

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

May 13, 2020 – 4:00 PM

Via Zoom meeting: <https://cccconfer.zoom.us/j/93721117319>

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

Meeting ID: 937 2111 7319

CALL TO ORDER

1. APPROVAL OF AGENDA AND MINUTES

- 1.1 Agenda Approval
- 1.2 Approval of Minutes of the regular meeting held on April 15, 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.

2. CLOSED SESSION

- 2.1 Collective Bargaining/Meet and Confer – Pursuant to Government Code section 54957.6
Designated Representatives: Cichocki, Polak, Velasco and Marin
Employee Organizations: MCFT, MPFA, Management/Supervisory/Confidential, MLCCCBU
- 2.2 Conference with Legal Counsel – Anticipated Litigation – Pursuant to Government Code section 54956.9(d) 1 case
Case names unspecified: Disclosure would jeopardize anticipated settlement negotiations
- 2.3 Public Employee Discipline/Dismissal/Release – Pursuant to Government Code section 54957
Case names unspecified: Disclosure would jeopardize existing settlement negotiations
- 2.4 Public Employment – Pursuant to Government Code section 54957
Title: 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.

RECOGNITION OF RETIREES

Deborah White and Roger Hock will be recognized by the Board for their years of service.

3. PRESIDENT AND ADMINISTRATION REPORT

- 3.1 A report from Interim Superintendent/President Cichocki is presented as information

CONSENT AGENDA

4. Personnel

- 4.1 Consideration to approve Personnel List – Part-Time Faculty
Recommendation to approve the list of part-time faculty as presented
- 4.2 Consideration of Rescinded Request for Lateral Transfer - Classified
Recommendation to ratify rescinding the request for lateral transfer as presented
- 4.3 Consideration of Mendocino-Lake Community College Part Time Faculty Bargaining Unit/MPFA 2018-2021 Tentative Agreement
Recommendation to ratify the 2018-2021 tentative agreement as presented
- 4.4 Equal Employment Opportunity (EEO) Fund Multiple Method Allocation Model Certification Form – Fiscal Year 2019/20
Recommendation to approve the Equal Employment Opportunity Fund Multiple Method Allocation Model Certification Form - Fiscal Year 2019/20 as presented

5. Other Items

- 5.1 Fiscal Report as of March 31, 2020
Recommendation to accept the report as presented
- 5.2 Quarterly Fiscal Status Report – AB 2910
Recommendation to accept the report as presented
- 5.3 Student Trustee Privileges
Recommendation to adopt/maintain the Student Trustee privileges as presented

6. INFORMATION/ACTION ITEM

- 6.1 Superintendent/President Search
To be determined at the meeting

7. PUBLIC HEARING ON PROPOSED BATTERY ENERGY STORAGE SYSTEM

8. ACTION ITEMS

- 8.1 Consideration to Adopt Resolution #05-20-01 Authorizing Administration to Approve Battery Energy Storage System
Recommendation to adopt resolution 05-20-01 to approve a battery energy storage system with SunPower Corporation
- 8.2 Classified Professionals Week – Resolution 05-20-01
Recommendation to adopt resolution 05-20-02 in honor of Classified professionals
- 8.3 Board Policy Additions and Revisions – Second Reading
Recommendation to approve Board policies as presented

9. BIG PICTURE

- COVID-19 Update
An update on the current status of the impact of the COVID-19 pandemic on the college and our students

10. INFORMATIONAL ITEMS AND REPORTS

- 10.1 Health Benefits Report as of March 31, 2020
An update of the Health Benefits account is presented as information

- 10.2 Mendocino College Foundation, Inc.
Mendocino College Foundation informational report
- 10.3 Constituent Group Reports
Reports from constituent groups are presented as information
- 10.4 Board Policy Additions and Revisions – First Reading
Revisions and additions to Board policies are presented for information and review
- 10.5 College and Careers Access Pathways (CCAP) Partnership Agreement – First Reading
The CCAP partnership agreement is presented for information and review

11. TRUSTEE COMMUNICATIONS

- 11.1 Trustee Reports
Written and oral reports from Trustees are presented as information
- 11.2 Future Agenda Items
Board discussion about topics to be included on future agendas

12. 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 : <https://www.mendocino.edu/college/board-trustees/board-trustees-agendas-and-minutes>

Future Board Meetings:

- *Special Meeting – Thursday, May 14, 2020, 9:30 AM via ZOOM*
- *Regular Meeting – Wednesday, June 10, 2020, 4:00 PM, 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, April 15, 2020 using ZOOM remote meeting technology.

GENERAL MATTERS

Call to Order Trustee Pinoli, Board President, called the meeting to order at 4:04 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	arrived at 4:25 PM
	Trustee	Noel O'Neill	present
	Student Trustee	Aidan Lagorio	arrived at 4:09 PM

Secretary Eileen Cichocki, Interim Superintendent/President

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

Staff Representatives 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	Jeana Thompson, President (present)
	Management Team	Janelle Bird, President (present)

Agenda Approval M/S (Nickerman/Myers) to approve the agenda as amended. The matter was approved via the following vote:

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

Approval of Minutes M/S (Tomkins/Nickerman) to approve the minutes of the regular board meeting held on March 11, 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

Advisory Lagorio

*Public Comments on
Closed Session Items*

- There were no comments from the members of the public at this time.

CLOSED SESSION

The Board adjourned to Closed Session at 4:13 PM with Board President Pinoli stating items 2.1 and 2.4 would be discussed in closed session.

OPEN SESSION

*Report of Action
Taken in Closed
Session*

The Board returned to open session at 5:23 PM with Board President Pinoli stating there was nothing to report out from closed session.

Public Comments

- There were no comments from the members of the public at this time.

PRESIDENT AND ADMINISTRATION REPORT

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

We have learned the CARES (Corona Virus Aid Relief and Economic Security) Act allocation to Mendocino College will be at \$1.3 M with a minimum of 50% being distributed directly to students in the form of cash aid. Awards will be based on the greatest need. Given these are emergency funds, we are hoping to begin distribution in the next week. We are currently working on a process that will enable us to do so. The balance of the funding will be used to offset our expenses as related to COVID-19.

The college out-year budgets will be severely impacted by the State and Federal economy. The state will be enacting a budget in June but they will not know the revenue stream from income taxes at that time. The State anticipates having a revised budget released to the public by August 2020.

CONSENT AGENDA

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

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

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

Personnel

*Consideration to
approve the*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the employment of the short-term non-

*personnel list –
Short-Term Non
Continuing (STNC)
Employees*

continuing (STNC) employees as submitted and presented at the meeting pending receipt of all necessary employment eligibility requirements.

*Consideration to
ratify the
Resignation/
Retirement – Faculty*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the retirement of Deborah White, Mathematics Instructor, effective June 30, 2020 as presented.

*Consideration to
rescind Resignation/
Retirement - Faculty*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve a one-time, non-precedential suspension of Board Policy 7350; and ratifies the acceptance of retirement of Doug Boswell (Instructor of Automotive Technology) as rescinded.

*Consideration to
approve Four 10-
Hour Day Work
Week*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby agree to authorize the signing of the agreement with the Classified Employee Unit, MLCCCBU, regarding working four ten-hour days from 5/25/20 through 07/31/20 as presented.

*Consideration to
receive the
Mendocino College
Federation of
Teachers (AFT/CFT
Local 6322) 2021/22
Contract Reopener*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby receives the reopener 2021/22 collective bargaining proposal from the Mendocino College Federation of Teachers and directs the Interim Superintendent/President to receive related public comments prior to the May board meeting as presented.

*Consideration to
present the
Mendocino-Lake
Community College
District Contract
Reopeners to the
Mendocino College
Federation of
Teachers (AFT/CFT
Local 6322) 2021/22*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby presents the initial 2021/22 reopener collective bargaining proposal from the Mendocino-Lake Community College District and directs the Interim Superintendent/President to receive related public comments prior to the May Board meeting as presented.

Other Items

*Fiscal Report as of
February 29, 2020*

*RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby accept the fiscal report as of February 29, 2020 as presented.

INFORMATION/ACTION ITEM

*Superintendent/Presi
dent Search*

Board President Pinoli informed the board the first level interviews will be taking place next week. The week of May 11th will be when the finalist's forum and the trustee interviews will be taking place. These will all be completed in a virtual format.

Trustee Pinoli also thanked the committee members for the immense amount of work they are completing.

The expanded interview committee who will be conducting the first round interviews will be comprised of three trustees, two members of the Academic Senate, two members of the Classified Senate, two members from the Management Team, a Foundation member, a community member, two of the college's Vice Presidents, the Human Resources Director, the Student Trustee and the search consultant.

ACTION ITEMS

2019/2020 April Revised Budget

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

M/S (O'Neill/Nickerman) that the Mendocino-Lake Community College District Board of Trustees does hereby adopt the proposed April Revised Budget as presented and shown on attachments A-1 through I with the following vote:

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

Contracts and Agreements – Quarterly Ratification

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

M/S (Tomkins/Martinez) that the Mendocino-Lake Community College District Board of Trustees does hereby ratify the contracts and agreements as presented with the following vote:

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

Awarding of Audit Contract for Fiscal Year Ending June 30, 2020

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

M/S (Myers/Martinez) that the Mendocino-Lake Community College District Board of Trustees does hereby award the audit contract for the fiscal year ending June 30, 2020 at a price of \$35,817/District and \$8,204/Foundation to the Certified Public Accounting firm of Cossolias, Wilson, Dominquez and Leavitt (CWDL) as presented with the following vote:

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

*Emergency
Conditions (COVID-
19) – Resolution 04-
20-01*

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

M/S (Nickerman/Tomkins) that the Mendocino-Lake Community College District Board of Trustees does hereby adopt Resolution 04-20-01, Emergency Authorization to Prepare and Respond Effectively to Novel Coronavirus (COVID-19) Declaring Emergency Conditions Exist at Mendocino College as presented.

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

*Specifications of
Election Order and
Request for
Consolidation –
Resolution 04-20-02*

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

M/S (Nickerman/O'Neill) that the Mendocino-Lake Community College District Board of Trustees does hereby adopt Resolution 04-20-02, Specifications of Election Order and Request for Consolidation as presented.

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

*Board Policies and
Revisions – Second
Reading*

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

M/S (Tomkins/Anderson) that the Mendocino-Lake Community College District Board of Trustees hereby adopts the additions and/or revisions to Board Policy 3350 and Board Policy 3720 as presented with the following vote:

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

	Absent	None
	Advisory	Lagorio
<i>Board Policy Deletions – Second Reading</i>	After reviewing the information presented and discussion, the board took the following action: M/S (Myers/Nickerman) that the Mendocino-Lake Community College District Board of Trustees hereby approves the deletion of Board Policy 510 and Board Policy 4108 as presented with the following vote:	
	Ayes	Anderson, Martinez, Myers, Nickerman, O’Neill, Tomkins and Pinoli
	Noes	None
	Abstentions	None
	Absent	None
	Advisory	Lagorio
<i>The Efforts to Move Instruction and Student Services to Remote Methods in response to COVID- 19 virus</i>	Vice President of Instruction Polak and Vice President of Student Services Velasco presented information on the efforts to move our instruction and student services to a remote method of delivery in light of the COVID-19 virus pandemic.	

INFORMATIONAL REPORTS

<i>Health Benefits Fund Report as of February 29, 2019</i>	The Health Benefits Fund Report as of February 29, 2020 was submitted as information by Nicole Marin, Director of Human Resources.	
<i>Mendocino College Foundation, Inc.</i>	A written informational report was submitted by Katie Fairbairn, Executive Director of the Mendocino College Foundation who stated she had nothing to add.	
<i>Constituents Group Reports</i>	<p><u>Academic Senate</u> A written report was submitted by Academic Senate President Catherine Indermill who stated she had nothing to add.</p> <p><u>Classified Senate</u> A written report was submitted by Classified Senate President Jeana Thompson.</p> <p><u>Management Team</u> A written report was submitted by Management Team President Janelle Bird who stated she had nothing to add.</p>	
<i>Board Policy Additions and Revisions - First Reading</i>	Board policy 4225 – Course Repetition and Board policy 4400 – Community Services Programs were presented as information for review. Discussion and/or adoption of these policies will take place at the May 2020 board meeting.	

TRUSTEE COMMUNICATION

Trustee Reports

Trustees commented orally on their recent college-related activities.

Trustee Anderson informed the board member he has made contact with a local school board so he could hear how they are proceeding during the current shelter in place.

Trustee Martinez thanked everyone for all their work.

Trustee Myers expressed her thanks for the terrific job that has been done!

Trustee Nickerman stated he had his doubts, but using the virtual technology has made a believer out of him.

Trustee O-Neill informed the board he met with Vice President Velasco and Interim Superintendent/President Cichocki regarding the counseling services available to students.

Trustee Tomkins stated he is thankful for technology and the ability to meet.

Student Trustee Lagorio stated he had nothing to report.

Trustee Pinoli informed the board that items on our list for future agenda items are currently suspended and will once again be presented once we are able to meet in a face to face format.

Future Agenda Items

The current list of future agenda items includes:

A presentation on the Disabled Student Programs and Services (DSPS)
Diversity training for Board members
Essential needs for Trustee onboarding
Outreach to the community and the various tribes
What are the plans for the Fire Recovery and Construction Program grant?
General information about advisory committees.

Adjournment

With agenda business concluded, Board President Pinoli declared the meeting adjourned at 6:55 PM.

Submitted by:

Eileen Cichocki, Interim Superintendent/President
Secretary, Board of Trustees

SUBJECT: PRESIDENT AND ADMINISTRATION REPORT

Budget

On May 7, a preview of the May Revision for the fiscal years 2019/20 and 2020/21 was released by the Department of Finance. The State of California is facing a \$54.3 billion deficit as a result of the impact the coronavirus pandemic has had on the economy of the state. This is nearly 37% of the state's \$147.8 billion current annual budget. The deficit is 3.5 times the amount that is in the State's Rainy Day Fund (\$16 billion). The economic impact of the COVID-19 pandemic is unprecedented. Unemployment in California is expected to increase to 18%, up from 3.9% in February 2020. By comparison, unemployment peaked at 12.3% in the Great Recession that began with the financial crisis in 2008. The May Revision is scheduled to be released on May 14.

Next month, the trustees will be presented with a 2020/21 June Tentative Budget for consideration. The State of California is developing a "workload budget" for 2020/21. This means that the budget will not include any new funding except those related to COVID-19, homelessness, and wildfires. The State of California has extended the filing date for personal income tax from April 15 to July 15. Personal income tax is a major source (62%) of revenue for the State. If the state enacts a budget in June, as they have in recent years, it will be developed without the benefit of knowing what personal income tax receipts will be for the year. Therefore, it is highly likely the budget will be revised later in the fall, October/November, after personal income taxes are filed July 15.

The college continues to monitor all aspects, both health and economic, of COVID-19 through updates from the Public Health Officers of Mendocino and Lake Counties, the Chancellor's Office, the Community College League of California, the State of California, and other official sources.

Summer and Fall

Summer 2020 registration is open and enrollment is higher than previous years were at this time in the registration process. The Summer 2020 schedule is entirely online.

Based on information from across the state about the status of the pandemic and of other colleges' decisions, it seems the most likely scenario for our classes this fall will be an instructional program that is largely online. The Vice President of Academic Affairs, the deans, and faculty are in conversation planning for instruction in the fall. Preliminary plans for fall were discussed during the Open Forum portion of the Academic Senate meeting on May 7. A decision about Fall 2020 will be made in the coming weeks.

Commencement

To our great disappointment, due to the pandemic, we are unable to celebrate commencement in our traditional ceremony. We have 350 students who have petitioned to graduate this month. We surveyed those students to hear if they would like to postpone commencement or have a virtual commencement. The vast majority indicated they would prefer to postpone to a time we are able to gather in large groups again, although we don't know when that may be. We didn't want May 22nd to go by without recognizing the tremendous achievements of our graduates and have several activities planned to help them celebrate on that day. We will have a banner over State Street in downtown Ukiah congratulating the Class of 2020. In lieu of the program handed out at commencement we will

list all graduates in the Graduation Magazine published by the Ukiah Daily Journal. There will be a Lake County and a Mendocino County version of the magazine. We are also providing customized lawn signs to students to share their graduation accomplishment. And finally, with generous support of our Mendocino College Foundation, graduating students will be able to pick up a \$50 meal from a choice of local restaurants on May 22nd to celebrate the day with their loved ones. The restaurants that are participating are many that have supported college and Foundation events in the past, we felt this was a great opportunity to celebrate our graduates while also helping local restaurants that have impacted by the drop in business due to the shelter in place.

Emergency Aid to Students

The college has received \$1.3 million in Coronavirus, Aid, Relief, and Economic Stimulus (CARES) Act funding from the federal government. At least half of these funds must be disbursed to in direct aid to students. **On May 1st, the college was able to send 574 students \$401,600 in direct aid.** The payments ranged from \$150 to \$1,000 based on the number of units each student is enrolled and the needs expressed by the student. The funds covered expenses resulting from the COVID-19 pandemic for food, housing, childcare, health care, transportation, and technology. The remaining \$250,000 will be disbursed to students over the next few weeks.

It was a great disappointment to learn that the CARES funding excluded undocumented students. This left out many of our most vulnerable students at a time when the need for support is at its greatest. Thankfully, we were able to provide emergency aid to our non-credit and undocumented students using the same formula as was used to distribute the CARES funding. Using a combination of Equity and Promise Program funds, **we distributed \$30,000 to 66 students that did not meet the requirements of CARES funding.**

In response to the pandemic, the Mendocino College Foundation established an emergency fund for our students. The Foundation has allocated \$150,000 to provide students with \$250 stipends to help address their emergency needs. **So far, \$85,000 has been given to 341 students.**

Continued Professional Development

On Friday, May 1st, approximately 60 full and part time faculty joined the SLO Team for a well-received training on how to use eLumen to assess course level SLOs. Taylor Cannon led the training; he was joined by the college's rep from eLumen. eLumen is a web-based platform which houses the college's curriculum and will now also be used for housing SLO assessment data. It will give faculty an easier way to submit their assessments and access to numerous reports that they can use to evaluate their own SLO assessments and those of their department. Julie Finnegan, SLO Team chair, surveyed faculty members about their additional questions and professional development needs. The SLO Team will be developing further trainings to assist faculty in getting the most out of the assessment process. Faculty who could not attend the training will have access to an instructional video created by Taylor Cannon.

Program Review

Some college processes continue as close to normal as possible. In April and May Program Reviews are completed for all departments. This is the process that programs and departments use to examine their student outcomes data and their resource needs. Staffing requests have already been submitted and are being reviewed in the Staffing Committee. At the end of the semester, requests for other resources such as equipment, technology and professional development will be submitted. Normally, a portion of academic departments submit Program Review Part 2 which includes an analysis of Program Level Student Learning Outcomes (PSLOs) and other student success and equity data. This

year's departments assigned to Part 2 are being given the option to complete it next year because we have not been able to spend the time discussing metrics and a new PSLO process.

Distance Education

In response to the current and probable future reality of course delivery, our faculty have been busy developing curriculum processes and examining their courses for online delivery. One hundred (100) proposals have come or will come to the curriculum committee by the May 15 meeting. Some of these are getting a new designation which allows for the course to be taught online only in an emergency situation that does not allow the class to meet in person. Additionally, we continue to train faculty to teach online using our learning system Canvas. As reported at the last meeting, two full four-week Canvas training sessions were held this spring to certify over 80 faculty to teach online, and we will have at least one more this summer. All of these have been taught by our Distance Education Coordinator, Vivian Varela.

Student Needs

As Mendocino College began to transition to providing instruction and support services remotely, we sent a survey to students to better understand their technology, food pantry and textbook needs. Through that survey, which is still active, we have received 934 responses. Students let us know their needs in these areas and we have been able to connect them with available resources. As a result of that survey and the student feedback, we have been able to achieve the following:

- 76 students have borrowed Chromebooks from our lending library. We still have over 25 Chromebooks available for students.
- Over 50 students have received \$100 grocery store gift cards in lieu of access to the Mendocino College Food Pantry. Some students have received a second gift card based on their continuing need.
- 15 students expressed a need for textbooks, but only one provided the book information (which we were able to acquire for them). All students who expressed this need received information regarding free online textbook resources.

In addition to these resources, Mendocino College received mobile WiFi hotspots to lend to students. These are being added to the lending library so that students have increased support as they continue navigating the remote learning environment.

High School Equivalency Program

On April 30th, federal funding for the High School Equivalency Program (HEP) officially ended. We were previously able to receive a no-cost extension to provide services and support for existing students through the Spring semester. As a result of the hard work of staff in the program, a total of 61 students were able to graduate from the most recent cohort. One student's completion is still pending due to the closure of the HiSET testing site.

By partnering with Mendocino-Lake Adult Career Education (ML-ACE), staff will be able to extend high school equivalency support services to students through June 30, 2020. While HiSET testing is cancelled until further notice due to the COVID-19 situation, staff are continuing to provide tutoring to students through a remote learning environment.

Mendocino College has submitted an application for the High School Equivalency Program grant for the 2020 competition. The Office of Migrant Education has announced that results from that competition will be known in June, 2020.

Telephone Calls

We have developed a plan for routing calls from campus to available staff in their homes. By updating our telephone system with new messages, the routing process, and with the acquisition of cell phones, we are now able to respond to calls coming in to the main college line. This will allow our staff members to answer questions and provide information to our callers. A schedule has been developed to have staff available Monday-Friday from 8am-5pm. Staff from multiple departments were identified to provide support for students and community members calling in.

Support Service Programs

The First Year Institute, Equity staff, EOPS, and other support programs have continued to follow up with current students and providing them with information on available resources. Our counselors are working with students to update their education plans and for signing up for summer and/or fall courses. Additionally, our outreach staff is working collaboratively with multiple programs on updating the onboarding process for the new cohort of students for Fall 2020. For FYI alone, over 200 students have been identified as eligible for the program. Our programs will continue to reach out to current high school seniors in order to facilitate their enrollment for the Fall 2020 semester. We are troubleshooting technology issues for the virtual counseling meetings and collaborating with high school counselors to help set up students with their college counseling appointments.

All departments within student services are keeping a close eye on regulatory updates from the State and the U.S. Department of Education. Our departments manage a great deal of grants with many requirements for managing those funds. As a result, it is imperative that we remain vigilant about the frequent updates to policies and guidelines during this time.

SUBJECT: EMPLOYMENT – PART-TIME FACULTY

SYNOPSIS:

Employment of Part-Time Faculty for the Summer 2020 semester.

RECOMMENDATION:

The Interim Superintendent/President recommends approval of this Board item 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 Summer 2020 semester as presented pending receipt of all necessary employment eligibility requirements.

EMPLOYMENT – PART-TIME FACULTY SUMMER 2020 SEMESTER		
Name	Position	Location
Albuquerque, Lilia	English as a Second Language Instructor	Online
Bailey, Jeffrey	Art Instructor	Online
Barrett, Jennifer	Business Office Technology Instructor	Online
Bayer, Lucille	English Instructor	Online
Bell, Rose	History Instructor	Online
Bhandari, Keshab	Computer Science Instructor	Online
Brunner, Jeffrey	English Instructor	Online
Buffalo, Daniel	Business Instructor	Online
Burokas, Nina	Business Instructor	Online
Buzzell, Nancy	Child Development Instructor	Online
Campbell, Stuart	Philosophy Instructor	Online
Cantrell, Tatiana	Child Development Instructor	Online
Carey, Jill	Child Development Instructor	Online
Castillo, Guillermo	Education Instructor	Online
Chiabotti, Dianna	Child Development Instructor	Online
Cohen, Mina	Art - Painting, Drawing Instructor	Online
Dachani, Akanit	Digital Arts Media Instructor	Online
Diaz Gutierrez, Salvador	History Instructor	Online
Dominguez, Diana	Mathematics Instructor	Online
Dwyer, Molly	English Instructor	Online
Feliciano, Diana	English as a Second Language Instructor	Online
Gomez, Diana	Education Instructor	Online
Gowan, Theresa	Health-Transfer Instructor	Online
Gray, Gary	Business Instructor	Online
Green, Tobias	History Instructor	Online
Hendershot, Chelsea	Business Instructor	Online
Heston, Pamela	Administration of Justice Instructor	Online
Hobart, Evan	Art - Ceramics Instructor	Online
Ives, Aeron	Mathematics-Basic Skills Instructor	Online
Jensen, Zane	History Instructor	Online
Kuhn Fornari, Melissa	English as a Second Language Instructor	Online
Lam-Hansard, Katherine	Economics Instructor	Online
Larsen, Erick	Mathematics Instructor	Online
McCauley-Callagy, Susan	Kinesiology	Online
McKay, Carol	Child Development Instructor	Online
Morgan, Heidi	Psychology Instructor	Online
Munoz, Lacey	Biology Instructor	Online
Myklebust, Martha	Child Development Instructor	Online
O'Mara, Stephen	Business Instructor	Online
Offill, William	Athletics	Online
Orpustan-Love, Denise	Sociology Instructor	Online
Parmenter, Robert	Library Instructor	Online
Price, Jennifer	Anthropology Instructor	Online
Rickansrud-Young, Rebel	English Instructor	Online
Sammel, David	Spanish Instructor	Online

***Met minimum qualifications thru equivalency process.**

EMPLOYMENT – PART-TIME FACULTY SUMMER 2020 SEMESTER		
Name	Position	Location
Schon-Brunner, Eryn	Theatre Arts - Dancing Instructor	Online
Shieh, Amanda	Mathematics Instructor	Online
Siderakis, Julia	Culinary Arts Mgmt – Culinary Instructor	Online
Taylor, Riba	English Instructor	Online
Thomas, Alexander	Economics Instructor	Online
Thomas, Shirlee	History Instructor	Online
Tomlinson, John	Theatre Arts - Acting Instructor	Online
Upton, Chatnaree	Physics Instructor	Online
Von Vogt, Margaret	Basic Skills Instructor Non-Credit	Online
Watson-Krasts, Dena	Theatre Arts - Dancing Instructor	Online
Weber, David	Computer Science Instructor	Online
Weiss, Elizabeth	Business Instructor	Online
Welch, Diane	Psychology Instructor	Online
Woodhouse, Noel	Sustainable Technologies Instructor	Online
Young, Rachel	Theatre Arts - Dancing Instructor	Online
Zotter, Frank	Business Instructor	Online

***Met minimum qualifications thru equivalency process.**

ITEM NO: 4.2
DATE: May 13, 2020

SUBJECT: RESCINDED REQUEST FOR LATERAL TRANSFER - CLASSIFIED

SYNOPSIS:

Classified staff member requested to rescind lateral transfer request.

RECOMMENDATION:

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

ANALYSIS:

On March 11, 2020; the Board of Trustees accepted the lateral transfer of Cathleen Kucz, Accounting Specialist to Administrative Assistant I (Student Services); to be effective July 1, 2020. As allowed in the Classified CBA; Cathleen requested to invoke Article 14.1.7 "Either the supervisor or the transferred employee may rescind the transfer at any time during the first six months in the new position."

Reference Board Policy 7120, Recruitment and Hiring

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby ratifies that the transfer of Cathleen Kucz, Accounting Specialist, is rescinded .

ITEM NO: 4.3
DATE: May 13, 2020

SUBJECT: MENDOCINO-LAKE COMMUNITY COLLEGE PART TIME FACULTY
BARGAINING UNIT/MPFA 2018-2021 TENTATIVE AGREEMENT

SYNOPSIS:

2018-2021 Tentative Agreement between the Mendocino-Lake Community College District and the Mendocino Part Time Faculty Association (CCA/CTA/NEA)

RECOMMENDATION:

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

ANALYSIS:

District and MPFA representatives recently reached a Tentative Agreement (TA) regarding 2018-2021 contract revisions. A copy of the TA is attached.

MOTION/ACTION:

RESOLVED, That the Board of Trustees hereby ratifies the 2018-2021 Tentative Agreement between the Mendocino-Lake Community College District and the Mendocino Part Time Faculty Association (MPFA).



MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT

Mendocino Lake Community College District
& Mendocino Part Time Faculty Association
TA for contract 2018-19, 19-20, 20-21

This counter proposal is considered a non-severable package settlement. If MPFA does not agree to the entire package, the District reserves the right to revert to its previous proposal.

On Schedule Rate Change

6.5% increase to existing salary schedule effective Summer 2020.

This would settle salary for both 19-20 and 20-21. No retroactive on-schedule salary adjustments.

Effective Summer 2020						
	A	B	C	D	E	F
1	\$58.17	\$61.09	\$64.16	\$67.37	\$70.72	\$74.25
2	\$61.09	\$64.16	\$67.37	\$70.72	\$74.25	\$77.97
3	\$64.16	\$67.37	\$70.72	\$74.25	\$77.97	\$81.87

One Time, Off-Schedule Compensation

- Agreement to a one-time off-schedule stipend: For part time faculty (including instructors, counselors, and librarians) who have/had a fully executed contract (ie not cancelled) in Fall 2019 and/or Spring 2020. This will not result in contract language change.
 - Eligibility for one-time off schedule payment of \$300 for work completed in Fall '18 and/or Spring '19;
 - Eligibility for one-time off schedule payment of \$400 for work completed in Fall '19 and/or Spring '20.
- Agreement to a one-time agreement for Summer '20 new course stipend for online conversion. One-Time Agreement under separate cover. This will not result in contract language change.

Non-Instructional Rates

Basic non-instructional rate of \$50.00 per hour, for non-instructional activities assigned by the District, such as curriculum development, schedule development, District trainings and events.

Basic non-instructional rate does not apply to:

- a. Other rates established in the CBA (office hours) or previously established lump-sum stipend rates, such as those for performances and athletic coaching and committee assignments.
- b. Approved Flex activities
- c. Presentation of Workshops or Training (\$75/hour)
- d. Other work contracted by the college with outside agencies:
 - i. Contract Education (\$75/hr)
 - ii. Adelante (rate established by contract)
 - iii. Rates and hours will be determined through MOU with outside agency based on other established rates

Stipends

- Agreement to work toward establishing a form for compensating outside of regular instructional assignments; the form will include number hours and specific work requirements. Pay rates will be based on existing negotiated non-instructional rates.
- \$125 Stipend for Spring 2020 Professional Development Committee participation
- \$2800 per semester stipend for MPFA President effective Spring 2020
- Agreement to update the list of paid stipend work to include "Guided Pathways Leadership Team" and "Professional Development"; removing "Basic Skills"

Parity

Commitment of mutual efforts toward developing a parity calculation for the Fall 2021 salary schedule.

Office Hours

- \$20,000 per semester is allocated for the Fall and Spring semesters
- Office hours compensation extended as follows: Those part time faculty with 20% annual load or greater will be eligible to apply for \$400 (\$25/hour) per semester. Those with 10%-19% annual load will be eligible to apply for \$200 (\$25/hour) per semester (see article 16.10)
- PT Faculty (with a 20% load) must communicate their availability to students for a minimum of 16 hours per semester. PT Faculty (with a 10%-19% load) must communicate their availability to students for a minimum of 8 hours per semester

Facilities Committee:

Unpaid Committee Participation: Agreement to have a non-voting, resource MPFA representative on the Facilities/Safety Committee.

MPFA Orientation:

15 minutes at the end of the two (2) hour PT faculty orientation is allocated to MPFA.

Articles Summary:

Changes to articles 1,2,5,7,15,16, and 20 are reflected in attached articles

Entirety of Contract:

Syntax Clean up: Replace "Vice President of Education and Student Services" with Appropriate Vice President.

Signed by District:



Nicole Marin, Director of Human Resources, May 1, 2020

Signed by Association:



Stuart Campbell, MPFA President

ITEM NO: 4.4
DATE: May 13, 2020

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (EEO) FUND MULTIPLE
METHOD ALLOCATION MODEL CERTIFICATION FORM FISCAL YEAR
2019/20

SYNOPSIS:

In order to receive Equal Employment Opportunity (EEO) funding, the District must annually submit a certification form that outlines the methods that the District has utilized to advance diversity and equity in the hiring process.

RECOMMENDATION:

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

ANALYSIS:

In fiscal year 2016/17, the California Community Colleges Chancellor's Office (CCCCO) implemented a new funding allocation model for the Equal Employment Opportunity (EEO) Fund, consistent with Title 5, Section 53030. The Multiple Methods allocation model was developed by the longstanding Equal Employment Opportunity and Diversity Advisory Committee (statewide EEO Committee) and the CCCCCO's Office of the General Counsel in 2015. Each year California Community College districts may apply for funding from the Chancellor's Office Equal Employment Opportunity (EEO) Fund to help promote district-wide EEO efforts. These funds are allocated based upon the number of Districts which apply for and are deemed eligible for the funding each year. Prior to receiving these funds, a district must certify that it has satisfied specific EEO best practices outlined within the Chancellor's Office "Equal Employment Opportunity Fund Multiple Method Allocation Model Certification Form" ("EEO Multiple Method Form"). This certification form must be completed by the Human Resources Director, reviewed by the District's Equal Employment Opportunity Advisory Committee (EEOAC), and approved by the Board of Trustees.

The form is attached and outlines the methods that Mendocino College has utilized to advance diversity and equity in the hiring process. This report is due to the Chancellor's Office on June 1, 2020.

Reference Board Policy 3420, Equal Employment Opportunity
Reference Board Policy 7100, Commitment to Diversity
Reference Board Policy 7120, Recruitment and Hiring

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby approves the certification of the Equal Employment Opportunity Fund Multiple Method Allocation Model Certification Form, Fiscal Year 2019/20.



Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form
Fiscal Year 2019-2020

District Name: _____

Does the District meet Method #1 (District has EEO Advisory Committee, EEO Plan, and submitted Expenditure/Performance reports for prior year) (All mandatory for funding).

- ☐ **Yes**
☐ **No**

The district met at least 6 of the remaining 8 Multiple Methods? (Please mark your answers.)

- ☐ **Yes**
- ☐ Method 2 (Board policies and adopted resolutions)
 - ☐ Method 3 (Incentives for hard-to-hire areas/disciplines)
 - ☐ Method 4 (Focused outreach and publications)
 - ☐ Method 5 (Procedures for addressing diversity throughout hiring steps and levels)
 - ☐ Method 6 (Consistent and ongoing training for hiring committees)
 - ☐ Method 7 (Professional development focused on diversity)
 - ☐ Method 8 (Diversity incorporated into criteria for employee evaluation and tenure review)
 - ☐ Method 9 (Grow-Your-Own programs)
- ☐ **No**

I CERTIFY THAT THIS REPORT FORM IS COMPLETE AND ACCURATE. Please attach meeting agenda showing district EEO Advisory Committee's certification of this report form.

Chair, Equal Employment Opportunity Advisory Committee

Name: _____ Title: _____

Signature: _____ Date: _____

Chief Human Resources Officer

Name: _____ Title: _____

Signature: _____ Date: _____

Chief Executive Officer (Chancellor or President/Superintendent)

Name: _____ Title: _____

Signature: _____ Date: _____

President/Chair, District Board of Trustees

Date of governing board's approval/certification: _____, 2020

Name: _____ Title: ***President/Chair, Board of Trustees***

Signature: _____ Date: _____



Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form
Fiscal Year 2019-2020

This form requires districts to report the various activities that they are implementing to promote Equal Employment Opportunity for each of the 9 Multiple Methods.

When providing explanation(s) and evidence of your district's success in implementing the Multiple Methods, please keep narrative to no more than one page per Multiple Method. If you reference an attachment, please ensure it is attached to your submittal.

Nine (9) Multiple Methods

Mandatory for Funding

1. District's EEO Advisory Committee, EEO Plan, and submittal of Expenditure/Performance reports for prior year.

Pre-Hiring

2. Board policies & adopted resolutions
3. Incentives for hard-to-hire areas/disciplines
4. Focused outreach and publications

Hiring

5. Procedures for addressing diversity throughout hiring steps and levels
6. Consistent and ongoing training for hiring committees

Post-Hiring

7. Professional development focused on diversity
8. Diversity incorporated into criteria for employee evaluation and tenure review
9. Grow-Your-Own programs

Does District meet Multiple Method #1 (District has EEO Advisory Committee, EEO Plan, and submitted Expenditure/Performance reports for prior year)?

- ☐ **Yes**
- ☐ **No**

Under the Multiple Method allocation model, districts must minimally have an operational district EEO Advisory Committee, and an updated EEO Plan. Additionally, districts are required to annually report on the use of EEO funds.

- In order to qualify for receipt of the EEO Fund, districts are required to submit a board-adopted EEO plan every three years to the Chancellor's Office. (Title 5, section 53003).
- EEO Plans are considered active for three years from the date of when the district's Board of Trustees approved the plan.
- The districts are required to establish an EEO Advisory Committee to assist in the development and implementation of the EEO Plan. (Title 5, section 53005).
- The districts are required to annually submit a report on the use of Equal Employment Opportunity funds. (Title 5, section 53034).



Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form
Fiscal Year 2019-2020

Please provide an explanation and evidence of meeting this Multiple Method, #1.

Multiple Method #1

To receive funding for this year's allocation amount, districts are also required to meet 6 of the remaining 8 Multiple Methods.

Does the District meet Method #2 (Board policies and adopted resolutions)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #2.

Multiple Method #2

Does the District meet Method #3 (Incentives for hard-to-hire areas/disciplines)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #3.



Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form
Fiscal Year 2019-2020

Multiple Method #3

Does the District meet Method #4 (Focused outreach and publications)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #4.

Multiple Method #4

Does the District meet Method #5 (Procedures for addressing diversity throughout hiring steps and levels)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #5.

Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form
Fiscal Year 2019-2020

Multiple Method #5

Does the District meet Method #6 (Consistent and ongoing training for hiring committees)?

- ☐ **Yes**
☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #6.

Multiple Method #6

Does the District meet Method #7 (Professional development focused on diversity)?

- ☐ **Yes**
☐ **No**



Please provide an explanation and evidence of meeting this Multiple Method, #7.

Multiple Method #7

Does the District meet Method #8 (Diversity incorporated into criteria for employee evaluation and tenure review)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #8.

Multiple Method #8



California
Community
Colleges

Equal Employment Opportunity
Fund Multiple Method Allocation
Certification Form

Fiscal Year 2019-2020

Does the District meet Method #9 (Grow-Your-Own programs)?

☐ **Yes**

☐ **No**

Please provide an explanation and evidence of meeting this Multiple Method, #9.

Multiple Method #9

Exhibit 1

EQUAL EMPLOYMENT OPPORTUNITY
and
STAFF DIVERSITY PLAN

Mendocino-Lake Community College District



2019-2022

*Reviewed by EEO Advisory Committee: February 11, 2019 and March 4, 2019
Reviewed and Approved by Board of Trustees: May 15, 2019*

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Plan Component 1: Introduction

The Mendocino-Lake Community College District Equal Employment Opportunity (EEO) Plan, which reflects the District's commitment to equal employment opportunity, was adopted by the Board on May 15, 2019. The 2018-19 District Priorities adopted by the Board of Trustees includes strengthening our inclusive, equitable, and ethnically diverse college culture to be more welcoming to all students and increase access and support for underrepresented students.

The goal of Mendocino College is to take active steps to ensure equal employment opportunity and to create a diverse work and academic environment that is welcoming and inclusive for all. Fostering diversity, promoting excellence, and providing a positive student learning experience is the primary focus of this endeavor. Through such an inclusive educational environment, our students will be better prepared to thrive in our diverse society.

The EEO Plan focuses on providing equal employment opportunity in the District's recruitment and hiring policies and practices pursuant to the applicable Regulations of the Board of Governors of the California Community Colleges (Title 5 of the California Code of Regulations, Sections 53000 et seq) and the steps the District shall take in the event of underrepresentation of monitored groups. It also includes a complaint procedure for noncompliance with the EEO Plan; the establishment of the Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all; and procedures for dissemination of the EEO Plan.

Mendocino College is proud to serve a large population of Native American students and is currently working toward being named a Native American Serving Institution, alongside our title as a Hispanic Serving Institution. We are also making progress through our current Student Equity model to further promote and ensure success for our diverse student population.

The Mendocino-Lake Community College District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and to recruiting and hiring persons from diverse backgrounds. Diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students including first generation students, underrepresented students, and students of color. The District will strive to employ and retain faculty, staff and administrative personnel who promote a positive learning environment and are well prepared to serve our increasingly diverse student population.

J. Arturo Reyes, Ed. D.
J. Arturo Reyes, Superintendent/President

Plan Component 2: Definitions

CCR, Title 5, §53001

1. *Adverse Impact* is a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, gender or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
2. *Business Necessity* means circumstances which justify an exception to the requirements of Section 53021(b)(1) because compliance with that section would result in substantial additional financial cost to the district or pose a significant threat to human life or safety. Business necessity requires greater financial cost than does mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.
3. *Diversity* means broad inclusion in the employment environment that offers equality and respect for all persons. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by race, gender, disability status, belief, age, national origin, cultural background, life experiences and other enriching characteristics.
4. *Equal Employment Opportunity* means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels and in all job categories listed in Section 534004(a), namely: executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:
 - Identifying and eliminating barriers to employment that are not job related; and
 - Creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.
5. *Equal Opportunity Plan* is a written document in which a district's work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.
6. *Equal Employment Opportunity Program* means all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring, and taking additional steps consistent with the requirements of Section 53006 and this EEO Plan.
7. *Ethnic Group Identification* means an individual's identification in one or more of the ethnic Groups reported to the Chancellor pursuant to Section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.

8. In-house or Promotional Only Hiring means that only existing district employees are allowed to apply for a position.
9. Monitored Groups means those groups identified in Section 54004(b) for which monitoring and reporting is required pursuant to Section 53004(a). Section 53004(b) indicates that data about employees and applicants should be collected and reported with respect to gender, ethnic group identification, and disability. Thus, monitored groups are men, women, American Indians or Alaskan natives, Asian or Pacific Islanders, Blacks/African Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.
10. Person with a Disability means any person who (1) has a physical or mental impairment as defined in Government Code, Section 12926, which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult. If the federal Americans with Disabilities Act of 1990 defines "disability" which results in a broader protection than would be available under California law, federal definitions will apply.
11. Reasonable accommodation means the efforts made on the part of the district to afford disabled applicants access to the job application process and disabled employees to perform the essential functions of their positions, consistent with the District's legal obligations under the Americans with Disabilities Act and the Fair Employment and Housing Act.
12. Screening or Section Procedure means any measure, combination of measures, or procedure used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to, traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.
13. Significantly Underrepresented Group means any monitored group for which the percentage of persons from that group employed by the district in any job category listed in Section 53004(a) is below eight percent (80%) of the projected representation for that group in the job category in question.

All Section references are to Title 5 of The California Code of Regulations unless otherwise indicated.

Plan Component 3: Policy Statement

CCR, Title 5, §53002

The Mendocino-Lake Community College District is committed to academic excellence and providing all students with the opportunity to succeed in their chosen educational pursuits. Academic excellence can best be sustained in a climate of acceptance and with the inclusion of persons from a wide variety of backgrounds and preparation who can provide services to an increasingly diverse student population. A workforce that is continually responsive to the needs of a diverse student population may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion and by eliminating barriers to equal employment opportunity. The District will strive to achieve a workforce reflective of the diversity of our student population.

It shall be the policy of the Mendocino-Lake Community College District that all qualified applicants and employees have equal opportunity to seek, obtain, hold, and advance in employment in the District, and are not subjected to discrimination on the basis of ethnic group identification, culture, socioeconomic level, color, national origin, religion, age, physical disability, mental disability, ancestry, sexual orientation, gender identity or expression, genetic information, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. The District will strive to achieve a workforce that is welcoming to all genders, persons with disabilities and individuals from all ethnic and other groups to ensure the District provides an inclusive educational and employment environment. The Board also has adopted Board Policy 3410, Non-Discrimination, which prohibits unlawful discrimination in the workplace and in all programs and activities of the District. In addition, Board Policy 1200 defines the Mission of the District which also aligns with these principles.

Plan Component 4: Delegation of Responsibility, Authority and Compliance CCR, Title 5, §53003(c)(1) and §53020

It is the goal of the Mendocino-Lake Community College District that all employees promote and support equal employment opportunity because such a goal requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. Board of Trustees

The MLCCD Board of Trustees is ultimately responsible for proper implementation of the District's Plan at all levels of District's operation, and for ensuring equal employment opportunity as described in the Plan. The MLCCD Board of Trustees assumes overall responsibility for the success of the District's effort to achieve Equal Employment Opportunity and provides a supportive environment free of cultural bias for all staff and students.

2. Superintendent/President

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/President shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The Superintendent/President shall evaluate the performance of all administrators who report directly to him/her on their ability to follow and implement the Plan.

3. Equal Employment Opportunity Officer

The Director of Human Resources is designated as the Equal Employment Opportunity (EEO) Officer responsible for the day-to-day implementation of the Plan. The EEO Officer shall monitor compliance with the requirements of Title 5, Sections 53003-53034. The EEO Officer is also responsible for receiving complaints per Title 5, Section 53026, and ensuring that employment practices are properly monitored. The District shall make a continuous good faith effort to comply with all requirements of the Plan.

4. Equal Employment Opportunity Advisory Committee

The District has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the District Equal Employment Opportunity Officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Committee assists in the development and implementation of the Plan in compliance with state and federal regulations and guidelines, monitors equal employment opportunity progress, and provides suggestions for Plan revisions as appropriate.

5. Screening Committees

A screening committee member, or any organization or individual, whether or not an employee of the District, who acts on behalf of the Board of Trustees with regard to the recruitment and screening of personnel is subject to the requirements of the District's EEO Plan and applicable Title 5 provisions.

6. Agents of the District

Any organization or individual, whether or not an employee of the District, who acts on behalf of the governing board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

7. Good Faith Effort

The district shall make a continuous good faith effort to comply with all the requirements of the EEO plan.

Plan Component 5: Equal Employment Opportunity Advisory Committee CCR, Title 5, §53005

The District has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its Plan and to advise the District on personnel matters relating to equal employment opportunities. The Equal Employment Opportunity Advisory Committee will review Staff Availability Data and other relevant data for the purpose of advising the District and assisting in its commitment and goals in achieving equal employment opportunities.

The EEO Office shall train the EEO Advisory Committee on equal employment compliance and the Plan itself. The advisory committee shall receive training in all of the following:

- a. The requirements of subchapter 53003 and of state and federal nondiscrimination laws;
- b. Identification and elimination of bias in hiring;
- c. The educational benefits of workforce diversity; and
- d. The role of the advisory committee in carrying out the District's EEO Plan.

Composition of the Equal Employment Opportunity Advisory Committee shall include the Vice President of Administrative Services, Vice President of Academic Affairs, Vice President of Student Services, Academic Senate President, Classified Senate President, Management/Supervisory/Confidential President or their designees, and one other representative from each of the employee groups. In addition, the Student Equity, Success and Support Program Coordinator will participate on this committee so that EEO efforts will complement the Student Equity Plan.

The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The Committee shall meet at least once every fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. The committee will review the EEO Plan at least once every three (3) years, and any revised plan will be submitted to the Chancellor's Office.

Plan Component 6: Complaints
CCR, Title 5, § 53003(c)(2), 53026, and 59300 et seq.
[See also MCLCCD Board Policy 706.1]

The District has established the following process which permits any person to file a complaint alleging that the requirements of the equal employment opportunity regulations (California Code of Regulations, Title 5, Sections 53000 et seq.) have been violated.

1. Any person who believes that the equal employment opportunity regulations have been violated may file a written complain describing in detail the alleged violation.
2. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation.
3. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and no later than thirty (30) days after such occurrence unless the complainant can verify a compelling reason for the district to waive the thirty (30) day limitation.
4. Complaints alleging violations of the EEO Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the violation is ongoing.
5. A copy of the complaint shall immediately be forwarded to the Chancellor's Office which may require the District to provide a written investigative report within ninety (90) days.

The decision of the District in complaints pursuant to Title 5, Section 53026, is final.

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action.

The complaint shall be filed with the EEO Officer. If the complaint involves the EEO Officer, the complaint may be filed with the Superintendent/President.

A written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The District may extend the determination date in the interest of the investigation upon written notice to the complainant.

In the event that a complaint filed under Title 5, Section 53026, alleges unlawful discrimination, it will be processed according to the requirements of Title 5, Section 59300 et seq.

Alleging Unlawful Discrimination or Harassment (Title 5, Section 59300 et seq.)

The District has adopted procedures for complaints alleging unlawful discrimination or harassment (see Board Policy 307 and Administrative Procedure 307.1). The Director of Human Resources is responsible for receiving such complaints and for coordinating their investigation in accordance with established procedures.

Plan Component 7: Notification to District Employees CCR, Title 5, §53003(c)(3)

The commitment of the Board of Trustees and Superintendent/President to equal opportunity employment is emphasized through the broad dissemination of this Plan which is available to all District employees on the District portal. The EEO plan will be widely distributed electronically on an annual basis.

Policy statements prohibiting discrimination in all programs and services of the District are included in the college catalog and schedule of classes.

Upon employment, new employees will be provided with a copy of the District's Non-Discrimination policy and this Plan. Also, an annual notice to employees will emphasize the importance of employee participation and responsibility in ensuring implementation of the EEO Plan.

Every three years the EEO Advisory Committee will update and revise the EEO Plan. The suggested revisions will be reviewed through President's Policy Advisory Committee processes including distribution to constituent groups for input. Final approval of the Plan will be made by the Board of Trustees.

Plan Component 8: Training for Screening Committees
CCR, Title 5, §53003(c)(4) and 53020(c)

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening of personnel shall receive appropriate training on the requirements of the title 5 regulations on equal employment opportunity (section 53000 et. Seq.); the requirements of federal and state nondiscrimination laws; the requirements of the District's Equal Employment Opportunity Plan; the District's policies on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency; the value of a diverse workforce; recognizing bias; and best practices in serving on a selection committee.

A person serving on a screening committee must have either completed training or served on a prior screening committee within one year of their current service but in no event will a person serve on a screening committee who has not received training within the last 24 months. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening committees.

The District Equal Employment Opportunity Officer is responsible for providing the required training. Any individual, whether or not an employee of the District, who acts on behalf of the District with regard to recruitment and screening of applicants for employment, is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

**Plan Component 9: Annual Written Notice to Community Organizations
CCR, Title 5, 53003(c)(5)**

Human Resources will provide annual written notice to appropriate community-based and professional organizations concerning the EEO Plan, and shall solicit their assistance in identifying qualified candidates from diverse backgrounds. The notice will include a summary of the Plan. The notice will also include the Internet address where the District advertises its job openings and the names, departments and phone numbers of individuals to call in order to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which will receive this notice, is attached to this Plan in Appendix A. This list may be revised from time to time as necessary.

Plan Component 10: Analysis of District Workforce and Applicant Pools CCR, Title 5, §53003(c)(6)

The Human Resources department will annually collect the District's employee demographic data and shall monitor applicants for employment on an ongoing basis in order to evaluate the District's progress in implementing the Plan and to provide data needed for the reports required by this Plan. Monitored groups are men, women, American Indians/Alaskan Natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the data collection and report each applicant or employee will be afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, their disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening committee and hiring administrator(s). The District will annually report to the Chancellor the results of its annual data collection. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- Executive/Administrative/Managerial
- Faculty and Other Instructional Staff (full-time and part-time)
- Professional Non-Faculty
- Secretarial/Clerical
- Technical and Paraprofessional
- Skilled Crafts
- Service and Maintenance

District Workforce Analysis
EEO Data Collection Monitored Group Definitions:

GENDER IDENTIFICATION: The District requested employees to self-identify as female, male, or non-binary.

RACE AND ETHNICITY IDENTIFICATION: The District requested that employee's self-identify into the following ethnicity categories:

1. Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
2. White Caucasian (Not Hispanic or Latino) – A person having origins in any of the original people of Europe, the Middle East, or North Africa.
3. Black African American (Not Hispanic or Latino) – A person having origins in any of the black racial groups of Africa.

4. Asian or Other Pacific Islander (Not Hispanic or Latino) – Persons having origins in any of the original peoples of the Far East, Southeast Asian, the Indian subcontinent, or the Pacific Islands. This category includes, for example, persons of Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian decent.
5. American Indian or Alaska Native (Not Hispanic or Latino) – A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

The District understands that some persons may identify with multiple ethnic groups, but they shall be counted in only one ethnic group for reporting purposes. All persons will be asked to designate the ethnic group with which he or she most closely identifies.

DISABILITY IDENTIFICATION: The District requests that all employees self-identify their disability status, if any, by using the following definition, consistent with the Fair Employment and Housing Act:

“Disabled person” means any person who (1) has a physical or mental impairment which limits one or more of such person’s major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment.

“Major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, talking, breathing, learning, and working.

EEO Data Collection Monitored Group Identification Issue:

There are significant numbers of employees who decline to state their gender, ethnicity, or disability status with the District. The District shall make an effort to accurately capture this information and encourages all persons to provide the above data but understands that this information is voluntarily collected and will not require employees to respond. The District shall distribute its EEO Identification Survey each year during the Fall Semester.

Historical data is provided in Appendix B and exemplifies the manner in which future data shall be collected.

Plan Component 11: Analysis of Degree of Under Representation and Significant Underrepresentation
CCR, Title 5, §53003(c)(7)

In the event that the State Chancellor provides new availability data regarding job applicants, districts must analyze the degree to which monitored groups are underrepresented in comparison to their representation in the field or job category in which they are applying. The District EEO Office shall be responsible for developing procedures to implement this requirement if and when availability data becomes available.

Note: The limits placed on data analysis in this section do not affect the District's obligation to review and compare data regarding the District's own employees and applicants.

**Plan Component 12: Methods to Address Underrepresentation
CCR, Title 5, §§53003(c)(8) and 53003(c)(9)**

Underrepresentation based on availability data

Section 53003(c)(8) of Title 5 requires EEO Plans to identify steps to be taken if the analysis pursuant to Section 53003(c)(7) and Component 11, reveals underrepresentation of a monitored group. Should the State Chancellor provide the availability data necessary to conduct this analysis, the District EEO Officer will be responsible for developing appropriate measures for addressing findings of underrepresentation and significant underrepresentation.

Underrepresentation within the District's workforce and/or applicant pools. CCR, Title 5, §53003(c)(9)

The District will review the information gathered pursuant to Plan Component 10, to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of Plan Component 13, the phases of the employment process include, but are not limited to, recruitment, hiring, retention and promotion. The information to be reviewed shall include, but need not be limited to:

1. Longitudinal analysis of data regarding job applicants, gathered pursuant to Plan Component 10, to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool;
2. Analysis of data regarding potential job applicants, to the extent provided by the State Chancellor, which may indicate significant underrepresentation of a monitored group; and
3. Analysis pursuant to section 53003(c)(7) to determine whether the group is significantly underrepresented.

Where the above described review identifies that significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process, the District shall implement additional measures designed to address the specific area of concern. These additional measures shall include the following:

1. Review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
2. Consider various other means of reducing the significant underrepresentation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;

3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time; and
4. Review each locally established “required,” “desired” or “preferred” qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with:
 - a. Any requirements of federal law; and
 - b. Qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students; or
5. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in paragraph (4) of this subdivision;
6. Continue using qualification standards meeting the requirements of paragraph (4) of this subdivision only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (4) and be expected to have a less exclusionary effect; and
7. Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.

For the purposes of this Plan Component, “a reasonable period of time” means three years, or such longer period as the California Community Colleges Chancellor’s Office may approve, upon the request of the Equal Employment Opportunity Advisory Committee and the District Chancellor, where the District has not filled enough positions to appreciably affect its work force in the job category in question.

Nothing in this Plan Component shall be construed to prohibit the District from taking any other steps it concludes are necessary to ensure equal employment opportunity, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law. These steps may include:

1. Having the Equal Employment Opportunity Advisory Committee, in conjunction with appropriate human resources staff, review the district’s recruitment procedures and make recommendations on modifications that would address the underrepresentation.
2. Increasing the advertising and recruitment budget for a three-year period to ensure that recruitment is broad and inclusive.
3. Requiring that the responsible administrator for the department where the significant underrepresentation occurs develop, in conjunction with the Director of Human Resources a

recruitment and hiring action plan to assist in addressing the significant underrepresentation. The action plan will include, but is not limited to:

- a. Additional locations or resources to advertise positions that would likely attract candidates from the significantly underrepresented groups;
 - b. Promotion of curricular offerings that would assist in attracting candidates from significantly underrepresented groups;
 - c. Additional training for current faculty and staff on the value of a diverse workforce;
 - d. Recommended changes to the job announcement and screening criteria, including interview questions, which may reasonably be expected to attract candidates from the significantly underrepresented group.
4. Focusing attention on intern programs where graduate students will be provided the opportunity to co-teach a class offered by the district in the significantly underrepresented discipline.
 5. Actively monitoring the representation rate of each group, which was identified as being significantly underrepresented in one or more categories. If significant underrepresentation persists for a particular group in the job category in question, after the measures described above have been in place for a period of at least three years, the district will:
 - a. Review each locally established “required”, “desired”, or “preferred” qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with business necessity through a process meeting the requirements of federal law.
 - b. Discontinue the use of any locally established qualification that is not found to satisfy the requirements set forth in the previous paragraph and continue using qualification standards meeting the requirements in the previous paragraph only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of the previous paragraph, and be expected to have a less exclusionary effect.
 - c. Analyze the feasibility of significantly increasing the recruitment budget for another three years.
 - d. Develop a recruitment committee composed of the President, Director of Human Resources, the dean or responsible administrator for the department where the significant underrepresentation persists and members of the Equal Employment Opportunity Advisory Committee to review the effectiveness of the recruitment and hiring program described in *section 3* above. The committee will provide recommendations to modify the recruitment and hiring program to better address the significant underrepresentation.

Plan Component 13: Process for Developing and Implementing Strategies that Promote Diversity
CCR, Title 5, §§53003(c)(9) and 53024

The District is responsible for developing and implementing strategies designed to promote the diversity of its workforce at all levels and demonstrate the District's institutional commitment to diversity. This process shall include the components noted below.

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of an inclusive, equitable and fair working and learning environment. The District shall take vigorous steps to promote, on an on-going basis, equal opportunity, workplace diversity and an inclusive work environment. The District shall also take specific steps to monitor its progress in these areas.

The Director of Human Resources shall ensure the specific steps that will be utilized by the District are identified and updated on a regular basis. These vigorous steps may include any of the examples listed below, or other measures as identified and developed by the Equal Employment Opportunity Advisory Committee in close consultation with the Director of Human Resources. In identifying and implementing particular strategies, the Director of Human Resources will:

1. Work closely with the Advisory Committee, as noted above.
2. On an annual basis identify steps that shall be taken.
3. Select strategies that, over time, will produce comparative longitudinal information.
4. Operate collaboratively and transparently with all stakeholders.

Component 1: Recruitment and Hiring Strategies

It is the policy of the district to aggressively pursue a program of verifiable recruitment that is inclusive and open to all individuals. Efforts will be undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The Equal Employment Opportunity Advisory Committee is encouraged to utilize and notify the district of additional recruitment options that may enable the district to obtain a diverse pool of applicants.

The district will include in the recruitment section of its recruitment and hiring procedures the following provisions:

- Recruitment for all open positions shall include, but not be limited to, placement of job announcements in electronic, aggregate job boards recommended by the Equal Employment Advisory;

- Social media sites associated with affinity groups;
- Local and regional community newspapers;
- Electronic aggregate job boards that provide information in languages other than English and to low-income communities;
- Electronic aggregate job boards whose primary audience is comprised of groups found to be underrepresented in the district's workforce
- Recruitment booths at job fairs or conferences oriented to both the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the district's workforce;

The district's recruitment and hiring procedures section on "Job Announcements" will be revised to include the following provisions:

- Job announcements will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For all positions, job requirements will include demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.
- Job specifications, including any "required," "desired," or "preferred" qualifications beyond the state minimum qualifications which the district wishes to utilize, will be reviewed by the Director of Human Resources before the position is announced, to ensure conformity with equal employment regulations and state and federal nondiscrimination laws.
- The District's applicant software and Human Resources Homepage shall state that the district is an "Equal Opportunity Employer."

Component 2: Additional Strategies

Examples of additional strategies that may be utilized by the District to promote diversity include:

- Conduct diversity dialogues, forums, and cross-cultural workshops;
- Involve guest speakers from underrepresented groups who are in leadership positions and who may engage both students and employees;
- Highlight the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can infuse diversity into their major job duties;
- Conduct campus climate studies to identify areas for attention;

- Review and revise college/District publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image;
- Offer a series of Equal employment Opportunity/diversity workshops for faculty and staff;
- Evaluate administrators yearly on their ability and efforts to meet the District's equal employment opportunity and diversity efforts;
- Maintain an Equal Employment Opportunity online presence on the District's website by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and nondiscrimination policies, procedures and programs on the District's website. The website will also list contact persons for further information on all of these topics.
- Promote various cultural celebrations on campus;
- Recognize multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees;
- Promote leadership opportunities, such as a Latina Leadership Network and APAHE (Asian Pacific Americans in Higher Education) for staff, faculty and students;
- Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates;
- Conduct exit interviews with employees who voluntarily leave the district, maintain a data base of exit interviews, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;
- Maintain a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities;
- Audit and update job descriptions and/or job announcements;
- Ensure the timely and thorough investigation of all harassment and discrimination complaints.

Plan Component 14: Persons with Disabilities
CCR, Title 5, §53025

Applicants and employees with disabilities shall receive reasonable accommodations consistent with the requirements of Government Code, sections 11135 et seq. and 12940(m); section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act. Such accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aides such as readers, interpreters, and note takers.

**Plan Component 15: Graduate Assumption Program of Loans for Education
Education Code §§87106 and 69618 et seq.**

The District will encourage community college students to become qualified for and seek employment as higher education employees. The District will also consider strategies to inform students about the opportunity to participate in the Graduate Assumption of Loans Program for Education when the program is funded and available.

The District will inform graduate students in local colleges and universities about the benefits of employment in higher education through participation in area job fairs and similar employee recruitment events.

APPENDIX A

Organizations for Annual Written Notice Per Plan Component 9

American Association of University Women (AAUW)	CA Hispanic Chamber of Commerce Northern Region
CCC Registry	North Bay Black Chamber of Commerce
Mendocino County Health & Human Services Agency	Latina Leadership Network
Adventist Health	Cahto Tribe
Mendocino Coast District Hospital	Coyote Valley Band of Pomo Indians
Mendocino County Health & Human Services Agency	Guidville Indian Rancheria
Ukiah Chamber of Commerce	Hopland Bank of Pomo Indians
Anderson Valley Chamber of Commerce	Manchester Band of Pomo Indians
Fort Bragg/Mendocino Coast Chamber of Commerce	Pinoleville Pomo Nation
Redwood Coast Chamber of Commerce	Potter Valley Tribe
Round Valley Chamber of Commerce	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria
Willits Chamber of Commerce	Round Valley Reservation
City of Ukiah	Sherwood Valley Rancheria
City of Fort Bragg	Big Valley Band Rancheria
City of Willits	Elem Indian Colony
Mendocino County	Habematolel Pomo of Upper Lake
Sonoma County	Middletown Rancheria of Pomo Indians
Lake County	Robinson Rancheria
Mendocino County Office of Education	Scotts Valley Reservation
Anderson Valley Unified School District	PFLAG – Ukiah Parents, Families and Friends of Lesbians and Gays
Fort Bragg Unified School District	
Leggett Valley Unified School District	
Arena Union Elementary School District	
Laytonville Unified School District	
Manchester Union Elementary School District	
Mendocino Unified School District	
Potter Valley Community Unified School District	
Ukiah Unified School District	
Point Arena Joint Union High School District	
Round Valley Unified School District	
Willits Unified School District	

APPENDIX B HISTORICAL DEMOGRAPHIC DATA

Workforce Analysis Fall 2018

Category	Current Workforce	American Indian/Alaskan Native	Asian/Pacific Islander	Black/African American	Hispanic/Latino	Two or more Race	Unknown	White	Male	Female
Executive/Admin/Managerial	29	0			9	0	2	18	11	18
Full-time Faculty	69	1	4		10	4	0	50	35	34
Part-time Faculty	214	6	15	1	16	7	4	165	89	125
Secretarial/Clerical	39	3			8		2	26	2	37
Technical/Paraprofessional	14		1		2			11	11	3
Skilled Crafts	1				1				1	
Service/Maintenance	87	2	2		36		13	34	39	48
Total	453	12	22	1	82	11	21	304	188	265

Employees with Disabilities: Unknown

In comparison to the previous year, this data is higher based on inclusion of STNC positions (allocated to the service/maintenance category), where as they were previously excluded.

This work force analysis includes all employees employed during the month of October 2018.

Data is reflective of EEO-1 Reporting submitted for Federal Reporting.

**Applicant Pool Analysis
(2015-16, 2016-17, 2017-18)**

Category	Total Applicants	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black/ African American	Hispanic / Latino	White	Ethnicity Undisclosed	Male	Female	Gender Undisclosed
Executive/Admin/ Managerial	185	4.5	10.5	10	31.5	114.5	14	28	13	11
Full-time Faculty	267	3.5	19	15	45	159.5	25	126	91	3
Part-time Faculty	77	1.5	3	3	9.5	55	5	14	4	4
Secretarial/Clerical	146	7.5	6	0	31.5	87	14	11	55	0
Technical/ Paraprofessional	32	0	3	0	4	21	4	23	0	0
Skilled Crafts	8	0	0	0	0	8	0	5	0	0
Service/Maintenance	32	2	0	1	6	21	2	12	0	0
Total	747	19	41.5	29	127.5	466	64	219	163	18

Data is based on submitted voluntary EEO Applicant Surveys, collected and maintained for the three year period defined above. This data does not capture any short term, non-continuing applicants (STNCS).

Exhibit 2



California
Community
Colleges

**EQUAL EMPLOYMENT OPPORTUNITY
ACCOUNTABILITY CERTIFICATION FORM
FISCAL YEAR 2018-2019**

District Name: Mendocino Lake Community College District

Pursuant to California Code of Regulations, title 5, section 53024.2(a), districts are required to certify annually to the Chancellor's Office that they have timely complied with all of the following:

- (1) The district has recorded and reviewed the required data regarding qualified applicant pools.

☒ Yes
☐ No

- (2) The district has reviewed and updated, as needed, the Strategies Component of the district's EEO Plan.

☒ Yes
☐ No

- (3) The district has investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of division 6 of title 5.

☒ Yes
☐ No

I certify that this accountability report is complete and accurate.

Please Print:

Name: Nicole Marin **Title:** Director of Human Resources

Phone: 707-468-3065 **Email:** NMarin@mendocino.edu

Signature:

Date: 09/12/2019

Exhibit 3

MENDOCINO COLLEGE

Mendocino College welcomes applications from all qualified candidates who demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of our community college students.

Comprehensive, District paid benefits, competitive salary, and a beautiful and diverse working environment are just a few reasons to join us at Mendocino College. We look forward to receiving your application!

Established in 1973, Mendocino College, a Hispanic Serving Institution, is a vibrant and inclusive academic community, rich in culture, creativity, diversity, and technology. A fully accredited two-year community college, the District serves more than 5,000 students across four locations in the greater parts of Lake and Mendocino Counties. Complete with a friendly small-campus academic setting and a respectfully collaborative work environment, Mendocino College prepares students for a future of innovation and success.

The beautifully landscaped main campus is located in Ukiah, California. With views of oak-covered hills, sprawling vineyards, and distant mountains, the 127-acre campus is equipped with a state-of-the-art Library/Learning Center, high-tech nursing facility, and brand new Physical Therapy Assistant program. The college operates three fully equipped centers in Willits, Fort Bragg, and Lakeport; conveniently providing our valued students with quality instruction, academic support and administrative services in neighboring communities.

With a comprehensive curriculum and engaging instruction, Mendocino College provides a wide variety of degree, certificate, transfer, occupational, and basic skills programs. Mendocino College students learn in a nurturing and supportive environment enhanced by small-sized classes, personalized academic advising, and several hundred dedicated faculty and staff.

www.mendocino.edu



MENDOCINO COLLEGE



MENDOCINO
COLLEGE

For Placement Only
of Magnetic Card

YOUR COMMUNITY. YOUR COLLEGE. YOUR SUCCESS.

ITEM NO: 5.1
DATE: May 13, 2020

SUBJECT: FISCAL REPORT AS OF MARCH 31, 2020

SYNOPSIS:

A report on District fiscal data as of March 31, 2020

RECOMMENDATION:

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

ANALYSIS:

The fiscal report as of March 31, 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 accept the fiscal report as presented.

Mendocino-Lake Community College District
General Fund
2019/20 Fiscal Report as of March 31, 2020

		2019/20 Working Budget	Year-to-date Actuals	Balance	% Rec/Exp
REVENUE					
	Beginning Fund Balance	\$7,000,261			
FEDERAL	Federal Forest Reserve	\$30,000	\$13,774	\$16,226	46%
	Federal Work Study	97,910	59,105	38,805	60%
	CAMP	484,762	243,592	241,170	50%
	PELL Grant Administration	7,500	7,405	95	99%
	HEP	264,658	198,824	65,834	75%
	HSI	596,131	339,057	257,074	57%
	CTEA	184,364	0	184,364	0%
	Other Federal Revenue	26,662	19,454	7,208	0%
	TOTAL FEDERAL SOURCES	\$1,691,987	\$881,211	\$810,776	52%
STATE	State General Apportionment	\$9,451,381	\$7,453,885	\$1,997,496	79%
	Education Protection Account	2,682,349	1,897,352	784,997	71%
	Board of Governors Grant	38,099	28,955	9,144	76%
	Student Equity and Achievement	2,071,329	1,734,834	336,495	84%
	Part-time Faculty Office Hours	9,000	0	9,000	0%
	FT Faculty Hiring	109,098	82,914	26,184	76%
	Part-time Faculty Compensation	107,918	82,018	25,900	76%
	AEBG Adult Education Block Grant	2,049,971	1,657,434	392,537	81%
	CTE Strong Workforce Program	2,635,148	1,808,002	827,146	69%
	Other Categorical Apportionments	1,305,182	1,306,892	-1,710	100%
	TANF	45,040	12,611	32,429	28%
	DSPS	396,115	301,047	95,068	76%
	CALWORKS	244,259	185,637	58,622	76%
	BFAP	165,325	125,647	39,678	76%
	EOPS	634,375	482,125	152,250	76%
	EOPS CARE	71,283	54,175	17,108	76%
	MESA	94,438	0	94,438	0%
	Other Categorical Program Allowances	405,691	318,029	87,662	78%
	State Subventions	211,829	76,695	135,134	36%
	Lottery	585,142	238,852	346,290	41%
	Mandated Cost Reimbursements	84,352	84,352	0	100%
	Other State Revenue	399,632	399,632	0	100%
	TOTAL STATE SOURCES	\$23,796,956	\$18,331,088	\$5,465,868	77%
LOCAL	Property Taxes	\$10,570,456	\$5,429,853	\$5,140,603	51%
	Local Contributions/Grants/Donations	248,998	35,755	213,243	14%
	Contract Instructional Services	19,000	21,303	-2,303	112%
	Rents/Leases (Facilities Use)	66,000	42,872	23,128	65%
	Interest	105,000	57,011	47,989	54%
	Community Extension	7,738	2,376	5,362	31%
	Student Fees	1,243,322	1,267,447	-24,125	102%
	Bookstore Commission	30,000	16,394	13,606	55%
	Other Local Revenue	409,890	375,869	34,021	92%
	TOTAL LOCAL SOURCES	\$12,700,404	\$7,248,880	\$5,451,524	57%
TOTAL REVENUES		\$38,189,347	\$26,461,179	\$11,728,168	69%
TOTAL RESOURCES AVAILABLE		\$45,189,608			
EXPENDITURES					
	Certificated Salaries	\$12,477,510	\$8,843,428	\$3,634,082	71%
	Classified Salaries	6,793,019	4,795,187	1,997,832	71%
	Benefits	8,183,728	5,612,562	2,571,166	69%
	Subtotal Personnel Costs	\$27,454,257	\$19,251,177	\$8,203,080	70%
	Supplies	\$1,475,224	\$700,858	\$774,366	48%
	Services	7,079,524	2,694,777	4,384,747	38%
	Capital Outlay	884,406	343,416	540,990	39%
	Transfers/Other Outgo	2,208,830	1,199,639	1,009,191	54%
TOTAL EXPENDITURES		\$39,102,241	\$24,189,867	\$14,912,374	62%
	Ending Fund Balance	\$6,087,367			
TOTAL EXPENDITURES/CONTINGENCY		\$45,189,608			

SUBJECT: QUARTERLY FISCAL STATUS REPORT – AB 2910

SYNOPSIS:

A report on the District fiscal status as of March 31, 2019.

RECOMMENDATION:

The Interim Superintendent/President recommends the Board of Trustees accept this report.

ANALYSIS:

This quarterly fiscal report for the third quarter of the 2019/20 fiscal year reflecting data as of March 31, 2019 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 quarterly fiscal status report as presented.

CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE

Quarterly Financial Status Report, CCFS-311Q

[VIEW QUARTERLY DATA](#)

[CHANGE THE PERIOD](#) ▼

Fiscal Year: 2019-2020

District: (140) MENDOCINO-LAKE

Quarter Ended: (Q3) Mar 31, 2020

Line	Description	As of June 30 for the fiscal year specified			
		Actual 2016-17	Actual 2017-18	Actual 2018-19	Projected 2019-2020

I. Unrestricted General Fund Revenue, Expenditure and Fund Balance:

A.	Revenues:				
A.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	23,305,497	24,632,885	26,128,614	25,745,894
A.2	Other Financing Sources (Object 8900)	0	0	0	0
A.3	Total Unrestricted Revenue (A.1 + A.2)	23,305,497	24,632,885	26,128,614	25,745,894
B.	Expenditures:				
B.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	21,964,771	23,322,260	25,431,473	26,040,353
B.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	561,969	500,793	502,361	627,133
B.3	Total Unrestricted Expenditures (B.1 + B.2)	22,526,740	23,823,053	25,933,834	26,667,486
C.	Revenues Over(Under) Expenditures (A.3 - B.3)	778,757	809,832	194,780	-921,592
D.	Fund Balance, Beginning	4,971,004	5,749,761	6,559,593	6,754,373
D.1	Prior Year Adjustments + (-)	0	0	0	0
D.2	Adjusted Fund Balance, Beginning (D + D.1)	4,971,004	5,749,761	6,559,593	6,754,373
E.	Fund Balance, Ending (C. + D.2)	5,749,761	6,559,593	6,754,373	5,832,781
F.1	Percentage of GF Fund Balance to GF Expenditures (E. / B.3)	25.5%	27.5%	26%	21.9%

II. Annualized Attendance FTES: This data is being captured in CCFS-320 and is no longer required here.

G.1	Annualized FTES (excluding apprentice and non-resident)				
-----	----------------------------------------------------------------	--	--	--	--

III. Total General Fund Cash Balance (Unrestricted and Restricted)

		As of the specified quarter ended for each fiscal year			
		2016-17	2017-18	2018-19	2019-2020
H.1	Cash, excluding borrowed funds		4,554,772	4,746,218	6,849,817
H.2	Cash, borrowed funds only		0	0	0
	Total Cash (H.1+ H.2)	5,051,456	4,554,772	4,746,218	6,849,817

H.3					
-----	--	--	--	--	--

IV. Unrestricted General Fund Revenue, Expenditure and Fund Balance:

Line	Description	Adopted Budget (Col. 1)	Annual Current Budget (Col. 2)	Year-to-Date Actuals (Col. 3)	Percentage (Col. 3/Col. 2)
I.	Revenues:				
I.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	25,616,484	25,745,849	17,111,032	66.5%
I.2	Other Financing Sources (Object 8900)	0	0	0	
I.3	Total Unrestricted Revenue (I.1 + I.2)	25,616,484	25,745,849	17,111,032	66.5%
J.	Expenditures:				
J.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	25,005,930	26,040,353	18,851,101	72.4%
J.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	570,972	627,133	0	
J.3	Total Unrestricted Expenditures (J.1 + J.2)	25,576,902	26,667,486	18,851,101	70.7%
K.	Revenues Over(Under) Expenditures (I.3 - J.3)	39,582	-921,637	-1,740,069	
L	Adjusted Fund Balance, Beginning	6,755,399	6,754,373	6,754,373	
L.1	Fund Balance, Ending (C. + L.2)	6,794,981	5,832,736	5,014,304	
M	Percentage of GF Fund Balance to GF Expenditures (L.1 / J.3)	26.6%	21.9%		

V. Has the district settled any employee contracts during this quarter?

YES

If yes, complete the following: (If multi-year settlement, provide information for all years covered.)

Contract Period Settled (Specify) YYYY-YY	Management		Academic				Classi
	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase
a. SALARIES:							
Year 1: 2019-20							113,534
Year 2: 2020-21							85,000
Year 3:							
b. BENEFITS:							
Year 1: 2019-20							33,000
Year 2: 2020-21							24,709
Year 3:							

* As specified in Collective Bargaining Agreement or other Employment Contract

c. Provide an explanation on how the district intends to fund the salary and benefit increases, and also identify the revenue source/object code.

Classified received an on schedule pay increase effective on 7/1/19 of 1.79% and a one-time off schedule payment of \$500 for the fiscal year 19/20. Classified also received an on schedule pay increase effective on 7/1/20 of 2% for the fiscal year 20/21. This salary increase is funded with a combination of general funds, unrestricted funds, and other sources, (i.e. categorical programs).

d. Did any contracts settled in this time period cover part-time, temporary faculty? **NO**

d.1

Does the contract include minimum standards for the terms of reemployment preference and evaluation for part-time, temporary faculty in order to remain eligible to receive Student Equity and Achievement Program funds*? **NO**

d.2

Does the collective bargaining agreement achieve parity between compensation for full-time and part-time, temporary faculty? **NO**

**As a condition for receiving Student Equity and Achievement Program funds, negotiations between districts and the exclusive representative for part-time, temporary faculty must include minimum standards for the terms of reemployment preference and evaluation as outlined in Education Code section 87482.3. Education Code section 78222(d)(2) links the negotiation requirement to the receipt of funds for the Student Equity and Achievement Program.*

VI. Did the district have significant events for the quarter (include incurrence of long-term debt, settlement of audit findings or legal suits, significant differences in budgeted revenues or expenditures, borrowing of funds (TRANS), issuance of COPs, etc.)? **NO**

If yes, list events and their financial ramifications. (Enter explanation below, include additional pages if needed.)

VII. Does the district have significant fiscal problems that must be addressed? **This year? NO**
Next year? YES

If yes, what are the problems and what actions will be taken? (Enter explanation below, include additional pages if needed.)

The economic impacts of the COVID-19 pandemic will have a significant impact on the finances of the college. Specifics are unknown at this time, but are predicted to exceed the challenges of the Great Recession. Exempting small, rural colleges from across the board cuts at that time had a significant positive impact in allowing rural colleges to remain solvent during the Great Recession.

SUBJECT: STUDENT TRUSTEE PRIVILEGES

SYNOPSIS:

Annual review of the student trustee privileges is required per Education Code 72023.5.

RECOMMENDATION:

The Interim Superintendent/President recommends that the Mendocino-Lake Community College District Board of Trustees maintain the Student Trustee Privileges as listed below.

ANALYSIS:

Existing Board Policy 202 – Student Trustee, and Board Policy 213 – Participation in Local Decision-Making recognizes the importance of the student role in college governance. This action affirms that the Board of Trustees continues to support these Board Policies and participatory governance. These provisions are adopted annually and will be available for consideration by the Board of Trustees each subsequent year.

In the past, the Board of Trustees has voted to extend to the Student Trustee all privileges allowable under Education Code Section 72023.5.

The Interim Superintendent/President proposes the following privileges:

- Maintain the ability to make and second motions.
- Maintain the advisory vote.
- Maintain the compensation rate equal to the Board compensation rate.

Board Policy 202, Student Trustee
Board Policy 213, Participation in Local Decision-Making

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby maintain the Student Trustee Privileges as presented.

ITEM NO: 6.1
DATE May 13, 2020

SUBJECT: SUPERINTENDENT/PRESIDENT SEARCH

SYNOPSIS:

An update report will be shared.

RECOMMENDATION:

To be determined at the meeting.

ANALYSIS:

At the Board meeting held on October 9, 2019, three members of the Board of Trustees along with one of the Vice Presidents, the Director of Human Resources, and one member from each of the constituent groups were appointed to participate as part of an ad-hoc committee which will assist in the search for the next Superintendent/President.

MOTION/ACTION:

To be determined at the meeting.

SUBJECT: CONSIDERATION TO ADOPT RESOLUTION 05-20-01 AUTHORIZING
ADMINISTRATION TO APPROVE BATTERY ENERGY STORAGE
SYSTEM

SYNOPSIS:

Hold a public hearing, adopt Resolution 05-20-01, and authorize the Interim Superintendent/President to review and approve a grant-funded battery energy storage system through the California Solar Initiative (CSI) Self Generation Incentive Program (SGIP) Equity Budget with SunPower Corporation.

RECOMMENDATION:

The Interim Superintendent/President recommends the adoption of Resolution 05-20-01 and authorization for the Interim Superintendent/President to review and approve a grant-funded battery energy storage system with SunPower Corporation.

ANALYSIS:

Formally adopt findings required by Government Code sections 4217.10 *et seq.*, regarding anticipated energy cost savings and other benefits from entering into a proposed Energy Services Contract with SunPower Corporation. Through the California Solar Initiative's Self-Generation Incentive Program Equity Budget, SunPower Corporation will provide services to the District including, but not limited to, design and installation of a 741 kW/2,965 kWh battery energy storage system. If awarded by CSI, the SGIP Equity Budget will cover the complete cost of this system. This battery energy storage system is projected to result in approximately \$900,000 to \$1,200,000 in energy cost savings for the District.

Prior to approving a battery energy storage system with SunPower Corporation, the Board of Trustees must fulfill two requirements under Government Code section 4217.12:

1. Hold a public hearing on the battery energy storage system, public notice of which must be given at least two weeks prior to the public meeting. The notice of public hearing was posted on April 28, 2020.
2. Adopt the attached Resolution 05-20-01.

Board Policy 6100, Delegation of Authority, Business and Fiscal Affairs
Board Policy 6505, Sustainability

MOTION/ACTION:

RESOLVED, That the Board of Trustees of the Mendocino-Lake Community College District does hereby approve Resolution 05-20-01 and authorizes the Interim Superintendent/President to review and approve a battery energy storage system with SunPower Corporation.

**BEFORE THE BOARD OF TRUSTEES OF THE
MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT**

RESOLUTION NO. 05-20-01

**RESOLUTION MAKING FINDINGS ON BATTERY ENERGY STORAGE SYSTEM
AND DETERMINING OTHER MATTERS IN CONNECTION WITH
ENERGY SERVICE CONTRACT**

WHEREAS, it is the policy of the State of California and the intent of the State Legislature to promote all feasible means of energy conservation and all feasible uses of alternative energy storage systems; and

WHEREAS, Mendocino-Lake Community College District (“District”) desires to reduce the rising costs of meeting the energy needs at its facilities; and

WHEREAS, the District proposes to enter into a battery energy storage system and related contract documents with SunPower Corporation for the design and installation of a 741 kW/2,965 kWh battery energy storage system at the District’s real property sites; and

WHEREAS, SunPower Corporation has provided the District with analysis showing the financial and other benefits of entering into the battery energy storage system project, which analysis is attached hereto as Exhibit A and made part hereof by this reference; and

WHEREAS, Exhibit A includes data showing that the anticipated cost to the District for the electrical energy provided by the battery energy storage system will be less than the anticipated cost to the District of electrical energy that would have been consumed by the District in the absence of such measures; and

WHEREAS, SunPower Corporation, through the California Solar Initiative’s Self-Generation Incentive Program (SGIP) Equity Budget, SunPower Corporation will provide services; and

WHEREAS, the District proposes to enter into the battery energy storage system and related contract documents, subject to such changes, insertions or omissions as the Interim Superintendent/President reasonably deems necessary following the Board’s adoption of this Resolution; and

WHEREAS, pursuant to Government Code section 4217.12, this Board held a public hearing, public notice of which was given two weeks in advance, to receive public comment; and

WHEREAS, the battery energy storage system is in the best interests of the District; and

WHEREAS, the District’s proposed approval of the battery energy storage system is a “Project” for purposes of the California Environmental Quality Act (“CEQA”); and

WHEREAS, the Guidelines for CEQA, California Code of Regulations Title 14, Chapter 13 (“State CEQA Guidelines”), exempt certain projects from further CEQA evaluation, including the following: (1) projects consisting of the new construction or conversion of small

structures (“Class 3 Exemption”; Cal. Code Regs., tit. 14, § 15303); (2) projects consisting of the construction or placement of minor accessory structures to existing facilities (“Class 11 Exemption”; Cal. Code Regs., tit. 14, § 15311); and (3) projects consisting of minor additions to existing schools (“Class 14 Exemption”; Cal. Code Regs., tit. 14, § 15314), and the Project is categorically exempt under one or more of such exemptions; and

WHEREAS, the Project does not involve any of the following and so is eligible for a categorical exemption as described above under State CEQA Guidelines section 15300.2:

- (a) the cumulative impact of successive projects of the same type in the same place, which over time are significant;
- (b) an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (c) a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (d) a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and
- (e) a project which may cause a substantial adverse change in the significance of a historical resource; and

WHEREAS, Public Resources Code, section 21080.35 (added by Stats.2011, c. 469 (S.B.226), § 3), statutorily exempts from CEQA evaluation the installation of a solar energy system, including associated equipment, on the roof of an existing building or at an existing parking lot; and

* * * * *

NOW, THEREFORE, based upon the above-referenced recitals, the Board of Trustees hereby find, determine and order as follows:

1. The terms of the battery energy storage system and related contracts are in the best interests of the District.
2. In accordance with Government Code section 4217.12, and based on data provided by Exhibit A, the Board finds that the anticipated cost to the District for the a 741 kW/2,965 kWh battery energy storage system will be less than the anticipated cost that would have been consumed by the District in the absence of the battery energy storage system.
3. The Board hereby approves the battery energy storage system in accordance with Government Code section 4217.12.
4. The District’s Interim Superintendent/President is hereby authorized and directed to negotiate any further changes, insertions and omissions to the battery energy storage system as she reasonably deems necessary, and thereafter to execute and deliver the contract following the Board’s adoption of this Resolution 05-20-01. The District’s Interim Superintendent/President is further authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and said agreements.

5. The Project hereby found to be exempt from the requirements of CEQA pursuant to the Class 3, Class 11 and Class 14 Exemptions, as described above.

6. The Project is hereby found to be exempt from the requirements of CEQA pursuant to Public Resources Code, section 21080.35 (added by Stats.2011, c. 469 (S.B.226), § 3), as described above.

7. District staff are hereby authorized to file and process a Notice of CEQA Exemption for the Project in accordance with CEQA and the State CEQA Guidelines, and the findings set forth in this resolution.

The foregoing Resolution 05-20-01 was adopted at a meeting of the Board of Trustees of the Mendocino-Lake Community College District on May 13, 2020 by the following vote:

Ed Nickerman	_____	Xochilt Martinez	_____
Robert Jason Pinoli	_____	John Tomkins	_____
Marie Myers	_____	Noel O'Neill	_____
TeMashio Anderson	_____		

President, Board of Trustees
Mendocino-Lake Community College District

CERTIFIED TO BE A TRUE
AND CORRECT COPY:

Clerk, Board of Trustees
Mendocino-Lake Community College District

Equity SGIP for Ukiah Campus

Savings Details

Scenario	Solar System Size	Site's peak	Storage System size	Rate	Y1 forecast Savings vs current bill	Annual Guaranteed Savings	10 year NPV of forecast Savings	10 year NPV of Guaranteed Savings
Not including existing PV	845 kW	765 kW	741kW/ 2,965kWh	PG&E B19P-Option R	\$121,224	\$80,945	\$941,549	\$568,209
Including existing PV	845 kW	765 kW	741kW/ 2,965kWh	PG&E B19P-Option R	\$121,224	\$137,228	\$941,549	\$963,298
Switch to Option S	845 kW	765 kW	741kW/ 2,965kWh	PG&E B19P-Option S	\$154,815	\$178,232	\$1,202,447	\$1,251,134

Savings numbers include a 10 year battery storage term which can be extended up to 15 years

The value of Option S increases with the size/production of a larger PV system

ITEM NO: 8.2
DATE: May 13, 2020

SUBJECT: CLASSIFIED PROFESSIONALS WEEK – RESOLUTION #05-20-02

SYNOPSIS:

Board of Trustees adoption of Resolution 05-20-02

RECOMMENDATION:

The Interim Superintendent/President recommends the adoption of Resolution No. 05-20-02,

The California State Legislature has designated the third week in May as Classified Employees week. To recognize and commend the contributions of classified staff in furthering the mission and goals of the District to provide excellence and opportunity for all, the Board is asked to approve a resolution proclaiming the first week of June as Classified Professionals Appreciation Week.

Reference Board Policy 7230, Classified Employees

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adopt Resolution 05-20-02 in honor of Classified Professionals Week as presented.

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
RESOLUTION 05-20-02**

CLASSIFIED PROFESSIONAL APPRECIATION WEEK

WHEREAS, classified professionals provide valuable services to the schools and students of the Mendocino-Lake Community College District; and

WHEREAS, classified professionals employed by Mendocino-Lake Community College District strive for excellence in all areas relative to the educational community; and

WHEREAS, classified professionals contribute to the establishment and promotion of a positive instructional environment; and

WHEREAS, classified employees support and enhance the educational process by assisting instructors, maintaining building and grounds, and performing all technical business, clerical and secretarial functions; and

WHEREAS, in the absence of these services the quality of our educational process would be greatly diminished; and

WHEREAS, the Board has designated the first week of June, rather than the third week of May, as Classified Professional Appreciation Week.

THEREFORE, BE IT RESOLVED that the Board of Trustees and the Interim Superintendent/President acknowledge, with confident appreciation and commendation, the classified professionals of Mendocino-Lake Community College District.

Ed Nickerman	_____	Xochilt Martinez	_____
Robert Jason Pinoli	_____	John Tomkins	_____
Marie Myers	_____	Noel O'Neill	_____
TeMashio Anderson	_____		

Ayes _____ Noes _____ Abstain _____ Absent _____

PASSED AND ADOPTED THIS thirteenth day of May, 2020, by the Board of Trustees of the Mendocino-Lake Community College District.

Robert Jason Pinoli, Board President

Date

SUBJECT: BOARD POLICIES AND REVISIONS – SECOND READING

SYNOPSIS:

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

RECOMMENDATION:

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

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 4225 – Course Repetition – This legally required board policy was last reviewed in 2009 and has been revised and updated under the direction of the Director of Admissions and Records. 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 December 13, 2019; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on January 31, 2020. A copy of the approved administrative procedure is included as information only.

Board Policy 4400 – Community Services Programs – This legally board policy was last revised in June 2011 and was previously listed as Board Policy 413. 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 January 31, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on March 27, 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 4225 and Board Policy 4400 as presented.



BOARD POLICY

No. ~~530~~ **4225**

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

COURSE REPEATABILITY REPETITION

~~In accordance with Title 5 requirements, the Board of Trustees of the Mendocino-Lake Community College District hereby adopts the following policy on course repeatability:~~

~~A student may repeat a credit course under any of the following circumstances:~~

- ~~• When the course has been designated as repeatable by the Curriculum Committee pursuant to Section 55041, subject to limitations determined and published by that committee. Designated courses will be identified in the College Catalog or,~~
- ~~• When the student has received a grade of "D" or "F" or "NC/NP" (not including W) and wants to alleviate substandard academic work; a student may repeat a course for this reason twice or,~~
- ~~• When there has been a significant lapse of time since the student's last enrollment in the course, as determined and published by the Curriculum Committee or,~~
- ~~• When the student has filed a petition with the Office of Admissions and Records and been granted permission due to extenuating circumstances as defined in Section 55045 or,~~
- ~~• When a student with a disability wishes to re-enroll in a special class for students with disabilities. Such repetition must be based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student. Students with disabilities wishing to re-enroll in other (non-special) classes must fall under one of the exceptions noted above.~~

Students may repeat courses in which substandard grades (less than C, and including FW) were earned. The Board has determined reasonable limitations on course repetition as described in AP 4225.1 titled Course Repetition.

When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

Under special circumstances, students may repeat courses in which a C or better grade was earned. The special circumstances are defined in AP 4225.1.

Reference: Title V, Chapter 6, Sections 55040-55045, **55041, 55042, 55044, and 58161**

*Adopted: July 1, 1987
Revised: February 5, 2003
October 14, 2009
December 2019*



ADMINISTRATIVE PROCEDURES

No. 4225.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

COURSE REPETITION

Definition of Course Repetition

A course repetition occurs when a student who has previously received an evaluative symbol (i.e. A, A-, B+, B, B-, C+, C, D+, D, D-, F, W, P/NP, CR/NC, RD, I) in a credit course, re-enrolls in that course and receives an evaluative symbol OR attempts a course and receives an evaluative or non-evaluative symbol for the course (i.e. A, A-, B+, B, B-, C+, C, D+, D, D-, F, W, P/NP, CR/NC, RD, I) and wishes to enroll again in the same course. All course attempts in a student's academic record count toward this enrollment limitation.

Course Repetition to Alleviate Substandard Work

If a student receives a grade of D, F, NC, NP, or W in a course that is not designated as repeatable the student may repeat the course to improve the grade; however, the listing of the original grade will remain on the student's permanent record. A student may repeat a course no more than two times (three enrollments total) unless there is another provision that allows the repetition. When a student has repeated courses to alleviate substandard coursework, the first two substandard grades may be excluded in computing the student's grade point average (GPA). The course repetition will be annotated on the transcript and all work will remain legible insuring a true and complete academic history. The repetition of course policy, applies to courses taken in other accredited colleges or universities and similar policies at other colleges and universities will be honored.

Course Repetition for Satisfactory Work

If a student completes a course that is not designated as repeatable and receives a satisfactory grade (i.e., A, A-, B+, B-, C+, C, P), the student may not repeat the course unless there is another provision that allows the repetition as defined below:

Repeatable Courses

Courses designated as repeatable are identified in the college catalog and shall include the number of times a course may be repeated. Courses may be deemed repeatable if they meet one of the following exceptions:

1. Courses for which repetition is necessary to meet the major requirements of CSU or UC for completion of a bachelor's degree. The District shall retain supporting documentation that verifies that the repetition is necessary to meet the major requirements of CSU or UC for completion of a bachelor's degree;
2. Intercollegiate athletics courses in which a student athlete is enrolled to participate in an organized competitive sport sponsored by the District, or a conditioning course which supports the organized competitive sport; and
3. Intercollegiate academic or vocational competition courses designed specifically for participation in non-athletic competitive events between students from different

colleges and sanctioned by a formal collegiate or industry governing body. The participation in the event must be directly related to the course content and objectives.

Enrollment in these courses is limited to no more than four times, even if the student receives a substandard grade or W during one or more of the enrollments.

Course Repeats Within Subject Families

Course Families are established by the Curriculum Committee, and identified in the college catalog, for active participatory courses in physical education/kinesiology and visual or performing arts with similar educational activities. Although a course cannot be repeated, a student may attempt up to four courses in a subject family. This limitation applies even if the student receives a substandard grade (i.e., D+, D, D-, F, NP, NC) or a W. Enrollment limitations are monitored district wide for a subject family.

Course Repetition for Extenuating Circumstances

Students may petition the Office of Admissions and Records to repeat a course whether the grade was substandard, passing or a withdrawal. 'Extenuating circumstances' are defined as verified cases of accidents, illness, or other circumstances beyond the control of the student. Upon completion of the repeated course, the previous grade and units awarded shall be disregarded in computing the student's grade point average (GPA). All coursework on the student's permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

Course Repetition for Legally Mandated Courses

Students may petition the Office of Admissions and Records to repeat a course determined to be legally mandated by statute or regulation as a condition of paid or volunteer employment regardless of whether substandard academic work has been recorded. Such courses may be repeated for credit any number of times, provided the student submits documentation of the required legal mandates.

Course Repetition as a Result of a Significant Change in Industry or Licensure Standards

Students may petition the Office of Admissions and Records to repeat a course as a result of a significant change in industry or licensure standards such that repetition of the course is necessary for employment or licensure. Such courses can be repeated for credit any number of times provided the student submits documentation of the significant change in industry or licensure standards necessitating course repetition.

Course Repetition for Students with Verified Disabilities Repeating a Special Class

A student with a verified disability may repeat a special class designated for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation for that student for one of the reasons specified in Title 5, Section 56029. When a student with a disability repeats a class, the previous grade and credit shall be included in computing the student's grade point average (GPA).

Special classes are those instructional activities designed to address the educational limitations of students with disabilities who would be unable to substantially benefit from regular classes even with appropriate support services or accommodations as set for in Section 56028.

Course Repetition for Significant Lapse of Time

Students may petition the Office of Admissions and Records to repeat a course one time due to a significant lapse of time (at least three years) since a satisfactory passing grade was received in order to satisfy a District recency requirement or the recency requirement of another institution of higher education to which the student seeks to transfer.

Upon completion of the repeated course, the previous grade and units shall be disregarded in computing the student's GPA. All coursework on the student's permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

Course Repetition for Cooperative Work Experience Education

A student may repeat an occupational work experience course in a given field any number of times so long as the student does not exceed 16 units in any combination of cooperative work experience (general or occupational) during community college attendance. All grades and units received for each enrollment shall be included in computing the student's grade point average (GPA).

Course Repetition for Variable Unit Courses

A student may enroll in a variable unit course as many times as necessary to complete one time the entire curriculum and unit value of the course. However, a student may not repeat any portion of a variable unit course that has already been completed and evaluated.

Multiple and Overlapping Enrollments

Students may not enroll in two or more sections of the same credit course during the same term.

In the case of short courses, students may enroll in multiple sections of the same credit course in a given term so long as the enrollments do not overlap and meet all other provisions for course repetition.

Students may petition the Office of Admissions and Records to enroll in overlapping courses during the same term when the overlap will not exceed eight (8) hours. The proposed overlap must include a contract to make up the hours missed as agreed to be the instructor of record. Petitions which exceed eight (8) hours, or do not provide a contract which provides documentation of the make-up time, shall be denied.

References: Education Code Section 76224
 Title 5 Sections 55041, 55042, 55043, 55253, 56029, and 58161



BOARD POLICY

No. ~~413~~ **4400**

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

COMMUNITY SERVICES CLASSES PROGRAMS

Mendocino-Lake Community College District may offer community service classes, also known as Community Extension classes (ComEx).

~~The Board of Trustees encourages the Superintendent/President or designee to design Community Extension classes~~

Community Extension courses are designed to provide for the “physical, mental, moral, economic or civil development of the individuals or groups enrolled therein.” In accordance with Education Code 78300 (c), General Fund monies may not be expended to establish and maintain community service classes. The District may charge students enrolled in community service classes a fee not to exceed the cost of maintaining said classes or may receive remuneration by contract, or monetary contributions or donations of individuals or groups.

Community services courses shall be open for admission for adults and minors who can benefit from the programs.

Reference: Education code 78300

ITEM NO: 10.1
DATE: May 13, 2020

SUBJECT: HEALTH BENEFITS REPORT

SYNOPSIS:

Status of the Health Benefits Fund

ANALYSIS:

For the first nine months of fiscal year 2019/20, 7/1/19 – 3/31/20, the average health benefit cost per participant was \$1,961.09 per month, while the budgeted rate was revised (as of April 2020) to \$1,800.00 per participant.

SUBJECT: MENDOCINO COLLEGE FOUNDATION REPORT

SYNOPSIS:

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

ANALYSIS:

The Student Emergency Fund is available to help our students during this crisis. To date, we have raised \$85,525 with the Foundation matching gifts dollar for dollar, up to \$150,000. To date, 341 Mendocino College Students have received \$250.00 each to help with living expenses. Special thanks to Redwood Credit Union, Community First Credit Union and Savings Bank of Mendocino County for their large and very generous gifts to this campaign.
(<https://give.classy.org/mcgiving2020>)

The Foundation has awarded all of the named, perpetual, endowed and pass-through scholarships for the 20/21 year. The total dollars distributed are \$198,000. Students have received their congratulatory letters and funds will be distributed in August for the Fall 2020 semester.

The Foundation Board has provided the district with \$14,000 to help with the costs of the new activities for this year's commencement and recognition of 2020 MC graduates.

The Nursing Program will honor 23 graduates on May 21 in a virtual ceremony. During the ceremony, each graduate will be honored with a check for \$350.00. The funds will pay for their state board examinations fee's (NCLEX), immediately following graduation. Special thanks to Pacific Redwood Medical Group and Tom Dow for their generous gifts which kicked off our fundraising efforts for this year's NCLEX campaign.

The next Foundation Board meeting will be held on May 26 beginning at noon. The board will approve their 20/21 budget and will officially welcome new Foundation Director, Sheriff Matt Kendall.

A flyer will be distributed to recognize National Nurses Week which begins on National Nurses Day, May 6, and concludes on May 12. May 12 is the birthday of Florence Nightingale.

All 2020 events that the Foundation had agreed to co-sponsor are postponed. The Foundation Board will vote to postpone the Fungi Fest fundraiser at their special meeting on May 26.

ITEM NO: 10.3
DATE May 13, 2020

SUBJECT: CONSTITUENT GROUP REPORTS

SYNOPSIS:

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

ANALYSIS:

Management Team:

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

The Management Team continues to keep our department operations running as smoothly as possible as we enter our eighth week of telecommuting. We look forward to the day when we can all meet in person again and are patiently waiting to hear what is in store for the upcoming fall semester.

We are also excited to announce we have selected three deserving Mendocino College students who will be awarded with a \$1000 scholarship, something our group does every year by contributing funds directly from our individual salaries.

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 3600– Auxiliary Organizations – This board policy was last revised in January 2015. 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 March 27, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on April 24, 2020. A copy of the approve administrative procedure has been included as information only.

Board Policy 6700 – Civic Center and Other Facilities Use – This legally required board policy was last revised in 2010 and has been revised and updated under the direction of the Director of Facilities. The policy was first reviewed by the President's Policy Advisory Committee on March 27, 2020; was shared with constituents for comments or suggestions and finalized by the committee at their meeting on April 24, 2020. A copy of the approved administrative procedure is included as information only.

Board members will review the policies and may offer suggestions for changes if deemed necessary. Discussion and/or adoption of the policies will take place at the June 2020 Board meeting.



AUXILIARY ORGANIZATIONS

The Board may recognize and approve auxiliary organizations established for the purpose of providing to the District any and all supportive services, specialized programs and functions identified in Title 5.

The Superintendent/President shall establish the administrative procedures necessary to fully comply with California law relating to auxiliary organizations, and to submit this policy and those procedures to the Chancellor for the California Community Colleges as required by law. At a minimum, the procedures shall address the subjects required by Title 5.

Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization; Board approval of the auxiliary organization; and approval of a written agreement between the District and the auxiliary organization describing the services, programs or functions to be performed. All such written agreements shall comply fully with the requirements of Title 5 Section 59257(j).

Any auxiliary organization recognized by the Board shall conduct its business in accordance with the administrative procedures adopted by the Superintendent/President pursuant to this policy. Notwithstanding anything contained in the administrative procedures, any auxiliary organization recognized by the Board shall comply with Education Code provisions regarding:

- the composition of a board of directors and the way in which it conducts its meetings;
- conducting an annual audit;
- employing its work force;
- expending and appropriating its funds, and keeping its records.

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the District with an unfair advantage with respect to any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

~~See Administrative Procedure 3600.1.~~

References: Education Code Sections 72670 et seq.;
Title 5 Sections 59250 et seq.



ADMINISTRATIVE PROCEDURES

No. 3600.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

MENDOCINO COLLEGE FOUNDATION, INC.

The Mendocino College Foundation, Inc., as an auxiliary organization, may only provide services, functions, or programs as specified in Section 59259 of Title 5 of the California Code of Regulations, including facilities and equipment; loans, scholarships, grants-in-aid; workshops, conferences, institutes, and federal projects; gifts, bequests, devises, endowments and trusts; and public relations programs.

The Board of Trustees of Mendocino College shall:

- (a) Ensure that an audit of the Mendocino College Foundation, Inc. is performed annually;
- (b) Periodically review and submit any changes in district implementing regulations to the Chancellor for approval;
- (c) Submit to the Chancellor any changes made in any written agreement, articles of incorporation, bylaws or other governing instrument pertaining to the Foundation;
- (d) Once per year, or as necessary, review the Foundation for compliance with pertinent Education and Title 5 codes and district implementing regulations, including the bylaws of the Foundation, and the written agreement between the Board of Trustees and the Foundation.
- (e) Prepare and keep a list of auxiliary organizations;
- (f) Report to the Chancellor as may be required on the Foundation's operations.

A certified public accountant (CPA) shall be selected by the Foundation, and the Superintendent/President, or designee, shall forward the applicable auditing and reporting procedures to the selected CPA.

The Superintendent/President shall be responsible for ascertaining the integrity, propriety, and compliance with policies and regulations of the Foundation's expenditures.

The purposes and operations of the Foundation shall conform to all applicable regulations, agreements, bylaws, and laws, including the pertinent sections in the Education Code and Title 5.

The Board of Directors of the Foundation shall approve all expenditures and fund appropriations of the Foundation. Expenditures/appropriations outside the normal business of the Foundation shall be approved by the Superintendent/President and the Chief Business Official of Mendocino College.

The Board of Directors of the Mendocino College Foundation, Inc. shall conduct its business

in public meetings in accordance with the provisions of Education Code, Government Code and Title 5.

No member of the Board of Directors shall have any financial interests which are directly and materially affected by the contracts or transactions of the Foundation.

References: Education Code Sections 72670 et seq.;
Government Code Sections 12580 et seq.;
Title 5 Sections 59250 et seq.



CIVIC CENTER AND OTHER FACILITIES USE OF FACILITIES
(CIVIC CENTER ACT)

~~The Board of Trustees of the Mendocino Lake Community College District encourages the use of District facilities by groups and organizations whose purpose contribute to the development and well being of the community at large.~~

~~The accomplishment of the educational mission of the College shall have first priority in all decisions regarding use of any District facilities. Use of any facility shall not be authorized where such use may interfere with, infringe upon or impede the educational process.~~

~~Educational Code 82542 authorizes the use and fees for the use of College facilities by outside groups. College facilities may also be used by individuals or organizations pursuant to provisions of the Civic Center Act (Education Code section 82537 et seq.) for special conditional uses.~~

~~The Board directs the Superintendent/President to establish procedures that respond to the needs and interests of our community. These procedures shall ensure that persons or organizations using College property are charged such fees as are authorized by law, and shall include reasonable rules regarding the time, place and manner of use of College facilities. The Superintendent/President or designee may authorize the waiver of fees to groups whose work is compatible with or supplementary to the educational purposes of the District. Procedures shall also require persons or organizations to provide the District with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages or injuries incurred by any person as a result of their use of the facilities.~~

~~College property shall be used only in accordance with Federal, State, and local laws and shall not be used for any unlawful activity. No group or organization may use College property for purposes that discriminate on the basis of race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.~~

There is a Civic Center at the college. The Civic Center is the auditorium in the Center for Visual and Performing Arts building. Use of the Civic Center shall be granted as provided by law. The Superintendent/President shall establish procedures regarding the use of District property and facilities, including property designated by the District as a Civic Center, by community groups, outside contractors, and others.

Adopted: December 19, 1978

Revised: November 1, 1989

December 2, 1992

June 2, 2010

March 2020

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

No group or organization may use District property to unlawfully discriminate against persons outlined in Board Policy 3410 or the perception that a person has one or more of the outlined characteristics, or because a person associates with a person or group with one or more of these actual or perceived outlined characteristics, or on any basis prohibited by law.

Use of the District 's Civic Center will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside." (Education Code Section 82537(a)) In granting permission to use the Civic Center, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

Reference: Education Code Sections 81378, 82537 and 82542, 82544, 82548
Title 5 Sections 59601 et seq.



ADMINISTRATIVE PROCEDURES

No. 6700.1

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

CIVIC CENTER AND OTHER FACILITIES USE

General Provisions

District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and times identified by the Vice President of Administrative Services or designee but shall be sufficiently frequent, and available on specific dates and times, so as to allow meaningful use by outside groups. Not all college facilities are available for public use. For example, facilities with specialized equipment, such as science labs, are not available for rent. Except as provided in these procedures, or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Vice President of Administrative Services or designee is responsible for the coordination and implementation of these procedures. The Vice President of Administrative Services shall determine all applicable fees to be charged.

Outside the designated public forum areas, the following shall apply: All user groups shall be required to provide the District with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All user groups shall also be required to provide a certificate of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District.

Civic Centers

Eligible persons or groups may use District buildings or grounds designated as the Civic Center for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to this procedure.

The groups identified in Education Code Section 82542(a) will be permitted, “when an alternative location is not available,” as described in the statute, to use District facilities upon payment only of the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a District employee’s presence during the organization’s use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of their normal duties;
- the cost of custodial services, if the services are necessary and would not have

- otherwise been performed as part of the custodian's normal duties; and
- the cost of utilities directly attributable to the organization's use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization's use of District facilities. Additionally, except for classroom-based programs that operate after school hours and organizations retained by the college or District to provide instruction or instructional activities to students during school hours, direct costs shall also include costs for maintenance, repair, restoration, and refurbishment of college facilities and grounds used by the group.

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair market value for the use of District facilities:

- Any church or religious organization for the conduct of religious services, which may be conducted for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.

The Office of Emergency Services or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services deemed by the Board of Trustees to be necessary to meet the needs of the community.

Rules for Facilities Use

Requests for use of the District's facilities must be made at least 10 business days in advance of the first date of use being requested. Requests shall be made to the Director of Facilities via the Facilities Department on forms provided by the District. Authorization to use the District facilities shall be based on a reservation system and the priorities for student and other use detailed at the end of this Section.

NOTE: This request requirement does not apply to groups intending to use available designated public forums for expressive activities. Rules applicable to those areas are described in the procedure for Speech: Time, Place and Manner (Board Policy #3900).

Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

Excepting the Coastal Field Station, overnight camping on District facilities, including in the designated public forum areas, is prohibited. No person or organization may use any District facility for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or other structure for sleeping, or doing any digging or earth breaking, or carrying on cooking activities.

All charges for the use of District facilities are payable 60 hours in advance.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless they are an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.

No person applying for use of District property shall be issued a key to District facilities.

Future facility requests may be denied on grounds included, but not limited to, abuse, or misuse of District property and failure to pay promptly for any damage to District property.

No alcoholic beverages, intoxicants or controlled substances *in any form* shall be brought onto the property of the District. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any activity.

Use of the facilities will comply with Board Policy 305 (Tobacco Use on Campus) and Board Policy 3550 (Drug Free Environment and Drug Prevention Program).

No structures, electrical modification, or mechanical apparatus may be erected or installed on District property without specific written approval by the Director of Facilities.

All decorative materials, including but not limited to draperies, hanging, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

Priority for the Use of District Facilities will be as follows:

1. Student clubs and organizations
2. Fundraising entertainment or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District.
3. Parent-teachers' associations
4. School-community advisory councils
5. Other public or non-profit entities

6. All other allowable uses

References: Education Code Section 82537 and 82542;
Public Resources Code Section 42648.3;
Title 5 Sections 59601 et seq.;
Clark v. Community for Creative Non-Violence (1984) 468 U.S. 288, 104 S.
Ct. 3065, 82 L.Ed..2D 221

Mendocino College Facility Use Analysis 2020									
Location		Current Fee		Fair Market Value		Capital & Direct Costs			
CVPA Theatre		\$400 first three hours, \$30/hour after		\$265.93 per hour (1)		\$194.50 per hour + \$200 per day*			
		plus custodial, security and tech fees				or, $\$200/8 = \$25 + \$194.50$ per hour= \$219.50			
Little Theatre		\$200 first three hours, \$30/hour after		\$161.02 per hour (2)		\$40.55 per hour + \$100 per day *			
		plus custodial, security and tech fees				or, $\$100/8 = \$12.50 + \$40.55 = \53.05			
Student Center		\$60 per hour		\$40.37 per hour (3)		\$35.39 per hour			
Other Lowery		\$40 per hour				\$.014/sqft per hour			
Board Room 1060		\$60 per hour		\$40.37 per hour (3)		\$24.50 per hour			
Other MacMillan						\$.03/sqft per hour			
LLRC 4210		\$60 first hour		\$40.37 per hour (3)		\$38.42 per hour			
LLRC 4134		\$60/first hour		\$40.37 per hour (3)		\$13.50 per hour			
Other LLRC Rooms		\$50 per hour				\$.03/sqft per hour			
Gym		\$200 first hour, \$50/ hour after		\$217.50 per hour (4)		\$240.26 per hour			
		plus custodial, security							
Softball/Baseball		\$119 first hour, \$150/ hour after		\$125 per hour		\$100 per hour			
Track		plus custodial, security							
Tennis Courts		\$50 per hour per court				\$50 per hour per court			

Lake Center Round		\$50 per hour		\$40.37 per hour (3)		\$28.97 per hour				
Other Lake Center		N/A				\$.019/sqft per hour				
Willits		N/A				\$.019/sqft per hour				
Coast		N/A				\$.019/sqft per hour				

Actual Comparisons

Location	Example	Charge	Fair market	Direct/Indirect
	CVPA Big theatre Performance (5/2019)	\$3,495 19.5 hours	\$5,185.63	\$4,280.25
Little Theatre	Speaker (7/10/2019)	\$203.50 1 hour	\$161.02	\$53.05
LLRC 4210	Meeting (5/11/2019)	\$103.50 1.5 hours	\$60.55	\$57.63
Gym	Science Fair (3/29/19)	\$2,304.50 10.5 hours	\$2,283.75	\$2,522.73
	Lake Center Round Room Meeting (11/13/19)	\$50 1 hour	\$40.37	\$28.97

(1)- CVPA Big Theatre Fair Market Value Comps:

Fairgrounds- Purdy Hall= \$318.75 per hour

Cotton Auditorium (FB)= \$110 per hour

Santa Rosa JC Burbank Auditorium= \$435 per hour

Space Theatre= \$200 per hour

Total = $\$1063.75 / 4 = \265.93 per hour

(2) Little Theatre Fair Market Value Comps:

Alex Rorabaugh Large Conf Room = \$50 per hour

Eagles Hall Theatre (FB)= \$62.50 per hour

Ukiah High School Little Theatre= \$80 per hour

Fairgrounds- Fine Arts= \$215.62 per hour

Santa Rosa JC Carole L. Ellis Auditorium= \$315 per hour

Santa Rosa JC Newman Auditorium= \$243 per hour

Total = $\$966.12 / 6 = \161.02

(3) LLRC 4210 & Lake Center Round Room Fair Market Value Comps:

Ukiah valley Conference Center Chenin Blanc Room= \$37.50 per hour

Santa Rosa JC Smart Classroom = \$68 per hour

Mendocino County Office of Education River Room= \$15.62 per hour

Total= $\$121.12 / 3 = \40.37 per hour

(4) Gym Fair Market Value Comps:

UUSD = \$100 per hour (fee + custodial)

Solano Community College= \$261 per hour

Alex Rorabaugh Gym= \$125 per hour

Santa Rosa JC Haehl Pavilion = \$384 per hour

Total= $\$870 / 4 = \217.50

*- Theatre Equipment Replacement Fee

SUBJECT: COLLEGE AND CAREERS ACCESS PATHWAYS (CCAP)
PARTNERSHIP AGREEMENT – FIRST READING

SYNOPSIS:

New College and Careers Access Pathways (CCAP) Partnership Agreement is presented for review and discussion.

ANALYSIS:

CCAP agreements came about from AB 288 passed in 2015. They are agreements between governing boards of community college districts and K-12 districts. The agreements offer or expand dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education. The goal is to develop seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school students achieve college and career readiness.

CCAP agreements allow for students to enroll in up to 15 units per term; classes do not have to be open to the public; classes must be part of a pathway; agreements must be presented to the governing board twice at subsequent meetings and submitted to the Chancellor's Office for approval; and there are additional reporting requirements including data sharing agreements.

In adopting the attached CCAP agreement, the Governing Boards of Mendocino-Lake Community College District and Round Valley Unified School District certify compliance with the following regulations required for the adoption of said CCAP agreement:

- 1) CCAP agreements shall be presented as an information item at an open public meeting of each governing board EC §76004 (b).
- 2) The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed AB 288 CCAP agreement.

Reference Board Policy 5010, Admission, Enrollment and Attendance

Administrative Procedure 5011.2, Admission and Concurrent Enrollment of High School and Other Young Students – College and Career Access Pathways

**College and Careers Access Pathways Partnership (CCAP) Agreement Between
Mendocino-Lake Community College District and Round Valley Unified School District**

Agreement No: Dated:

I. RECITALS

Whereas, Assembly Bill No. 288, approved by the Governor and filed with the Secretary of State on October 5th, 2015 allows the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness,

And whereas, allowing a greater and more varied segment of high school pupils to take community college courses can provide numerous benefits, such as reducing the number of high school dropouts, increasing the number of community college students who transfer and complete a degree, shortening the time to completion of educational goals, and improving the level of preparation of students to successfully complete for credit, college level courses,

And whereas, through dual enrollment partnerships, school districts and community college districts can create clear pathways of aligned, sequenced coursework that will allow students to more easily and successfully transition to for credit, college level coursework leading to an associate degree, transfer to the University of California or the California State University, or to a program leading to a career technical education credential or certificate,

The Mendocino-Lake Community College District (MLCCD) and Round Valley Unified School District (RVUSD) have entered into the following agreement.

II. LEGAL AUTHORITY AND ADOPTION

Assembly Bill 288 authorizes a community college district and a high school district to enter into a CCAP partnership provided that both districts have approved a CCAP Partnership Agreement which shall govern the partnership.

In adopting this CCAP Partnership Agreement, the governing boards of the Mendocino-Lake Community College District and the Round Valley Unified School District, certify compliance with the following regulations required for the adoption of a CCAP Partnership Agreement:

CCAP Partnership agreements shall be presented as an informational item at an open public meeting of each governing board EC § 76004(b).

- The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed AB 288 CCAP Partnership Agreement.

Furthermore, the governing boards of Mendocino-Lake Community College District and Round Valley Unified School District agree that a copy of this CCAP Partnership Agreement shall be filed with the Chancellor's Office of the California Community Colleges, with the understanding that the Chancellor of the California Community Colleges may void this CCAP Partnership Agreement if it is determined to not comply with the intent of the requirements of EC § 76004.

III. TERMS

a. Number of students served

Under this partnership, agreement up to a maximum of 250 School students will be served annually, with the college claiming up to a maximum of 50 FTES annually.

b. Assessment of students

The assessment of the pupil's ability to benefit from participation in courses offered under the agreement shall be made by the Round Valley Unified School District high school principal or the principal's designee. Only students whom are deemed, by the principal or the principal's designee, to have the ability to benefit from participation in the CCAP courses will be eligible to enroll in courses authorized through the CCAP. Furthermore, Mendocino-Lake Community College District reserves the right to require that students participating in the CCAP meet the course prerequisites or co-requisites, as described in the college catalog, for courses included in the CCAP.

c. Pathway/Course Offerings

*Additional pathway/course offerings may be considered, including those from CSU/IGETC GE and CTE course lists.

The courses to be offered shall include college readiness, career and technical education, general education, basic skills, and transfer pathway courses. Courses shall be offered on one or more Round Valley Unified School District campuses during the school day. The pathways which may be offered under this agreement include:

Career Technical Education (CTE) pathway courses which are part of a degree or certificate outlined in the Mendocino-Lake Community College District Catalog and are considered core requirements for a specific CTE area including CTE pathways listed in APPENDIX I (see *Degrees and Certificates Offered at MCC* for a complete list).

General education breadth courses needed for an AA or AS degree which also satisfy CSU and UC system transfer pathways as denoted in the Mendocino-Lake Community College District Catalog for areas A through E and basic skill courses, including courses listed in APPENDIX I.

d. Information Sharing

MLCCD shall provide RVUSD with the student's final grade for all coursework undertaken as part of a CCAP agreement so that the high school may determine the appropriate number of high school credits to be awarded, if any. RVUSD shall provide MLCCD with transcripts for all students participating in the CCAP and high school graduation rates among students participating in the CCAP.

e. Points of Contact

The point of contact regarding the provisions of this agreement, for the MLCCD, shall be the MLCCD Vice President of Academic Affairs, Debra Polak. The point of contact regarding the provisions of this agreement, for Round Valley Unified School District, shall be the RVUSD Superintendent, Mike Gorman, Round Valley Unified School District. The point of contact regarding implementation and administration of the CCAP shall be the Dean of Centers, or designee, of the Mendocino-Lake Community College District, Amanda Xu, and the Principal, or designee, at one or more high school sites of Round Valley Unified School District. The following is specific contact information:

1. Vice President of Academic Affairs, Debra Polak
Mendocino-Lake Community College District
1000 Hensley Creek Rd. Ukiah CA 95482
EMAIL dpolak@mendocino.edu
PHONE 707-468-3068

2. Superintendent, Mike Gorman
Round Valley Unified School District
76270 High School St, Covelo, CA 95428
EMAIL mgorman@rvusd.us
PHONE 707-983-6171 Ex: 103

3. Principal, Mark Smith
Round Valley Unified School District
76270 High School St, Covelo, CA 95428
EMAIL msmith@rvusd.us
PHONE 707-983-6171 Ex: 402

4. Dean of Centers, Amanda Xu
Mendocino-Lake Community College District
1000 Hensley Creek Rd. Ukiah CA 95482
EMAIL axu@mendocino.edu
PHONE 707-468-3605 or 707-468-3613

f. Employer of Record
MLCCD shall be the employer of record for purposes of assignment monitoring and reporting. (See section XII a. of this agreement for guidance regarding instructors that are not paid employees of the community college district).

g. Teacher Quality Mandates
Round Valley Unified School District shall assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

IV. CERTIFICATIONS

MLCCD shall insure that:

- a. any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in EC § 87010, or any controlled substance offense as defined in EC § 87011
- b. that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus
- c. that a community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus
- d. that a community college course that is oversubscribed or has a waiting list shall not be offered in the AB 288 CCAP Partnership Agreement

RVUSD shall insure that:

- a. any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus

V. ENROLLMENT

- a. MLCCD shall grant priority enrollment and registration, that is equivalent to the priority assigned to a student attending a middle college high school as described in EC § 11300 and consistent with provisions in EC § 76001(e), to a pupil seeking to enroll in a MLCCD course that is required for the pupil's CCAP partnership program.
- b. MLCCD shall limit enrollment in community college courses offered at one or more Round Valley Unified School District high school campuses during the regular school day solely to eligible high school students.
- c. MLCCD may allow a special part-time student participating in the AB 288 CCAP Partnership to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied (EC § 76004(p)):
 - i. The units constitute no more than four community college courses per term,
 - ii. The units are part of an academic program that is part of a CCAP partnership agreement,
 - iii. The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

VI. STUDENT FEES

- a. High school pupils enrolled in courses offered through this CCAP agreement shall not be assessed or charged a fee prohibited by EC § 49011, including a fee charged to a pupil, or a pupil's parent or guardian, as a condition for course registration or for textbooks, supplies, materials, and equipment needed to participate in the course. EC §§ 49010 et seq.; 76004(f)
- b. High school pupils enrolled in courses offered through this CCAP Partnership Agreement, that are properly classified as having "special part-time student" status as described by EC § 76004(p), shall be exempt from the following community college fee requirements [EC § 76004(q)]:
 - i. Student Representation Fee. EC § 76060.5
 - ii. Nonresident Tuition Fee. EC § 76140 6
 - iii. Transcript Fees. EC § 76223
 - iv. Course Enrollment Fees. EC § 76300
 - v. Health Services Fees

VII. STATE APPORTIONMENT

MLCCD and RVUSD agree that:

- a. A district shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment. EC § 76004(r)
- b. The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to a CCAP agreement is authorized attendance for which the community college district shall be credited or reimbursed pursuant to EC § 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity. EC § 76004(s)

VIII. REPORTING

MLCCD, in conjunction with RVUSD, shall report annually to the State Chancellor's Office all of the following information:

- a. The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
- b. The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
- c. The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
- d. The total number of Full-Time Equivalent Student (FTES) generated by CCAP partnership participants

IX. CTE PROGRAMS

- a. MLCCD, prior to establishing a vocational or occupational training program (career technical education programs) with RVUSD, shall conduct a job market study of the labor market area, and determine whether or not the results justify the proposed vocational education program. EC § 78015 et seq.

X. RESPONSIBILITIES

- a. Instruction and Educational Program

MLCCD shall be responsible for the educational program(s) and for the content and instruction of the courses offered through the CCAP.

- c. Facilities

RVUSD shall be responsible for the provision of the facilities for courses offered on one or more Round Valley Unified School District campuses as part of this CCAP.

- d. Books and Supplies

MLCCD and RVUSD shall agree on how books and supplies will be provided for a CCAP course prior to offering such a course.

- e. Support Services

RVUSD and MLCCD will share responsibility for insuring that ancillary and support services are provided for students (e.g. Counseling and Guidance, Placement Assistance, Assessment, and Tutoring).

Table #1: Responsibilities under MLCCD and RVUSD CCAP Partnership Agreement

	Mendocino-Lake Community College District	Round Valley Unified School District	Explanation
Facilities		x	In addition to their high school coursework, CCAP participants will have the opportunity to take college coursework on Round Valley Unified School District campuses during the school day in RVUSD facilities.
Instruction and Educational Program	x		CCAP participants will take MLCCD courses which shall include college readiness, career and technical education, general education, and transfer pathway courses.
Books		x	As a CCAP participant shall not be charged for textbooks, supplies, materials, and equipment needed to participate in the course, a source must be identified for providing books, supplies, materials and equipment prior to offering the course. In most instances instruction shall be provided by the college and books shall be provided by the high school. No CCAP course shall be offered without prior agreement between the college and the high school as to which organization shall be responsible for the provision of the textbooks, supplies, materials, and equipment needed by participants in the course.
Counseling and Guidance	x	x	MLCCD and RVUSD Schools shall collaborate to provide CCAP participants with appropriate counseling and guidance.
Assessment and Placement	x	x	MLCCD and RVUSD Schools shall collaborate to provide CCAP participants with appropriate assessment and placement services.
Tutoring	x		MLCCD shall be responsible for the provision of tutoring for college course when appropriate.

XI. PROCEDURES, TERMS, AND CONDITIONS

a. Enrollment Process and Period

Students will be added to the CCAP courses held on the Round Valley School campuses through registration conducted on site at Round Valley School campuses. CCAP students will be granted level 3 priority registration and may also enroll in additional college courses held outside of the normal school day (exp. online courses, summer school courses).

b. Class Hours

The timing of the courses shall be set by mutual agreement between the Mendocino-Lake Community College District and Round Valley Unified School District.

c. Evaluation of Students

College faculty instructing the course shall be responsible for the supervision and evaluation of the students. RVUSD shall be responsible for assigning high school credit for the coursework CCAP students complete where appropriate.

d. Course timing and length

MLCCD shall insure that: the appropriate number of class hours are scheduled to meet the performance objectives of the course; the enrollment period for each CCAP course falls within the normal school day within which courses are offered at one or more Round Valley School high school campuses; and that high school students participating in the CCAP are not required to attend class on dates in which the high school is not in session. The high school may require students to attend class on dates in which the college is not in session. Instruction may not be scheduled on legal holidays. Under the circumstance that a CCAP class begins after the start of, or concludes prior to the end of the high school term, it will be the responsibility of RVUSD to arrange additional instruction if required by RVUSD. Scheduling classes outside of the Mendocino-Lake Community College District term is at the sole discretion of MLCCD.

e. Conduct and Discipline

CCAP participants shall comply with the standards of student conduct as described under Mendocino-Lake Community College District Board Policy (5500.1). These regulations are designed to represent reasonable standards of conduct. Violations of the code may subject individuals to disciplinary action, which is consistent with the requirements of due process.

The faculty shall be responsible for discipline within the classroom. Should the instructor need to remove a student from a class session they shall notify the principal or principal's designee at the appropriate RVUSD high school campus immediately.

XII. CANCELLATION AND TERMINATION

The following agreement may be canceled by written notification from either district to the other district. Should the cancellation be made during a period when a CCAP course is being offered the cancellation will take effect prior to the subsequent term.

XIII. INSTRUCTION FOR APPORTIONMENT

MLCCD shall provide documentation that instruction claimed for apportionment under this agreement/contract is under the immediate supervision and control of an employee of the district who has met the minimum qualifications for instruction in the discipline of the course in a California community college. Instructors shall provide the supervision and control necessary for the protection of the health and safety of students and may not have any other assigned duty during the instructional activity (as a general rule, faculty must be physically present in the classroom or lab or within line of sight of the students). Cal. Code Regs., Title 5, §§ 58050, 58051, 58056, 58058

- a. Where the instructor is not a paid employee of MLCCD, the district shall have an additional written agreement/contract with each instructor requiring student attendance and FTES be reported by the instructor as required by the college or community college district and stating that MLCCD has the primary right to control and direct the instructional activities of the instructor. Cal. Code Regs., Title 5, § 58058(b)
- b. MLCCD shall demonstrate control and direction through such actions as providing the instructor an orientation, instructor's manual, course outlines, curriculum materials, testing and grading procedures, and any other materials and services it would provide to its hourly on-campus instructors.
- c. Attendance at a MLCCD dual enrollment orientation is required for instructors of CCAP courses prior to each term that they teach a CCAP course.
- d. To claim Average Daily Attendance (ADA) for K12 funding, the K12 district must determine how many instructional minutes a student is offered and scheduled for, as well as that student's attendance during the K12 school day. If a high school student has been scheduled for the minimum instructional minutes per day under the immediate supervision and control of a certificated employee of the school district and has been offered a full schedule, the district may claim attendance towards apportionment for that student for each day the student attends at least some part of the instructional day at the high school. If that student then goes to a college course that meets the requirements to claim Full Time Equivalent Student (FTES), the college may also claim full apportionment for that student in that college course.

More information on apportionment is available here:

- The Budgeting and Funding sections of the Career Ladders Project Toolkit, Frequently Asked Questions: <http://www.careerladdersproject.org/areas-of-focus/pathways/ccccode/>
- Interview with Wendi McCaskill on Instructional Minutes: http://www.careerladdersproject.org/wp-content/uploads/2015/12/FC1_Wendi-McCaskill_Interview_DETTOOLS.pdf
- Pages 40-42 of the CIO Manual: <http://curriculum.cccco.edu/Content/publicpagefiles/CIO%20Manual.pdf>

XIV. MINIMUM QUALIFICATIONS

Mendocino-Lake Community College District shall ensure that minimum qualifications for instructors teaching agreement / contract courses and instructor qualifications are consistent with requirements in other similar courses given by the college or community college district. Cal. Code Regs., Title 5, § 53410.

XV. PUBLIC ACCESS

The districts acknowledge that enrollment in the courses described in this CCAP partnership agreement, which are offered during the school day at one or more RVUSD campuses, shall be limited to CCAP participants and shall not be open to the general public.

The districts further acknowledge that courses which are not part of this CCAP must continue to meet the following requirements:

- a. Courses which are not part of this CCAP agreement must be held at facilities which are clearly identified as being open to the general public, noting that students may be required to meet course or program prerequisites.

- b. Courses which are not covered by this CCAP agreement must be open to any person who has been admitted to the college and has met any applicable prerequisites. Cal. Code Regs., Title 5, §§ 51006, 58106,

Furthermore, the district policy on open enrollment (Cal. Code Regs., Title 5, § 55005) along with a description of the course and information about whether the course is offered for credit and is transferable must be published in the college catalogue, schedule of classes, and any addenda to the schedule of classes. Cal. Code Regs., Title 5, § 51006,

Degree and certificate programs must have been approved by the California Community Colleges Chancellor's Office and courses that make up the programs must be part of the approved programs, or the college must have received delegated authority to separately approve those courses locally. Cal. Code Regs., Title 5, § 58050(a)(1).

XVI. CONSISTENCY, ATTENDANCE AND GRADES

MLCCD shall ensure that procedures are put into place by the college to ensure that faculty teaching different sections of the same course teach in a manner consistent with the approved outline of record for that course. Cal. Code Regs., Title 5, § 55002, 58050(a)(5).

Permanent records of student attendance, grades, and achievement will be maintained by the college. Additional CCAP participant records which are maintained by the high school, such as students' GPA or high school graduation status, will be submitted on a schedule agreed upon between the college and RVUSD. Cal. Code Regs., Title 5, § 55021; 55040; 58030.

XVII. FULL COMPENSATION / CERTIFICATION

MLCCD shall certify that it has not received full compensation, from any public or private agency, individual or group, for the direct education costs of the courses offered through this partnership agreement. EC § 84752; Cal. Code Regs., Title 5, § 58051.5. MLCCD shall obtain certification from the school district verifying that the instructional activity to be conducted will not be fully funded by other sources. EC § 84752; Cal. Code Regs., Title 5, § 58051.5.

XVIII. DISTRICT BOUNDARIES

MLCCD and RVUSD agree that if the course(s) in this CCAP agreement will be located outside the boundaries of the district, the district must comply with the requirements of Title 5, sections 55300 et seq., concerning approval by adjoining high school or community college districts and use of non-district facilities.

XIX. RECORD KEEPING AND COMPUTATION

MLCCD acknowledges that in all cases, standard FTES computation rules, support documentation, course section tabulations, and record retention requirements continue to apply, including as prescribed by Cal. Code Regs., Title 5, §§ 58003.1 et seq. , 58020 et seq., 58030 and 59020 et seq.

XX. ACCESS AND ACCOMMODATIONS

Upon identifying themselves to the instructor and the college, students with disabilities shall receive reasonable accommodation for learning and evaluation.

XXI. HOLD HARMLESS AGREEMENT AND INSURANCE

- a. To the fullest extent permitted by law, MLCCD shall indemnify and hold harmless RVUSD, its directors, officers and employees, from any and all liability claims, damages, costs and expenses, including attorney's fees, caused by or resulting from the negligent or intentional acts or omissions of MLCCD or any of MLCCD's employees. RVUSD shall indemnify and hold harmless MLCCD, its directors, officers, and employees, from any and all liability, claims, damages, costs and expenses, including attorney's fees, caused by or resulting from the negligent or intentional acts or omissions of RVUSD or any of RVUSD's employees. Neither party shall cover any negligent acts or omissions of the other. In the event of any such claim is made, or suit filed, both Parties shall give the other prompt written notice thereof, and each shall have the right to defend or settle. A Party that intends to seek an indemnity or hold harmless from the other Party shall notify the other Party in writing thereof, and within a reasonable time after the Party knows or becomes aware of any claim arising out of, resulting from or relating to this Agreement that may or has resulted in a loss, describing (if known or determinable) the pertinent circumstances, all entities and persons involved, and the amount(s) being claimed, and shall not settle or resolve the claim until it has notified the other Party of the claim in accordance with the provisions of this subsection and given the other Party an opportunity to participate in and consent to the settlement or resolution of the claim, which consent the other Party shall not unreasonably withhold.
- b. Without limiting the above indemnification provision and during the term of this Agreement, RVUSD shall obtain and maintain, and shall require their subcontractors to obtain and maintain, liability insurance coverage in the amount of not less than one million dollars (\$1,000,000.00) to cover any classroom incident, accident, or illness. Each Party's insurance shall be primary to and not contributing with any other insurance or self-insurance programs maintained by the other Parties, and shall be provided and maintained at the Party's own expense.
- c. RVUSD agrees to provide a Certificate of Insurance verifying liability coverage in the amount of one million dollars. MLCCD and RVUSD agree to add and include each other's officials, officers, employees, agents and volunteers as an additionally insured in each other's general liability insurance coverage, throughout the term of this Agreement. Each Party shall provide written notice to the other of any change to said coverage.
- d. The Parties mutually agree to notify one another of any accident or incident relating to services performed under this Agreement which involves injury or property damage which may result in the filing of a claim or lawsuit against any of the Parties, and, of any actual third party claim or lawsuit arising from or related to services under this Agreement.

ACCEPTED AND AGREED TO:

Mike Gorman, Superintendent
Round Valley Unified School District

Date

Mendocino College - Career Access Pathways

1. Administration of Justice
2. Agriculture – Sustainable Small Farms Management
3. Business – Business Management & Business Entrepreneurship
4. Child Development
5. Computer Science – Computer Applications and Office Administration
6. Culinary Arts Management
7. Digital Arts and Media
8. Fire Science
9. Nursing
10. Sustainable Construction & Energy Technology – Construction
11. Woodworking
12. Welding

Mendocino College - College and Career Success Courses

1. CCS 60 – College Success (3 unit)
2. CCS 100 – Career Planning Success (1.5 – 3 units)
3. CCS 101 – Career and Life Planning (3 unit)

Mendocino College - GE Courses for Transfer Pathway

1. ADJ 202 – Concepts of Criminal Law (3 units)
2. ART 207 – Survey of Western Art from Prehistory through the middle ages (3 units)
3. ART 208 – Survey of Western Art from Renaissance to the Contemporary Period (3 units)
4. AST 200 – Astronomy (3 units)
5. AST 200L – Astronomy Observation (1 unit)
6. COM 203 – Introduction to Public speaking (3 units)
7. CSC 201 – Computers and Computer Applications (3 Units)
8. ENG 200 – Reading and Composition (3 units)
9. ENG-210 – Creative Writing (3 units)
10. HLH 200 – Health Education (3 units)
11. HST 202 – The United States to 1877 (3 units)
12. HST 203- The United States since 1865 (3 units)
13. HST 222- Native American History (3 units)
14. HST 250- Contemporary America: The People and the Issues (3 units)
15. MTH 200 Pre-calculus Mathematics (5 units)
16. MTH 220 – Statistics (4 units)
17. PSY 205- Introduction to Psychology (3 units)
18. SPN 200- Elementary Spanish I (4 units)
19. SPN 201- Elementary Spanish II (4 units)

Mendocino College - Basic English and Math Courses PLUS*

1. MTH 46 – Pre-College Mathematics (5 units)
2. MTH 79 – Mathematics for Technical Fields (3 units)
3. MTH 77 – Geometry (3 units)
4. MTH 80- Intermediate Algebra for STEM and Business Majors (5 Units)

5. MTH 121- Trigonometry (4 units)
6. MTH 178 – Applied Math (4 units)
7. ENG 12 – Intermediate Reading and Writing (5 units)
8. ENG 80 – Academic Reading and Writing (4 units)
9. ENG 85 – Accelerated Preparation for College Writing (4 units)
10. ESL 507 - English as a Second Language: Beginning (non-credit)
11. ESL-509 English as a Second Language: Intermediate (non-credit)
12. ESL-511 English as a Second Language: Advanced (non-credit)
13. ESL-513 Reading and Writing for Multilingual Students (non-credit)

*English and Math offerings include CSU transferable Math Classes for both STEM and non-STEM transfer pathways.

ITEM NO: 11.1
DATE: May 13, 2020

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:

- A presentation on the Disabled Student Programs and Services (DSPS)
- Diversity Training for Board members
- Essential needs for Trustee onboarding
- Outreach to the community and the various tribes
- What are the plans for the Fire Recovery and Construction Program grant?