

December 1, 2016, 3:00 p.m. – 4:00 p.m.
Academic Center, Room 303, KTD

TOPIC	DESCRIPTION	Information/ Discussion Action
1. Agenda	Review/Revise/Approve	Action
2. Minutes	Approve Minutes from 11/10/2016 Mtg	Action
3. President's Report	- Diversity and Inclusion Committee Update - EEO Model Plan (Kristina C) - Other	Discussion/Information/ Approval
4. Board Policies/Administrative Procedures	BP / AP 3900 Speech: Time, Place and Manner (10 + 1) BP 7400 Travel	Discussion/Action/ Information
5. Board of Trustees	Review 12/6/2016 Board Agenda	Information
6. Constituent Reports	Reports from senates and other constituent updates	Information
7. Meeting Wrap Up	Review/confirm actions made at meeting/ identify items for next meeting.	Discussion
8. Meeting Schedule Spring 2017	Spring Meetings Determined after December Board Meeting – 1/12/2016 TBD	Information
9. Adjourn Meeting		



College Council Agenda

Members:

David Wain Coon, Chair

Faculty:

Sara McKinnon/Meg Pasquel

Becky Brown

Patricia Seery

Classified:

Paul Wilson

Lindsay Bacigalupi

Monica Rudolph/Maridel

Barr

Students:

Amy Diaz, ASCOM President

Jessica Sanchez, ASCOM VP

Darlene Baten, Student

Trustee

Eric Sitzenstatter, Past

ESCOM President

Managers:

Jonathan Eldridge

Greg Nelson

Christina Leimer

Resources:

Cabinet Members

Staff Support:

Kathy Joyner

Ex-Officio for CSEA

Kelley Gaffney, CSEA Pres.

November 10, 2016, 3:00 p.m.
Academic Center, Room 303, KTD

Present: David Wain Coon, Jonathan Eldridge, Meg Pasquel, Becky Brown, Patricia Seery, Lindsey Bacigalupi, Kathy Joyner; Amy Diaz, Darlene Baten, Eric Sitzenstatter; Christina Leimer

Absent: Paul Wilson, Jessica Sanchez, Monica Rudolph, Keli Gaffney, Greg Nelson

Guests: Elle Dimopolous, Joanna Pinckney, Tanya Hersch, David Patterson, Yosifah Craver; Sarah Frye

1. **Agenda** - The agenda was approved by consensus.
2. **Minutes** - The minutes of the September 15, 2016 and October 13, 2016 meetings were approved by consensus.
3. **President's Report**
ISER Report – Dr. Coon reported that the Institutional Self-Evaluation Report (ISER) validates all of the work and accomplishments of the College since the last self-evaluation in 2010. He expressed his appreciation to Christina Leimer and Sarah Frye for their leadership throughout the process and to the many individuals that worked on putting the document together and reviewing it. He noted that over 80% of the comments received from review were incorporated into the document. The draft will be presented to the Board of Trustees at the November meeting in anticipation of their approval of the final document at the December 6, 2016 Board meeting. College Council approved the ISER Report by consensus.

Equity and Inclusion – College Council received a proposal for the creation of a Diversity and Inclusion Committee which would be part of the governance system and planning processes. Faculty members Tanya Hersch, David Patterson and Yosifah R Craver spoke on the need to improve achievement gaps, provide an inclusive campus, increase staff diversity, provide professional development and training, and the importance of providing jobs for students on campus. There was discussion about student jobs and financial aid, institutionalizing these priorities, coordination of priorities through various offices, encouraging eye contact and engagement with students, recruiting members from existing senate members for this committee and about how the committee would fit into the planning structure. It was suggested that the committee act as an individual body which would report to College Council. Dr. Coon ask council members to take the proposal back to their constituents for discussion and approval and to bring comments back at the next meeting. He further noted that the Governance Review Council would be tasked with defining the committee charge and details related to the governance system. Council agreed by consensus that this was the appropriate next step. A copy of

the proposal has been posted to the College Council website.

4. **Board Policies and Procedures** – The Academic Senate reviewed and approved the BP/APs listed below. They chose Option 2 for AP 3900 Speech: Time, Place and Manner, and asked that the revisions come back to them for a final review. It was noted that these BP/APs all fall under the Academic Senate purview as 10 + 1. In reference to BP/AP 4010 Academic Calendar, the Academic Senate asked why the Academic Calendar does not come to them for review or input. Dr. Coon will research this and bring it back to the next meeting. Council agreed by consensus to move the BP/APs forward with the exception of AP 3900 which will be revised as noted by the Academic Senate.

The following BP/APs were approved to move forward:

BP 3900 Speech: Time, Plan and Manner
BP 4010 Academic Calendar
AP 4010 Academic Calendar
BP 5030 Fees
AP 5030 Fees
AP 5520 Student Discipline and Due Process

5. **Board of Trustees Meeting** – Superintendent/President Coon reviewed the November 15, 2016 Board agenda, noting that a study session will begin at 2:30 p.m. at the Kentfield Campus, AC 255. Study session topics include reports on Measure B items related to the Construction Management/Program Management selection process, the Aquatic Center project and the credit rating meetings. There will also be discussion about solar options at both campuses, a proposed LEED/Sustainability policy and an update on the Community Education Program. The regular meeting will start at 6:30 p.m. when Trustees will be presented with the Institutional Self-Evaluation Report and will receive an update on the Career Technical Education program which has recently received \$850,000 to enhance and expand programs.

6. **Constituent Reports**

Academic Senate – Meg Pasquel commented that the election results caused many of her students to be fearful and upset. She stressed the importance of allowing students to voice their concerns, feelings and fears and to treat them with kindness.

ESCOM – Eric reported ESCOM is very active with 1741 members, numerous clubs and approximately 50 ESCOM courses. He noted that the new space at IVC has been very successful and is an asset to the group. In relation to the election results he stressed the importance of listening to all sides and focusing on the positives.

Classified Senate - Lindsey Bacigalupi reported that the Halloween fundraiser was a success and attendees had fun. She thanked Dr. Coon, Jonathan and Cari for judging the costume contest. She commented that they did not have a quorum at the last meeting.

Elle Dimopolous commented that she hoped the Diversity and Inclusion Committee would go forward. She also commented that the Participatory Governance System as a whole is very important and is hoping the College can find ways to motivate people to become involved and sit on committees. The tabling at convocation was a good start. She encouraged multiplicity on committees.

ASCOM – Amy Diaz commented that the students hosted a Presidential Debate night, an Escalation workshop and the Halloween haunted house. She noted that students have planned a peaceful protest on Monday and are asking that people wear black. They are hoping to see more student civic involvement. There will also be a workshop on depression and anxiety about finals.

7. Meeting Wrap-Up Items for follow-up or next agenda:

Next Meeting:

Diversity and Inclusion Committee

AP 3900 Speech: Time, Place and Manner

Future Topics:

AP 6365 Accessibility of Information Technology

EEO Model Plan

8. Next Meeting – The next meeting is scheduled for December 1, 2016 in the Academic Center Conference Room 303.

9. Adjourn Meeting – Meeting was adjourned at 4:00 p.m.

General Institution

CCLC Update 23 (October 2013) to align with the requirements of Education Code Section 76120.
CCLC Update 25 (November 2014) are already incorporated.

Admin. Edits

Review/edit with Sadika 11/18/2016

BP 3900 SPEECH: TIME, PLACE, AND MANNER**References:**

Education Code Sections 66301 and 76120

Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

The District is a non-public forum, except for those areas that are designated public forums available for the exercise of expression by students, employees, and members of the public. The Superintendent/President shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions ~~in those parts of the District designated as areas generally available to students and the community~~, and the wearing of buttons, badges, or other insignia.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on District property or the violation of Board policies or administrative procedures, or the substantial disruption of the orderly operation of the District.

~~The District may adopt rules and regulations that are designed to prevent hate violence, as defined in subdivision (a) of Section 4 of Chapter 1363 of the Statutes of 1992, from being directed at students in a manner that denies them their full participation in the educational process, if the rules and regulations conform to standards established by the First Amendment to the United States Constitution and Section 2 of Article I of the California Constitution for citizens generally. Students may be disciplined for harassment, threats, or intimidation unless such speech is constitutionally protected.~~

CCLC Version: Nothing in this policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301 (e)), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, or intimidation unless such speech is constitutionally protected.

Also see: AP 3900 Speech: Time, Place, Manner; BP 5500 Standards of Conduct; AP 5520 Student Discipline and Due Process

Date Adopted: July 27, 2010

(Replaces College of Marin Policies 2.0004, 3.0022, 4.0027, and 8.0021)

DRAFT 9-1-2016

General Institution

Admin Edits/Notes

AS – Option 2

Sadika Review – 11/18/2016

CCLC Update 23 (October 2013) removes the requirement that outside groups provide advance notice of speech or expressive activities.

CCLC Update 25 (November 2014) includes options to limit speech and expressive activity in common areas of campus, and to clarify the obligation of persons distributing printed materials to retrieve, remove or properly discard the materials.

AP 3900 SPEECH: TIME, PLACE, AND MANNER**References:**

Education Code Sections 66301 and 76120

The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to the time, place and manner policies and procedures contained in [Board Policy](#) 3900 titled Speech: Time, Place, and Manner and these procedures.

The campuses of the District are non-public forums, except for the following areas, which are reserved for expressive activities that do not violate Board policy and are lawful; ~~those areas generally available to students and the community, defined as grassy areas and walkways, and other similar common areas. The designated areas at the Kentfield Campus include: South of Olney Hall near the student drop-off area on College Avenue; North entrance to the Student Center; East side of the Student Center; and no closer than 30 feet to any academic or student service buildings. The designated area at the Indian Valley Campus is the Campus Green and no closer than 30 feet to any academic or student service buildings.~~ These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt the **orderly operation of the District including (leave in- Sadika)** educational and other activities on behalf of students:

- The areas are designated public forums. The District reserves the right to revoke that designation and apply a non-public forum designation.
- The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the college. Areas of the District that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms, and any other area not specified above.

The use of these areas reserved and open for expressive activities is subject to the following:

- ~~Persons using and/or distributing material shall not impede the progress of passersby, nor shall they force passersby to take material.~~
- No person using the areas shall touch, strike, **harass** or **physically** impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs ~~or tends to disturb~~ the orderly conduct of the campus or classes **taking place at that time.**

- No persons using the areas generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he/she is using the areas generally available to students and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club. (OK – Sadika)

Non-student, community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, must provide notification to the District through the Office of Student Activities and Advocacy Affairs not less than three business days in advance of prior to engaging in the activities, ~~and must describe the nature of the planned activities and the approximate number of participants. This does not involve an advance approval process.~~ No illegal activities will be permitted, no activities which violate District or campus rules, including rules and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated areas, as described below. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none are available offer alternative dates. Students, outside organization, and others are encouraged to make reservations in advance to use the areas for their expressive activities by contacting the Office of Student Activities and Advocacy through the use of optional reservation forms

All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material distributed in the areas that is discarded or dropped in or around the areas other than in an appropriate receptacle. must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the areas that day.

Posting

Designated areas Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, employees and members of the public. All materials displayed on a bulletin board or in a designated area shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Office of Student Activities and Advocacy Affairs. Materials displayed shall be removed within ten days after the event. First priority is given to College of Marin events and information, on a space-available basis. Lowest priority is given to off campus commercial advertisements. Any posting lacking the appropriate approval stamp or that is incongruent with the mission of the College, policies and/or procedures will be removed. Designated areas are the bulletin board located at the entrance of the Student Services Building at the Kentfield Campus and at the Enrollment Services office at the Indian Valley Campus. Materials posted in other locations, including on windows or walls will be removed immediately.

Office of Primary Responsibility: Student ~~Affairs~~ Activities and Advocacy

Date Approved: June 22, 2010

(Replaces College of Marin Procedure 8.0021 DP.1)

Human Resources

No CCLC Updates (22 – 29) KJoyner 11-18-2016

BP 7400 TRAVEL

References:

Education Code Sections 32435 and 87032

The Superintendent/President is authorized to attend conferences, meetings, and other travel-related activities that are appropriate to the functions of the District.

The Superintendent/President shall establish procedures regarding the attendance of other employees at conferences, meetings, or travel-related activities. The procedures shall include authorized expenses, advance of funds, and reimbursement.

All travel outside the United States must be approved in advance by the Board of Trustees.

All travel outside the state must be approved in advance by the Superintendent/ President.

Also see BP 2725 titled Board Member Travel

Date Adopted: June 19, 2012

(Replaces College of Marin Policy 6.0009)

Reviewed by Jon E/Peggy I. No recommended changes