardimona, Professor of Earth Science.

Constituents Group Reports

Academic Senate

A written report was submitted by Academic Senate President Indermill. Academic Senate Indermill added she is very pleased with the Executive Team's commitment to Equity and the Chancellor's Call to Action.

Classified Senate

A written report was submitted by Classified Senate President Mayra Sanchez who stated she had nothing to add.

Management Team

A written report was submitted by Management Team President Janelle Bird who also recognized Katie Fairbairn, Executive Director of the Foundation on behalf of the Management Team.

Board Policy Additions and Revisions – First Reading

Board policy 3540 – Sexual and Other Assaults on Campus; Board Policy 7240 – Confidential Employees; and 7350 – Resignations and Board Policy 7385 – Salary Deductions were presented for review. Discussion and/or adoption of these policies will take place at the January 2021 board meeting.

TRUSTEE COMMUNICATION

Trustee Reports

Trustees commented orally on their recent college-related activities.

Trustee Martinez acknowledged everyone for their dedication and passion to the college and our students and added she would like to see the college hold a multi-cultural activity to help unite the various campus entities. Board President Pinoli and Superintendent/President Karas will discuss this proposal further.

Trustee Myers listened to the presentation on wildfires by Chris Inech and informed the board it was very well done.

Trustee Nickerman stated he appreciates the amount of work done at all the college locations.

Trustee O'Neill informed the board members he has been thinking back over the last year where the college had an Accreditation visit in February, it shifted gears to online class delivery in March due to COVID-19, to the selection of a new Superintendent/President in May. All of these efforts required everyone from all areas of the college to work together closely and collegially.

Trustee Tomkins echoed Trustee O'Neill's statement.

Trustee Pinoli informed the board he has been spending a great deal of time with Superintendent/President Karas and has been learning many things especially in the area of Career Technical Education. He also had a great conversation with the Superintendent of Schools for Mendocino County Michelle Hutchins where he has requested a Big picture presentation from Superintendent Hutchins and a colleague sometime in the spring of 2021.

Future Agenda Items

- The current list of future agenda items includes the following with additional comments from members of the Board of Trustees:
- Diversity training for Board members – Trustee Martinez requested this item and feels it needs to be either a workshop or special meeting. It should not be a lecture but more of a reflection and participation by members of the board. For this reason, she feels it needs to be when we are once again able to meet in person.
- Essential needs for Trustee onboarding
- Outreach to the community and the various tribes
- A workshop or presentation on the next phase plans for the three centers
- Additional information on the Coastal Field Station programs – possibly a Big Picture Item at the February 2021 meeting
- January 13, 2021 – A special joint meeting with the Foundation Board will be held from 3:00 PM – 4:00 PM.
- Budget planning workshop –This workshop will take place on January 28, 2021 from 9:00 – Noon.

Adjournment

With agenda business concluded, Board President Pinoli declared the meeting adjourned at 5:21 PM.

Submitted by:
Timothy Karas, Superintendent/President
Secretary, Board of Trustees

ITEM NO: 3.2

DATE: January 13, 2021

SUBJECT: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION -
INFORMATIONAL ITEM

SYNOPSIS:

Presentation of informational item discussed in closed session.

ANALYSIS:

In closed session the Board of Trustees discussed the attached document. Any action taken by the board will be reported out when they return to open session.

CLAIM FORM

TO: Tim Karas
Superintendent/President
Mendocino-Lake Community College District
1000 Hensley Creek Road
Ukiah, CA 95482

1. Claims for death, injury to person, or to personal property must be filed not later than six (6) months after the occurrence (Govt. Code, Section 911.2)
2. Claims for damages to real property or breach of contract must be filed not later than one year after the occurrence (Govt. Code, Section 911.2)

Perry Glenn Joshua "Two Feathers" Tripp Redacted Redacted
Name of Claimant DOB Phone No.

Redacted Ukiah, CA Redacted
Address City Zip

* Please send notices regarding this claim to: LaToya S. Redd, Esq., Redd Law, 501 W. Broadway, Ste. A297, San Diego, CA 92101

Also see other claims between 6/19/18 & 8/19/19 - should be considered due to failure to comply with CGC § 53051.
WHERE did damage or injury occur? Mendocino College, Ukiah, CA

HOW and under what circumstances did damage or injury occur? The College interfered with the exercise of Perry's right to a public education (Cal. Const. Art. IX, Sec. 1) and right to free speech (U.S. Const., 1st Amend.; Cal. Sec. 2) by harassment, threats, and intimidation. The College discriminated against Perry based on his race, ty, and sexual orientation.

WHAT particular action by the District or its employees caused the alleged damage or injury: (Include names of employees, if known) Perry was suspended from the College without proper due process and was not allowed back
also, the College publicized these facts to third parties. Perry's improper suspension was based on a facebook
ed to the College, one text message, and email correspondence. Violations of laws including, but not limited to,
83, the Civil Rights Act of 1964, CC § 52.1, CC §§ 51, et seq., and CC §§ 54, et seq. (Con't on attachment)

WHAT sum do you claim: Include the estimated amount of any prospective loss insofar as it may be known at the time of the presentation of this claim, together with the basis of computation of the amount claimed; attach estimates or invoices, if possible. (If amount claimed exceeds \$10,000, no dollar amount shall be stated).

* dollar amount exceeds \$10,000	\$
* claim would not be a limited civil case	\$
	\$
Total Amount Claimed	\$

If total amount claimed exceeds \$10,000, is this a Limited Civil case? Yes _____ No X

NAMES and addresses of witnesses, doctors and hospitals: * see attached Witness List

DATE: December 15, 2020

~~Signature of Claimant~~

NOTICE: Section 72 of the California Penal Code provides: "Every person who with intent to defraud, presents for payment to any School District any false or fraudulent claim, is guilty of a felony punishable by fine and/or imprisonment."

EXHIBIT "A"

ATTACHMENT TO CLAIM FORM

WHAT particular action by the District or its employees caused the alleged damage or injury (Include names of employees, if known)

(continued)

Perry was sent an email from Ulises Velasco where he was suspended from the College. Perry did not see or receive this email until August 19, 2019. The suspension was based on allegations of: (a) disruptive postings on Facebook, (b) aggressive behavior towards a District employee via text message, (c) disruptive behavior via text message to a District employee, (d) disruptive behavior via email to a District employee, and, (e) refusal to follow Mr. Lopez's instructions and directions twice in February 2019 to correct his conduct and behavior. Perry strongly contests these allegations. And, Perry only received this notice of suspension via email.

The disability claims involve Bob Nishiyama and Nick Wright. Perry was provided an accommodations request that Mr. Nishiyama signed off on but took issues with when Perry recorded notes for class AJ103. Mr. Nishiyama for the first 2-3 weeks of the class would point out to the class and make statements directed at Perry who sat in the back of the class and say comments like "this is why I don't allow recordings in my class" – Mr. Nishiyama would say this and direct a comment to Perry every class. Perry never received a grade for AJ103 with completion of the final. Emails sent to the instructor were ignored. Mr. Wright was the Disability Counselor. Perry's injury is still ongoing as Perry still does not have his grade for class AJ103. In May 2019, Perry learned that he does not have his grade for AJ103.

Arturo Reyes, Adan Chaivdez, Ulises Valesco, Antonio Lopez, Deborah Polak, Darletta Fulwider, Chantel Martinez, Victoria Ramos, Toni Novelli, and Janice Wood all played a role in discrimination against Perry. This discrimination was continual but the claims at issue in this Claim Form occurred between June 19, 2018 and August 19, 2019. For instance in or about April 2019, there was a Pomo Dressmaking workshop that was going to be held and when Perry had met with Darletta Fulwider in the student services offices (that houses all the counselors) she made a comment to Perry with her crude way of joking and asked Perry if he was going? She then stated "are you gonna go make a dress?" There were other staff and students around since her cubicle was in the middle of the entire services office. Perry had told this to Lopez on the recording. Fulwider would also make comments to Perry about Michele Arnold, a past student, who dressed up as a woman and she would say "ohh are you going to be like "Michele" referring to Mike Arnold. There were several occasions with Fulwider and the Student Club meetings during the last portion of Perry's time as President of the AIA Student Club, including on April 24, 2019, where she told everyone that Perry was the problem and Lopez was on her to "get control" of Perry. Also, Fulwider was also the one who told us in one of the last club meetings on April 24, 2019 about Freedom of Speech and it only being limited to two places on campus, the Quad and the area by the flagpole. Fulwider would provide Perry with information about all the meetings that Adan Chaivdez, Ulises Valesco, Chantel Martinez, Victoria Ramos were having about Perry.

On May 10, 2019, on Native American Motivation Day, Perry was the emcee of the event. Perry pre-arranged the Ukiah Unified School District Bus Transportation arrangements and was told to "meet the buses" as they came in. Perry also had to make food arrangements which had not been set up for the BBQ Hamburgers / hotdogs. A fellow NAAC Member Brian was not provided the needed coal for the BBQ and Perry had to contact Darletta Fulwider, who also sent Perry a text message the same day stating "Ohh maybe you can teach me Psychology." Adan Chaivdez also made a comment to Perry on May 10, 2019 – "watch this group of guys" as there was issues with a young native group of boys that had rivals. Perry informed Adan Chaivdez that he was not "security" and that he was a volunteer.

Valesco, Lopez, Chavidez along with Martinez, who worked under them all, played their role in the continued harassment and defamation to Perry with comments being made to other students and staff on several occasions in 2019. Martinez was the eyes and ears who worked part time and was responsible for opening up the Native American Student Resource Center; she had made a list of rules that included one that no one was allowed to talk "Tribal Politics" in the NASRC. Perry used the center a lot later to find out that she was reporting back to Chavidez. And, in November 2018, Chavidez complained that Perry could not open or use the center unless employees were present. Several incidents happened in 2018 where discriminatory remarks were made to and about Perry including when Lopez, on November 21, 2018, on Un-Thanksgiving referenced Perry as being "crazy" due to his race and color. Several incidents happened well into 2019 where discriminatory remarks were made to and about Perry including an incident between March 2019 and April 2019 in communications regarding Native American Motivation Day (which occurred on May 10, 2019) regarding Perry being "gay."

This list is not exhaustive of the discriminatory acts that Perry experienced at the College. There were numerous instances where Perry suffered due to discrimination based on his race, color, disability, and sexual orientation at the times relevant in this Claim Form.

SUBJECT: PRESIDENT AND ADMINISTRATION REPORT

Happy New Year!

The district was closed from December 24, 2020 to January 4, 2021 for winter break. I hope everyone had time to rest and recharge from a chaotic 2020. There continues to be many superb endeavors at the college to serve our students and community. January brings the first news from the Governor's Office concerning the State budget for 2021-2022. Details will be shared at the Board budget workshop scheduled for January 28, 2021.

District enrollment for Spring 21 is approximately 6% below Spring 20 at this juncture. There remains several weeks prior to the start of instruction and the gap may close. Regionally, districts are experiencing 15%-20% enrollment declines. These declines are part of the long-term effects of the pandemic. Statewide students are increasingly moving from full-time to part-time or stopping out for a semester.

Martin Luther King, Jr. Holiday

On Monday, January 18, Mendocino-lake Community College District will join the country in celebrating Martin Luther King Jr. Day. In so doing, we honor the life and legacy of one of the great figures in modern American history.

The legacy of Dr. Martin Luther King Jr. lives on today. We exemplify Dr. King's dream by advocating for peace, unity, love, change, leadership and service. Advocating for these principles has never been easy — not a half-century ago when Dr. King was alive, nor today. With the all-too-pervasive evidence of inequity in places around the country, each of us is called upon to consider ways that we can contribute to healing, justice, and prosperity for all.

Student Services Updates***In-Person Support Services***

The recent surge in positive COVID-19 cases in our community has required that we revise our plan for in-person support services for the Spring semester. In order to continue our efforts of promoting a safe and healthy educational environment, in-person student support services will be greatly reduced. While students will still be able to complete all their forms, tasks and get assistance from staff remotely, most in-person support at the start of the semester has been suspended. Our plan initially called for staff to be available on campus at the start of the semester to facilitate student enrollment, similar to our efforts in the Fall semester. Nevertheless, if students are in a program like CAMP, FYI or EOPS, they will be notified of drive-by options for them to pick up their materials. Additionally, the Lending Library will still be available to students as well as continued support online, over the phone, at the Library and Centers.

Student Workshops

Multiple departments at Mendocino College have collaborated on the coordination of student workshops for the Spring semester. At the moment, over 20 student workshops will be held online throughout the semester to support students. Topics to be covered include how to use

Canvas, time management strategies, financial aid support, stress management, study skills, among others. These workshops will be made available to students at different points of the semester and open to all students. While specialized programs like FYI will organize a number of the workshops, including virtual workshops on January 13 & 14 to help prepare students for the Spring semester, they will be made available to all students. Similarly, Gayle Zepeda and Malissa Donegan have again collaborated to continue the RES Café series of workshops they developed in the Fall to support Native American students. These workshops will continue to be open to all students while also closely addressing the needs of our Native American students.

Financial Aid

Staff in the financial aid office have been holding virtual FAFSA/Dream Act workshops to support student completion of their 2021-2022 applications by the March 2nd Cal Grant deadline. Additionally, they are in the process of notifying students of their Academic Progress to determine their eligibility for Spring financial aid. Students who have their financial aid file complete will be disbursed their Pell Grant on January 13th for the spring semester. In addition, they have continued to contact students who were enrolled in the Fall semester but are still missing requirements to complete their financial aid file.

EOPS

Students who are new to EOPS will attend an online EOPS Orientation to be admitted to the program. During the orientation, new students are given information about the EOPS program and services. The EOPS drive-thru Kick-off for the Ukiah campus will be held on January 14th. Students will be given their “Tools for School”, a set of school supplies and have an opportunity to request textbooks and calculators from the EOPS lending library. Additional drive-thru Kick-off dates will be scheduled at the Centers as needed.

Academic Affairs Updates

As courses, professional development and meetings remain primarily online, faculty and administration continue to collaborate to provide instruction and support for teaching and learning. While the challenges continue in this context, faculty, instructional deans and support staff have done remarkably well to keep our offerings available, relevant, and at a high quality through the pandemic. Also, they have worked diligently to offer learning support to students to encourage success in online instruction. This includes continuing to provide limited in person resources at the library and at the Centers to make sure that students have adequate technology and quiet space.

In their continuing efforts to support instructors teaching online, the Faculty Helping Faculty group held a 3rd in their series of Canvas discussions on January 6th. This session featured DE Director Vivian Varela presenting on how to closed caption videos. The group will continue with regular Zoom Q&A sessions throughout the semester.

In addition, to further support students, they have created two resources for faculty to share with students (a list of student support resources and a list of Canvas tutorials) and, led by Tascha Whetzel, have revamped the DE homepage to highlight student online success resources. Emily Hashemian, EOPS Counselor and How to Be A Successful Online Student instructor, will provide two Zoom sessions for students on 1/13 and 1/19 to provide guidance on how to use Canvas successfully.

Deans Xu, Aseltyne, and Montes are meeting with Part time faculty via Zoom on the evening of Wednesday January 13 for the Part Time Orientation that precedes each semester. This evening includes regular updates and reminders, as well as a presentation on Student support programs, Turnitin, Library Resources, and how to use the Canvas video recording feature, Canvas Studio.

On Thursday, January 14, all faculty will participate in a “Faculty Conference” which will include a variety of workshops. The day will be aimed at reflecting on teaching and learning in the current context and into the future.

Centers

All Center locations remain primarily remote, with limited opening planned around registration. A few on ground classes are planned at each site for courses whose student learning outcomes cannot be met remotely. Dual enrollment partnerships remain strong, with college courses continuing to be offered remotely at almost all partnering high schools. Remote dual enrollment parent and student workshops are currently being organized for a strong Fall 2021 offering.

Career Education

The Basic Wildland Firefighting Academy, FSC-68, will offer basic-entry level structure and wildland firefighting training for individuals seeking a career with state, federal and local fire departments. The course starts 1/19/21 ends 3/12/21 at Cal Fire Howard Forrest Training site in Willits.

The Emergency Medical Services EMS-135 Emergency Medical Technician course recently was awarded funding for student scholarships from MedStar Ambulance Services of Ukiah for students taking the qualifying examination for the California State EMT-1 certificate. The course covers basic assessment and treatment of life-threatening injuries, extrication of the injured, and ambulance procedures.

The Strong Workforce program local funding will continue to support the CTE instructional classroom upgrades by purchasing and installing 25 new desktops, computer equipment, projectors and several wall monitors in room 1280 and 1290 Macmillan Hall. The CTE classroom upgrades will be completed prior to the return of Computer Science and Business face-to-face courses.

Administrative Services Updates

The Governor will release the 2021/22 State Budget Proposal on Friday, January 8. This budget will be the first look at what 2021/22 may mean for community college finances and may provide changes to the current year budget.

The Information Technology department is working with several departments to allow about 30 college staff to bring their desk telephone home with them while they're working remotely. This provides students with the ability to reach key staff and departments directly by phone, eliminating the need for messages and return calls that has been frustrating to both students and staff.

SUBJECT: EMPLOYMENT – PART-TIME FACULTY

SYNOPSIS:

Employment of Part-Time Faculty for the Spring 2021 semester.

RECOMMENDATION:

The Superintendent/President recommends this item be approved as presented.

ANALYSIS:

The Deans recommend employment of the Part-Time Faculty included on the attached list. Each individual meets the state-mandated qualifications or the District's equivalency policy for the assignment or possesses a valid, applicable credential.

Reference Board Policy 7120, Recruitment and Hiring

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the employment of the Part-Time Faculty for the Spring 2021 semester as presented pending receipt of all necessary employment eligibility requirements.

EMPLOYMENT – PART-TIME FACULTY SPRING 2021 SEMESTER		
Name	Position	Location
Avina Patino, Maria	College and Career Success Instructor	Online
Diaz Gutierrez, Salvador	History Instructor	Online
Escobedo, Katherine	Athletics	Ukiah/Online
Hjorth-Westh, Ejler	Woodworking Instructor	Fort Bragg/Online
Pallesen, Leif	Biology Instructor	Online
Rohlicek, Louis	Political Science Instructor	Online
Sanchez, Lidia	Counseling	Online
Schwartz, Larry	Athletics	Ukiah/Online
McCombs, Audrey	Dual enrollment - Music Instructor	Online/Ukiah

***Met minimum qualifications through equivalency process.**

SUBJECT: RESIGNATION– CLASSIFIED AND FULL TIME (CATEGORICAL)
FACULTY

SYNOPSIS:

Resignation of two (2) employees – (1) Classified (1) Full Time Faculty - Categorical

RECOMMENDATION:

The Superintendent/President recommends this item be ratified as presented.

ANALYSIS:

Kaye Boswell
Budget and Grants Technician
Effective: December 15, 2020

Maria Avina Patino
Counselor – CAMP
Effective: January 15, 2021

Reference Board Policy 7350, Resignations

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby ratifies the resignation of Kaye Boswell, Budget and Grants Technician effective December 15, 2020 and Maria Avina Patino, Counselor – CAMP effective January 15, 2021.

SUBJECT: FISCAL REPORT AS OF NOVEMBER 30, 2020

SYNOPSIS:

A report on District fiscal data as of November 30, 2020

RECOMMENDATION:

The Superintendent/President recommends this item be approved as presented.

ANALYSIS:

The fiscal report as of November 30, 2020 is submitted as information. The Board of Trustees is requested to accept the report.

Reference Board Policy 6300, Fiscal Management

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby accepts the fiscal report as presented.

Mendocino-Lake Community College District
General Fund
2020/21 Fiscal Report as of November 30, 2020

		2020/21 Working Budget	Year-to-date Actuals	Balance	% Rec/Exp
REVENUE					
	Beginning Fund Balance	\$6,742,255			
FEDERAL	Federal Forest Reserve	\$30,000	\$0	\$30,000	0%
	Federal Work Study	120,000	7,158	112,842	0%
	CAMP	547,391	150,759	396,632	28%
	PELL Grant Administration	7,500	675	6,825	9%
	HEP	398,348	65,681	332,667	16%
	HSI	541,215	103,101	438,114	19%
	CTEA	150,264	0	150,264	0%
	Other Federal Revenue	614,951	263,976	350,975	43%
	TOTAL FEDERAL SOURCES	\$2,409,669	\$591,350	\$1,818,319	25%
STATE	State General Apportionment	\$9,194,733	\$4,079,119	\$5,115,614	44%
	Education Protection Account	3,012,483	751,641	2,260,842	25%
	Board of Governors Grant	37,352	26,012	11,340	70%
	Student Equity and Achievement	1,964,366	688,095	1,276,271	35%
	Part-time Faculty Office Hours	9,000	0	9,000	0%
	FT Faculty Hiring	109,098	75,976	33,122	70%
	Part-time Faculty Compensation	109,002	75,908	33,094	70%
	AEBG Adult Education Block Grant	2,060,787	1,144,867	915,920	56%
	CTE Strong Workforce Program	3,136,318	2,298,987	837,331	73%
	Other Categorical Apportionments	1,418,448	1,403,055	15,393	99%
	TANF	45,040	0	45,040	0%
	DSPS	421,734	278,156	143,578	66%
	CALWORKS	244,259	160,165	84,094	66%
	BFAP	166,279	115,798	50,481	70%
	EOPS	671,662	465,782	205,880	69%
	EOPS CARE	78,560	54,475	24,085	69%
	MESA	33,237	0	33,237	0%
	Other Categorical Program Allowances	342,702	377,523	-34,821	110%
	State Subventions	211,829	0	211,829	0%
	Lottery	606,253	-18,542	624,795	-3%
	Mandated Cost Reimbursements	73,473	79,250	-5,777	108%
	Other State Revenue	292,052	264,079	27,973	90%
	TOTAL STATE SOURCES	\$24,238,667	\$12,320,346	\$11,918,321	51%
LOCAL	Property Taxes	\$10,386,326	\$29,186	\$10,357,140	0%
	Local Contributions/Grants/Donations	224,939	9,229	215,710	4%
	Contract Instructional Services	26,069	0	26,069	0%
	Rents/Leases (Facilities Use)	54,000	22,186	31,814	41%
	Interest	79,000	14,669	64,331	19%
	Community Extension	6,000	0	6,000	0%
	Student Fees	1,163,000	958,705	204,295	82%
	Other Local Revenue	328,095	273,651	54,444	83%
	TOTAL LOCAL SOURCES	\$12,267,429	\$1,307,626	\$10,959,803	11%
TOTAL REVENUES		\$38,915,765	\$14,219,322	\$24,696,443	37%
TOTAL RESOURCES AVAILABLE		\$45,658,020			
EXPENDITURES					
	Certificated Salaries	\$12,607,532	\$4,452,468	\$8,155,064	35%
	Classified Salaries	6,787,216	2,546,190	4,241,026	38%
	Benefits	8,117,761	3,043,795	5,073,966	37%
	Subtotal Personnel Costs	\$27,512,509	\$10,042,453	\$17,470,056	37%
	Supplies	\$1,882,142	\$304,066	\$1,578,076	16%
	Services	6,241,600	1,416,721	4,824,879	23%
	Capital Outlay	956,128	43,545	912,583	5%
	Transfers/Other Outgo	2,211,847	444,058	1,767,789	20%
TOTAL EXPENDITURES		\$38,804,226	\$12,250,843	\$26,553,383	32%
	Ending Fund Balance	\$6,853,794			
TOTAL EXPENDITURES/CONTINGENCY		\$45,658,020			

SUBJECT: DONATIONS

SYNOPSIS:

Acceptance of donations to Mendocino College as follows:

1988 Kawasaki 250 Ninja donated by Vicky Watts

1989 Kawasaki 750 Ninja donated by Vicky Watts

RECOMMENDATION:

The Superintendent/President recommends acceptance of these donations.

ANALYSIS:

The motorcycles are being donated to Mendocino College for the Auto Tech Club. They will be used for lab activities, components, or repaired and sold with proceeds going to the Auto Tech Club. Auto Tech Club funds are used for book scholarships for ongoing auto students and for purchase of automotive tools and supplies.

A thank you letter will be sent to the donor.

Reference Board Policy 609, Donations and Gifts

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby accepts the above donations to Mendocino College by Vicky Watts.

SUBJECT: CONTRACTS AND AGREEMENTS – QUARTERLY RATIFICATION

SYNOPSIS:

Board of Trustees review and ratification of contracts and agreements for goods and services for the October 1, 2020 through December 31, 2020 quarter of fiscal year 2020/2021.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees review and ratify those 2020/2021 contracts and agreements which have been approved at the administrative level, as presented in the attached summary document.

ANALYSIS:

In accordance with Education Code Sections 85230-85233, the Board of Trustees may choose to delegate authority to sign contracts and agreements on behalf of the District. Historically the Mendocino-Lake Community College District Board of Trustees has delegated such authority to the Superintendent/President, the Assistant Superintendent/Vice President of Administrative Services, the Vice President of Academic Affairs, and the Vice President of Student Services by Board resolution. This agenda item provides, in summary form, a compilation of those contracts and agreements that have administrative approval for the current fiscal year.

Reference Board Policy 6340, Bids and Contracts

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the contracts and agreements as provided on the attached compilation.

MENDOCINO COLLEGE
2020/2021 RATIFICATION OF CONTRACTS AND AGREEMENTS
October 1, 2020 through December 31, 2020

Contract/Agreement	Income or <Expense>	Responsible VP
<u>California Human Development (CHD)</u> October 9, 2020 until terminated <i>Provide office space for CHD immigration agent to provide free immigration remedies to Mendocino College Students and community members. Amendment required to cover operations during COVID-19 pandemic.</i>	\$106.92 per month	Eileen Cichocki
<u>Cranium Café, LLC, dba ConexED</u> January 1, 2021 through December 31, 2024 <i>Set up, implementation and group onboarding of Cranium Café software subscription. This platform allows for faculty and staff to meet with students with video. Similar to Zoom but with more features.</i>	<\$37,448>	Ulises Velasco
<u>Follett Virtual Bookstores, Inc.</u> October 15, 2020 through March 31, 2023 <i>Operation of virtual bookstore and online e-commerce website.</i>	Commissionable Sales \$50K to \$250K @ 5% \$250K to \$500K @ 6% Over \$500K @ 7%	Ulises Velasco
<u>KWALL</u> November 3, 2020 through October 31, 2021 <i>Discovery, design, development and implementation of a Drupal-based content management system which will replace the current website located at https://www.mendocino.edu/.</i>	<\$110,300>	Eileen Cichocki
<u>NCO Caring Kitchen</u> January 1, 2021 through June 30, 2021 <i>Facilities use of rooms 6230 and 6231 for the purpose of operating the Caring Kitchen Program to provide meals for inland Mendocino County cancer patients.</i>	\$450 per month	Eileen Cichocki
<u>Round Valley Indian Tribes</u> November 1, 2020 until terminated <i>Rental of two classrooms for courses offered in Round Valley.</i>	<\$13,800>	Eileen Cichocki
<u>Verizon Wireless</u> January 1, 2021 to January 1, 2025 <i>CALNET Cellular Voice and Data Services contract with the California Department of Technology.</i>	monthly billings	Eileen Cichocki

SUBJECT: BOARD POLICIES AND REVISIONS – SECOND READING

SYNOPSIS:

New and/or revised board policies are presented for adoption.

RECOMMENDATION:

The Superintendent/President recommends this item be approved as presented.

ANALYSIS:

As part of the ongoing effort to review all policies in the Board Policy Manual in a timely manner, the following Board policies are submitted for the Board's review. As part of the process, all Board Policies are being updated to reflect the standard numbering system used by Community Colleges throughout the state.

Board Policy #3540 – Sexual and Other Assaults on Campus—This policy was last updated in April 2015 and has been revised to now include the new Title IX legally required language. It has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on October 23, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on November 20, 2020.

Board Policy #7240– Confidential Employees – This new legally required board policy has been created under the direction of the Director of Human Resources using the League template as a guide and has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on October 23, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on November 20, 2020.

Board Policy #7350 – Resignations - This legally required board policy has been reviewed by the Director of Human Resources. It has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on October 23, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on November 20, 2020. A copy of the approved administrative procedure is included as information only.

Board Policy #7385 – Salary Deductions – This new legally required board policy has been created by the Director of Human Resources using the League template as a guide and has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on October 23, 2020, was shared with the constituents for comments or suggestions and finalized by the committee at their meeting on November 20, 2020.

MOTION/ACTION:

RESOLVED, that the Board of Trustees of the Mendocino-Lake Community College District does hereby adopt the additions and/or revisions to Board Policy 3540, Board Policy 7240, Board Policy 750 and Board Policy 7385 as presented.

**SEXUAL AND OTHER ASSAULTS ON CAMPUS**

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures **consistent with state and federal law**. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The Superintendent/President shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385 and 67385.7, **67386** and 34 Code of Federal Regulations Section 668.46.

~~See Administrative Procedure 3540.1~~

References: Education Code 67382, 67385, and 67386
20 U.S. Code Section 1092 **subdivision** (f);
34 Code of Federal Regulations Section 668.46 **subdivision** (b)(11)
Age Discrimination in Employment Act of 1967 (ADEA);
Americans with Disabilities Act of 1990 (ADA)

**CONFIDENTIAL EMPLOYEES****NEW**

Confidential employees are those who are required to develop or represent management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

A determination whether a position is a confidential one shall be made by the Board in accordance with applicable law and with the regulations of the California Public Employment Relations Board.

Confidential employees are not eligible for inclusion in a bargaining unit represented by an exclusive representative and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

The terms and conditions of employment for confidential employees shall be provided for by procedures developed by the Superintendent/President. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

Reference: Government Code Section 3540.1 subdivision (c)



BOARD POLICY

No. 7350

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

RESIGNATIONS

The Board shall accept the resignation of any employee and shall fix the time when the resignation takes effect, which shall not be later than the close of the academic year during which the resignation has been received by the Board.

The Board hereby delegates to the Superintendent/President, the authority to accept resignations on its behalf at any time. Resignations shall be deemed accepted by the Board when accepted in writing by the Superintendent/President. ~~When accepted by the Superintendent/President, the resignation is final and may not be rescinded.~~ All such resignations shall be forwarded to the Board for ratification.

See Administrative Procedure 7350.1

References: Education Code 87730 and 88201

Adopted: December 19, 1978
Revised: April 16, 1980
May 5, 1982
Reviewed: August 18, 2010
Revised: April 8, 2015
October 23, 2020

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ADMINISTRATIVE PROCEDURES

No. 7350.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

RESIGNATIONS

When an employee resigns from the District, written notice of the resignation with the final day of employment indicated shall be submitted in writing to the Superintendent/President. Copies of the resignation letter shall be submitted to the Director of Human Resources and to the employee's direct supervisor.

It is customary to give a minimum of two weeks' notice for classified and confidential staff; a minimum of 30 days' notice for management; and a minimum of one semester's notice for faculty. Longer notice periods are appreciated.

Unless otherwise approved by the Superintendent/President or designee, faculty resignations will only be accepted to take effect at the close of a semester.

The employee's resignation letter will be placed in the employee's personnel file.

Upon termination of employment with the District, the employee shall be responsible for complying with the District's exit procedures, administered by the Human Resources Department, for the return of keys, library materials, and other District property issued during the course of employment.

Unless otherwise coordinated with the Superintendent/President or their designee; the employee's email and other electronic access shall terminate within 10 business days of their resignation date.

References: Education Code Sections 87730 and 88201



SALARY DEDUCTIONS

An employee may request deductions of their salary in any amount for any or all of the following purposes including but not limited to:

- participation in a deferred compensation program;
- paying premiums on any policy or certificate of group life insurance or disability insurance or legal expense insurance, or any of them;
- paying rates, dues, fees, or other periodic charges on any hospital service contract.

The District shall without charge reduce the salary payment by the amount which the employee has authorized in writing for the purpose of paying their membership dues in any local, statewide or other professional organization.

The request provided for above shall be revocable by the employee. Revocation of such authorization shall be in writing and shall be effective beginning with the next applicable pay period possible.

References: Education Code Sections 87040, 87833, 87834, and 88167

ITEM NO: 8.1
DATE January 13, 2021

SUBJECT: MENDOCINO COLLEGE FOUNDATION REPORT

SYNOPSIS:

A report from the Mendocino College Foundation is submitted as information.

ANALYSIS:

The 2021 AAFG adoptions to date are at 42 adoptions.

The Foundation is thrilled to announce the Charlie Barra Perpetual scholarship which will honor a Mendocino College student who is a graduate of Ukiah High School majoring in Agriculture at Mendocino College.

The Scholarship Program application period will close on March 1, 2021. An announcement is running on the MC monument sign located at the corner of North State and Hensley Creek. To date, over 200 applicants have begun the application process.

A gift is pending to support students from the EMT program at Mendocino College. The gift will be distributed in the form of scholarships to students.

A postcard will go out mid-February reminding all current Adopt A Fifth Grader alumni to update their most recent contact information with the Foundation.

Foundation Staff is working on sending out Charitable Contribution letters for the 2020 year. The letters are set to be mailed out at the end of January.

The Foundation has formed an Ad Hoc committee to review the structure and operations of the Foundation in the absence of Executive Director, Katie Fairbairn, due to her retirement from the College. Their first meeting will take place Wednesday, January 6, 2021.

Foundation Staff and Fiscal Services will begin to prepare the 21/22 budget. Additionally, the 20/21 budget has been reviewed to date and the expenses are tracking with the budget.

SUBJECT: CONSTITUENT GROUP REPORTS

SYNOPSIS:

A report from the Constituent Groups to the Board of Trustees is submitted as information.

ANALYSIS:

Academic Senate:

The following report was submitted by Academic Senate President Catherine Indermill:

There are no new developments from the Academic Senate as students and faculty are currently on Winter Break, however I do have a brief follow up from the May 2019 report.

Laura Mays, Professor of Woodworking informs me that in September a group of six recent graduates of the Woodworking Program raised over \$35,000 to provide scholarships for two BIPOC (Black, Indigenous and People of Color) students. This will allow them to attend woodworking classes, both summer and the nine-month program, at The Krenov School. The graduates got together virtually to set up an online raffle (Instagram and Venmo) of handmade woodworking items to raise the funds.

It is great to see our graduates working collaboratively and creatively to support other students who are beginning in this craft and provide them the means to attend the Krenov School at Mendocino College.

Classified Senate:

The following report was submitted by Classified Senate President Mayra Sanchez:

Even though our Holiday FunRaiser had to be completed virtually this year, we are very grateful for everyone who helped and participated. Thanks to everyone's contributions and extraordinary efforts, we were able to raise \$2,240.82 which will be used for student scholarships. This was above and beyond all of our expectations and so we would like express our thanks to each and every one of you!

We are excited to be participating in in-service this semester and presenting all the great work MendoCares looks forward to accomplishing.

Management/Supervisory/Confidential:

The following report was submitted by Management Team President Janelle Bird:

The Management Team is busy gearing up for a successful spring semester. Department leaders have been collaborating about ways to once again welcome students given the continuation of a mostly virtual delivery of instruction and services. We look forward to building upon last semester's virtual Passport to Learning event in order to show students how we can help them be successful with their education in this new environment. We look forward to a time when we can once again host our on ground Week of Welcome activities.

Oral reports by other constituent group leaders may be presented at the meeting.

SUBJECT: BOARD POLICY ADDITIONS AND REVISIONS – FIRST READING

SYNOPSIS:

New and revised Board policies are presented for review and discussion.

ANALYSIS:

As part of the ongoing effort to review all policies in the Board Policy Manual in a timely manner, the following Board policies are submitted for the Board's review. As part of the process, all Board Policies are being updated to reflect the standard numbering system used by Community Colleges throughout the state.

Board Policy 5120 – Transfer Center – This new legally required board policy has been created under the direction of the Vice President of Student Services using the League template as a guide and has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on November 20, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on December 11, 2020. A copy of the approved administrative procedure is included as information only.

Board Policy 5130 – Financial Aid – This legally required board policy is presented for review by the Vice President of Student Services and is now brought forward for review with no new changes deemed as necessary. The policy was first reviewed by the President's Policy Advisory Committee on November 20, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on December 11, 2020. A copy of the approved administrative procedure is included as information only.

Board Policy #7211 – Minimum Qualifications - Faculty–This policy was last updated in January 2015 and has been revised under the direction of the Director of Human Resources in coordination with the Academic Senate President. It has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on November 20, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on December 11, 2020.

Board Policy #7251 – Emeritus Status- This legally required board policy was last reviewed in September 2014 and has been properly vetted through the College's participatory governance process. The policy was first reviewed by the President's Policy Advisory Committee on November 20, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on December 11, 2020. A copy of the approved administrative procedure is included as information only.

Board members will review the policy and may offer suggestions for changes if deemed necessary. Discussion and/or adoption of the policies will take place at the February 2021 Board meeting.

**NEW****TRANSFER CENTER**

The District incorporates as part of its mission the transfer of its students to baccalaureate level institutions. The District further recognizes that students who have historically been underrepresented in transfer to baccalaureate level institutions are a special responsibility.

The Superintendent/President shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of underrepresented students and complies with law and regulations.

Reference: Education Code Section 66720 – 66744;
Title 5 Section 51027



ADMINISTRATIVE PROCEDURES

No. 5120.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

TRANSFER CENTER

The District has a transfer center plan that complies with the requirements of Title 5. The plan identifies appropriate target student populations and is designed to increase the transfer applications of underrepresented students among transfer students. Plan components include, but are not limited to:

- Services to be provided to students
- Facilities
- Staffing
- An advisory committee
- Evaluation and reporting
- Transfer path requirements for each articulated baccalaureate major

The Transfer Center Plan will be developed, maintained and updated as necessary by the Dean of Counseling & Student Programs.

References: Education Code Section 66720 – 66744;
Title 5 Section 51027



BOARD POLICY

No. 5130

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

FINANCIAL AID

A program of financial aid to students will be provided, which may include, but is not limited to, scholarships, grants, loans, and work study programs.

All financial aid programs will adhere to guidelines, procedures and standards issued by the funding agency, and will incorporate Federal, State, and other applicable regulatory requirements.

The Superintendent/President shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

Misrepresentation

Consistent with the applicable federal regulations for federal financial aid, the District shall not engage in “substantial misrepresentation” of 1) the nature of its educational program, 2) the nature of its financial charges, or 3) the employability of its graduates.

The Superintendent/President shall establish procedures for regularly reviewing the District’s website and other informational materials for accuracy and completeness and for training District employees and vendors providing educational programs, marketing, advertising, recruiting, or admission services concerning the District’s educational programs, financial charges, and employment of graduates to assure compliance with this policy.

The Superintendent/President shall establish procedures wherein the District shall periodically monitor employees’ and vendors’ communications with prospective students and members of the public and ensure corrective action is taken where needed.

This policy does not create a private cause of action against the District or any of its representatives or service providers. The District and its Governing Board do not waive any defenses or governmental immunities by enacting this policy.

References: Education Code Sections 66021.6, 76300;
20 U.S. Code Sections 1070 et seq;
34 Code of Federal Regulations Section 668;
U.S. Department of Education regulations on the Integrity of
Federal Student Financial Aid Programs under Title IV of the
Higher Education Act of 1965, as amended
ACCJC Accreditation Standard III.D.15

Adopted: December 19, 1978

Revised: July 21, 1982

May 1, 2002

May 7, 2008

May 13, 2015

Reviewed: November, 2020

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ADMINISTRATIVE PROCEDURES

No. 5130.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

FINANCIAL AID

Mendocino College's Financial Aid office administers financial aid according to local, state, and federal regulations. The Director of Financial Aid & EOPS is Mendocino College's coordinating official for the administration of state and federal student aid programs. Policies and procedures specific to Mendocino College will be maintained in the Financial Aid Policies & Procedures Manual, which will serve as a guide for internal training, ongoing compliance review, and annual audits.

At a minimum, the Financial Aid Policies & Procedures Manual will contain the following:

- Application procedures, including deadlines
- Student eligibility
- Payment procedures
- Overpayment recovery
- Accounting requirements
- Satisfactory progress

Misrepresentation

Misrepresentation is defined as any false, erroneous, or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education. A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial. This procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

Loss of Eligibility for California College Promise Grant (formerly known as a BOG Fee Waiver)

A student shall become ineligible for a California College Promise Grant if the student is placed on academic or progress probation, or any combination thereof, for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made.

The District shall notify students of their placement on academic or progress probation no later than thirty days following the end of the term that resulted in the student's placement on probation. The notification must clearly state that two consecutive primary terms of probation will lead to a loss of the California College Promise Grant until the student is no longer on probation. The notification must also advise students about the available student support services to assist them in maintaining eligibility.

The District shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing California College Promise Grant eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

The District shall establish written procedures by which a student may appeal the loss of a California College Promise Grant due to extenuating circumstances, or when a student with a disability applied for, but did not receive, a reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status.

Foster Youth shall not be subject to loss of California College Promise Grant due to placement on academic or progress probation. This exemption for Foster Youth is effective until the date specified in Education Code Section 66025.9 subdivision (c).

References: Education Code Sections 66021.3, 66021.6, 66025.9, 69514, 76300, and 94912.5;
Title 5 Sections 55031 and 58600 et seq.;
20 U.S. Code Sections 1070 et seq.;
34 Code of Federal Regulations Part 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
ACCJC Accreditation Standard III.D.15



BOARD POLICY

No. 7211

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

MINIMUM QUALIFICATIONS - FACULTY

~~As a condition of employment with the Mendocino Lake Community College District, faculty are required to meet State mandated minimum qualification or the equivalent. A person holding a credential authorizing service in a California Community College meets minimum qualifications in the discipline authorized by that credential and the person will retain the right to serve under that credential as provided by state law until it expires. Any person granted or previously granted equivalency for teaching in a given discipline by the Mendocino Lake Community College District Board of Trustees pursuant to state laws and regulations will be deemed to have met the minimum requirements in that discipline and will retain the right to teach in that discipline pursuant to state law and regulations.~~

~~Faculty in this District include those persons defined as faculty under Education Code, section 87003(a) and include, but are not limited to full time and part time instructors, counselors, librarians, community college health services professionals, disabled student programs and services professionals, extended opportunity programs and services professionals and work experience coordinators. Individuals not meeting the State mandated minimum qualifications may qualify for employment under the following District equivalency provision which was developed in consultation with the Academic Senate. This Board policy is intended to ensure a fair and objective process for determining when an applicant has qualifications that are at least equivalent to State mandated minimum qualifications. It is not intended to grant waivers for lack of the required State mandated minimum qualifications. A representative of the District Governing Board shall work with the Academic Senate to develop an equivalency process, including criteria and standards, for faculty employment and shall submit that process to the Board for approval.~~

EQUIVALENCY FOR MINIMUM QUALIFICATIONS FOR FACULTY

~~The equivalency process shall address equivalencies for disciplines requiring the master's degree, disciplines in which the master's degree is not generally expected or available (and which do not require a specific bachelor's or associate's degree), and disciplines in which the master's degree is not generally expected or available (but which require a specific bachelor's or associate's degree). The process shall clarify the criteria that are used for equivalency determinations and the documentation required to support equivalency determinations. Any equivalency determination and/or employment decision that is based on false or misleading documentation provided by an applicant may be revoked upon discovery of the improper documentation.~~

Adopted: July 1, 1990
Revised: October 3, 1990 (retroactive to 7/1/90)
July 3, 1991 (retroactive to 7/1/90)
February 5, 1992 (retroactive to 1/23/92)
January 9, 2002
Reviewed: August 18, 2010
Revised: January 14, 2015
November 2020

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~~The process shall ensure that representatives of the Academic Senate are available to assess equivalency claims during faculty selection processes and that evidence of the bases for finding equivalency is clear and recorded.~~

~~A candidate seeking an equivalency determination must provide, at a minimum, evidence that the candidate has the equivalent not only of subject matter expertise in a particular discipline, but also documentation as to how general education requirements necessary for an associate or bachelor's degree are met.~~

~~The Board will permit a determination of "eminence" as equivalent to State-mandated minimum qualifications for faculty under limited circumstances. Eminence is defined as documented superior knowledge and skill in a discipline. Superior knowledge and skill must be determined in comparison with the generally accepted standard of achievement in the discipline, such that an applicant, if measured by recognized authorities in his/her subject field, would be judged superior. Local renown or recognition alone is insufficient for a finding of eminence.~~

~~All evidence of equivalent preparation, including the basis for an eminence determination, must relate to the discipline at issue and must be of a type that is as reliable and objective as a college transcript. For an equivalency determination, each candidate must be found to be qualified to teach the full range of courses in the discipline under review.~~

~~The standards may provide that an individual employed to teach in a vocational discipline must show a demonstrated competency in the current technology of that discipline. "Reasonably related discipline" in any equivalency determination refers to disciplines referenced in the latest version of the Minimum Qualifications for Faculty and Administrators in the California Community Colleges, published by the State Chancellor's Office~~

Board Action On Equivalencies

~~The Board of Trustees shall not hire a faculty member unless the individual meets State-mandated minimum qualifications or the equivalent. The Board shall determine whether an individual possesses qualifications that are at least equivalent to the state-mandated minimum qualifications. If a proposed faculty member is being hired based on equivalencies, the criteria used by the Board in making the determination shall be reflected in the Board's action employing the individual.~~

~~The Board will rely primarily on the advice and judgment of the Academic Senate in determining whether a proposed faculty member holds qualifications that are at least equal to state-mandated minimum qualifications. The Board will provide the Academic Senate with an opportunity to present its views regarding equivalencies before the Board makes a determination regarding equivalencies and the written record of the Board's decision, including the views of the Academic Senate, shall be available for review.~~

Adopted: July 1, 1990
Revised: October 3, 1990 (retroactive to 7/1/90)
July 3, 1991 (retroactive to 7/1/90)
February 5, 1992 (retroactive to 1/23/92)
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As a condition of employment with the Mendocino-Lake Community College District, faculty are required to meet State mandated minimum qualifications or the equivalent as defined by the *Minimum Qualifications for Faculty and Administrators in California Community College Handbook*. A person holding a credential authorizing service in a California Community College meets minimum qualifications in the discipline authorized by that credential and the person will retain the right to serve under that credential as provided by state law until it expires. Any person granted or previously granted equivalency for teaching in a given discipline by Mendocino-Lake Community College District Board of Trustees pursuant to state laws and regulations will be deemed to have met the minimum requirements in that discipline and will retain the right to teach in that discipline pursuant to state laws and regulations.

Faculty in this District include those persons defined as faculty under Education Code, section 87003(a) and include, but are not limited to full-time and part-time instructors, counselors, librarians, community college health services professionals, disabled student programs and services professionals, extended opportunity programs and services professionals and work experience coordinators. Individuals not meeting the State-mandated minimum qualifications may qualify for employment under District equivalency provisions which was developed in consultation with the Academic Senate. This Board Policy is intended to ensure a fair and objective process for determining when an applicant has qualifications that are at least equivalent to State-mandated minimum qualifications. Should revisions of the policy or application form be necessary a representative of the Board of Trustees, or designee, shall work with the Academic Senate to do so. The equivalency process, including criteria and standards, for faculty employment and shall submit that process to the Board for approval.

The Board of Trustees shall not hire a faculty member unless the individual meets State mandated minimum qualifications or the equivalent per the *Minimum Qualifications for Faculty and Administrators in California Community Colleges Handbook*. The Board shall determine whether an individual possesses qualifications that are at least equivalent to the State mandated minimum qualifications based on the recommendations of the Academic Senate. If a proposed faculty member is being hired based on equivalencies, the criteria used by the Board in making the determination shall be reflected in the Board's action employing the individual.

The Board will rely primarily on the advice and judgment of the Academic Senate in determining whether a proposed faculty member holds qualifications that are at least equal to State-mandated minimum qualifications. The Board will provide the Academic Senate with an opportunity to present its opinion regarding equivalencies if it differs from the Academic Senate's recommendation before an applicant is denied or granted equivalency. The Board will provide its written objection to the Academic Senate's recommendation and allow for the Academic Senate to submit a rebuttal prior to Board action. All documentation shall be available in public records to review.

The procedure is intended to ensure a fair and objective process for determining when an applicant has the equivalent qualifications. It is not intended to grant waivers for lack of the required qualifications.

Adopted: July 1, 1990
Revised: October 3, 1990 (retroactive to 7/1/90)
July 3, 1991 (retroactive to 7/1/90)
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- All position announcements will state the required qualifications as specified by the Disciplines List, including the possibility of meeting the equivalent of the required degree or experience.
- District application forms for faculty positions will ask applicants to state whether they meet the minimum qualifications of the Disciplines List or whether they believe they meet the equivalent. Those claiming equivalency will then be asked to state their reasons and to present evidence. It will be the responsibility of the applicant to supply all evidence and documentation for the claim of equivalency at the time of application.
- All units and degrees earned shall be from accredited institutions per Education Codes: 70901(b)(1)(B) and 87356.

An applicant for a faculty position, although lacking the exact degree or experience in the discipline, nonetheless possess qualifications equivalent to those as defined in the *Minimum Qualifications for Faculty and Administrators in California Community Colleges*, published by the California Community College Chancellor's Office ("Disciplines List") as determined by the Board of Governors for the California Community Colleges or an appropriate valid California Community College Credential shall follow the Minimum Qualification Equivalency Procedure.

Minimum Qualifications Equivalency

The equivalency process shall include provisions for all disciplines, including those:

- that require a Master's Degree,
- that require a Bachelor's or Associate Degree and professional experience,
- in which the Master's Degree is not generally expected or available (and do not require a specific Bachelor's or Associate Degree)

The process shall ensure that representatives of the Academic Senate are available to assess equivalency claims during all faculty selection processes and that evidence of the basis for finding equivalency is clear and recorded.

A candidate seeking an equivalency determination must provide, at a minimum, evidence that they have the equivalent not only in the subject matter expertise in a particular discipline, but also documentation as to how general education requirements necessary for an Associate or Bachelor's Degree are met.

All evidence of equivalent preparation, including the basis for an eminence determination, must relate to the discipline at issue and must be of a type that is as reliable and objective as a college transcript. For an equivalency determination, each candidate must be found to be qualified to teach the full range of courses in the discipline under review.

Adopted: July 1, 1990
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The standards may provide that an individual employed to teach in a vocational discipline must show a demonstrated competency in the current technology of that discipline. “Reasonably related discipline” in any equivalency determination refers to disciplines referenced in the latest version of the *Minimum Qualifications for Faculty and Administrators in the California Community Colleges Handbook*, published by the California Community Colleges Chancellor’s Office.

References: California Code of Regulations 53400-53430
Education Code sections 70901(b)(1)(B); 87003(a); 87356 and 87359;
Title 5

Adopted: July 1, 1990
Revised: October 3, 1990 (retroactive to 7/1/90)
July 3, 1991 (retroactive to 7/1/90)
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BOARD POLICY

No. 7251

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

EMERITUS STATUS

Faculty who have served the Mendocino-Lake Community College District as follows, shall qualify for emeritus status:

Permanent faculty upon retirement or resignation after 10 years of service.

Part-time faculty upon retirement or resignation after 20 semesters of service.

Official recognition of emeritus status shall be given by the Superintendent/President ~~during an appropriate ceremony~~ close to the time of the ~~qualifying event~~ **retirement or resignation**.



ADMINISTRATIVE PROCEDURES

No. 7251.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

FACULTY EMERITUS STATUS

Recognition of emeritus faculty shall include, but not necessarily be limited to, the following privileges, benefits, and courtesies:

- An official document which certifies emeritus status of the respective faculty member endorsed by the President of the Governing Board, the Superintendent/President, and the Academic Senate President;
- Listing in all appropriate college publications;
- May request an identification card which indicates emeritus status at Mendocino College;
- Participation, by choice of the individual, and invitation of the district, in the college's public ceremonies;
- The opportunity to make periodic visits to classes subject to the availability of space and the consent of the class instructor;
- Library and Learning Center privileges comparable to those of the current faculty subject to District policy and administrative regulations;
- Eligibility to serve in an advisory capacity to Senate or District committees at the invitation of the appropriate committee chair;
- Eligibility to participate in campus-based professional development activities;

ITEM NO: 9.1
DATE: January 13, 2021

SUBJECT: EFFECTIVE TRUSTEESHIP AND BOARD CHAIR WORKSHOPS

SYNOPSIS:

Discussion regarding attending the Effective Trusteeship and Board Chair Workshops

ANALYSIS:

The annual Effective Trusteeship and Board Chair workshops will be held virtually using ZOOM technology from January 20, 2021 through January 22, 2021. These online workshops replace the annual meeting which many trustees have attended in the past in Sacramento, CA.

Enrollment for these workshops closes on Friday, January 15, 2021.

ITEM NO: 9.2
DATE: January 13, 2021

SUBJECT: TRUSTEE REPORTS

SYNOPSIS:

Individual Trustees share their Board related activities with the full Board.

ANALYSIS:

Oral reports by Trustees may be presented at the meeting.

SUBJECT: FUTURE AGENDA ITEMS

SYNOPSIS:

Input and discussion by board members regarding items to be included on future agendas.

ANALYSIS:

Items currently on the list include:

- Diversity Training for Board members – will be held when we can meet face-to-face
- Essential needs for Trustee onboarding
- Outreach to community and the various tribes
- A workshop or presentation on the next phase plans for the three centers
- Additional information on the Coastal Field Station programs – scheduled as Big Picture item at February 2021 board meeting
- A Big Picture presentation by Mendocino County Superintendent of Schools Michelle Hutchins and colleague – Spring 2021
- Budget planning workshop – scheduled for January 28, 2021