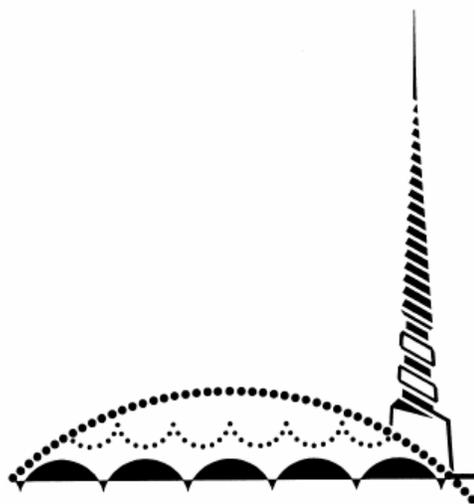
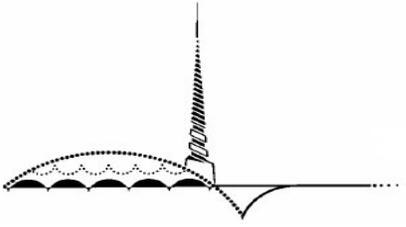

2006-2007 MARIN COUNTY GRAND JURY

COLLEGE OF MARIN: PROBLEMS AND PROGRESS

Date of Report: April 10, 2007



Marin County Grand Jury



COLLEGE OF MARIN: PROBLEMS AND PROGRESS

SUMMARY

The College of Marin (COM) faces a number of significant problems. Three have attracted much local media attention. While the problems persist, the college is making progress in dealing with them:

- facilities modernization is taking longer and project costs are significantly higher than prior estimates, but detailed plans now exist to allow close monitoring of schedules and budgets;
- a 20-year trend of enrollment decline was halted this academic year; and
- an accreditation warning was recently extended into its third year, but a process is in place to address the only remaining accreditation issue.

The Grand Jury believes two other issues are also important:

- the college should increase reserves; and
- the Board of Trustees needs better tools to perform its oversight role more effectively.

Facilities Modernization

Ballot Measure C, a \$249.5 million bond to refurbish COM's facilities, was passed in November 2004. The modernization process is proceeding at a significantly slower pace than previously anticipated, mainly due to a prior lack of plans with sufficient detail to determine accurate designs and costs. The process has already taken well over two years, with construction on the first project not scheduled to begin until early 2008.

Time delays, additional space requirements and other cost drivers have resulted in significantly higher estimates per project, so less will be done in order to stay within bond spending limits. Two of the nine buildings previously targeted for modernization are no longer in the budget. Six of the remaining seven buildings will be less "green," as solar panels to generate electricity are no longer budgeted for them.

Recently completed design plans should provide the necessary tools to track construction timing and spending in the future. Administration and the board need more focused oversight and stricter accountability to ensure construction projects are completed on time and within budget.

Enrollment Management

Enrollment is the lifeblood of any educational institution. The college has experienced a general trend of enrollment declines for two decades, mainly attributed to Marin demographic factors. More focus and \$500,000 spent on enrollment programs has stopped the slide this academic year. Lacking information on which programs achieve the most effective results, COM can be viewed as just throwing money at the enrollment problem. More research is needed to make informed funding decisions for future enrollment programs.

COM is using the Indian Valley College (IVC) campus in part to focus on vocational development. Some new educational partnerships at IVC are helping to revitalize enrollment at the campus; others have failed or been slow to develop. Administration and the board need more focus and attention on the timely and successful formation of IVC college/community partnerships.

Accreditation Warning

COM is fully accredited by the Western Association of Schools and Colleges (WASC). The college was put on warning status (the mildest sanction) in early 2005 because it had ignored WASC recommendations for over 10 years. Great strides have been made during the past two years to fulfill WASC recommendations, with four of five completed.

The college remains on warning status due to delays in implementing a program review process. A “pilot” program review is currently underway. Progress needs to be tracked closely by the board and administration to ensure a successful implementation.

Fiscal

COM is one of only three of California’s 109 community colleges that qualify to receive funding primarily from county property taxes (Basic Aid) rather than the state formula based on enrollment (Apportionment). Incremental funding from Basic Aid versus Apportionment is expected to exceed \$14 million in 2006-2007. Due to COM’s small average class size and Basic Aid funding, the college spends well over twice as much per student as is available to the average community college under the state’s Apportionment formula.

COM has the possible risk of losing its \$14 million “Basic Aid Increment”-- a risk not faced by most other community colleges. COM should increase reserves each year until the “Basic Aid Increment” is equaled.

Board Of Trustees Oversight

The board can point to recent progress on a number of issues. However, the slow pace in prior years on key areas such as modernization, enrollment and removal of the

accreditation warning show a need for stronger oversight and accountability. The board needs to establish a standardized, systematic approach to management and accountability for its goals and priorities, including detailed measures of progress, outcomes and effectiveness.

BACKGROUND

COM, more formally titled the Marin Community College District (the college), has been in operation since 1926. Originally known as Marin Junior College, the college was renamed in 1947, and merged with Indian Valley College in 1985. The original campus is located in Kentfield and the Indian Valley campus is in Novato. (See Appendix A for discussion of “Why an IVC Campus?”)

COM shares a mandate with California’s other 108 community colleges to provide broad educational opportunities for students and community members. The major areas of educational focus in COM’s Mission are:

- preparation for transfer to four-year schools;
- workforce education;
- basic skills improvement;
- intellectual and physical development; and
- cultural enrichment.

The college offers more than 60 Associate of Arts/Associate of Science degree programs, and 30 vocational Career Certificate programs. It also provides basic skills, English as a Second Language and community education classes.

Enrollment (credit student headcount) for the fall 2006 semester was just under 6,500 students; almost 80% are part-time. The vast majority are Marin residents (87%).

Except for a brief financial analysis in 2001, the last Grand Jury Report on COM was issued in June 1999.¹ The significant issues of facilities modernization and an accreditation warning have surfaced since that time, while enrollment continued a general decline that started in the late 1980s and extended through spring 2006. The Grand Jury therefore decided to perform a review.

METHODOLOGY

The Grand Jury reviewed reports, studies, articles and other documentation pertinent to COM activities and issues. Grand Jury members attended all COM board meetings from August 2006 through March 2007. Interviews were conducted with individuals representing the following: Board of Trustees, Administration, Academic Senate,

Classified Senate, Associated Students, COM Foundation, Marin County Board of Supervisors, Novato City Council, a former IVC Community Task Force, and the Citizen's Oversight Committee for Measure C. The Grand Jury also interviewed two citizens who filed complaints regarding issues at the college.

Our investigation was limited to administration and finance. The Grand Jury is prohibited by statute from investigating substantive policy or curriculum matters of school districts.

DISCUSSION

COM is a fully accredited institution that offers a high-quality educational experience. One indication of the strong academic orientation is that COM's transfer rate (the percentage of students enrolled in transfer programs who complete their courses and transfer to other institutions) is one of the highest among all community colleges in the state.

The college has been battling image problems in recent years, however, due to a number of significant issues. A former president resigned in 2003 after receiving a no-confidence vote by over 80 percent of the faculty. The current president was hired in the summer of 2004. Marin voters approved a \$249.5 million bond issue for facilities modernization in the November 2004 election. Problems have persisted with a general trend of declining enrollment, and the college was put on accreditation "warning" status in early 2005.

Administration, faculty, the board, staff and students can take pride in having recently made significant progress in major problem areas. In particular, there is renewed focus on facilities modernization, enrollment, and accreditation — key areas that have grabbed headlines because of insufficient attention in the past. More needs to be done, however. The Grand Jury noted problems, progress and opportunities for improvement in the areas below.

I. Facilities Modernization

Facilities in poor condition

A study of COM's physical structures by consultants² in April 2003 found facilities at both campuses to be in very poor condition. The district had not had a major capital improvement project for several decades. The study determined that the average physical condition of district facilities was among the worst of all California's community colleges — in one of the wealthiest counties in the nation! Measure C for COM facilities modernization in the amount of \$249.5 million was passed in the November 2004 election. (See Appendix B for Measure C bond details.)

Modernization process slower than anticipated

No timeline was disclosed when the bond was proposed, but it's clear the modernization process is proceeding at a significantly slower pace than previously anticipated. In the spring of 2005, one college official was quoted as saying that ground would be broken for a new building the following fall. Another predicted "major construction" would begin in

March 2006. The 2005 Annual Report for the College of Marin Foundation noted that major projects would be breaking ground in the summer of 2006. Current projections are that most of 2007 will be devoted to environmental impact reports. Construction is now scheduled to begin for the first major project (Physical Education Complex modernization at Kentfield) in early 2008.

Reasons the modernization process is taking longer

What factors contributed to such a lengthy delay? COM Administration had other major issues demanding attention and focus shortly after the bond was issued, including installation of a new management team, and an accreditation warning requiring significant actions to respond to the recommendations. The board did not hold its first special session focusing on the modernization program and planning process until March 2006.

A major cause of the lengthy preconstruction phase was the process of getting plans in place with sufficient detail to determine the designs and costs of the buildings. Ideally, an Educational Master Plan would be completed first, to guide facilities planning with direction as to the courses needed, followed by a Facilities Master Plan to determine the design and costs needed for the buildings to teach those courses.

The Educational Master Plan was not completed and approved by the board until April 2006. And while a Facilities Master Plan had been completed in July 2004 and helped give structure to the wording of the bond, it lacked sufficient detail (e.g., number and size of lecture/lab classrooms) to determine project design and cost. The source of that level of detail (called a Program Definition Document) was recently completed.

Other factors also stretched out the planning process. The board gave “back to the drawing board” instructions for: (1) a “theme” to be put in plans for each campus; and (2) a “green” request for the modernized buildings to achieve an average 50% of their electrical needs by using solar panels. Reducing a wish list of projects to fit the budget was also time-consuming. Finally, significant time was also devoted to using an open, inclusive planning process for modernization featuring public forums, committee meetings, and collaborative sessions that included community participation. This was done to diffuse the potential for confrontations between local residents and developers.

Purchasing power of the bond eroded

The result of the extensive time frame needed for planning is that the purchasing power of the bond has been eroded by inflation and rising costs. The Grand Jury was told costs of key construction materials such as steel and concrete have increased as much as 100% in three years due to demand from emerging economies such as China and a general “building boom.”

Unanticipated higher costs

More detailed plans have identified other factors contributing to significantly higher costs than what was anticipated just a short time ago. These include additional square footage requirements after faculty input, buildings that were found to be in worse shape than

previously thought, and the board's campus "theme" and solar electric panel "green" requests noted above. Another contributor to higher costs is that facility designs are now targeted to meet mid-level "silver" certification requirements of the Leadership in Energy and Environmental Design (LEED) Program — the nation's most recognized "green" rating system for large buildings.

An illustration of the magnitude of the unanticipated cost increases from the above factors was a revised spending plan approved by the board in February 2007. It showed project costs escalating, in some cases by huge amounts. The most expensive building project had estimates that jumped from about \$43 million to almost \$70 million (+62%). This was just four months after preliminary spending per project had been approved at the October 2006 board meeting.

Less modernization will be done

As a result of these higher costs, less will be done in order to stay within bond spending limits. Two of the nine buildings previously targeted for modernization are no longer in the budget. The signature "gateway" complex at the Kentfield campus was reduced from 70,000 to 24,000 square feet (square footage difference reallocated to other buildings). Six of the remaining seven buildings will be less "green," as solar panels to generate electricity are no longer budgeted for them. These changes generated about \$50 million in reallocations to cover cost increases.

Overly optimistic projections of costs and construction timing in the past have led to numerous articles in local media and questions in the public's mind. Credibility with the community needs to be restored by keeping the modernization process on time and within budget.

II. Enrollment Management

Enrollment is the lifeblood of any educational institution. COM has experienced a general trend of declining enrollment for 20 years. Credit student headcount peaked in fall 1987 with about 10,000 students. The number for fall 2006 was 6,482. A Grand Jury interviewee illustrated the importance of headcount by noting that in the face of consistent enrollment declines, erecting sustainable buildings is like making sustainable deck chairs for the Titanic.

Factors adversely affecting COM enrollment

Demographic factors in Marin contributing to enrollment declines, and beyond the control of COM, have been well documented. The county's population is older, wealthier, better educated, more employed, and growing at a slower rate than most areas served by community colleges in California.³

There is also the "location, location, location" adage. Neither campus is located along the Highway 101 corridor. A 2006 survey⁴ of the needs and interests of current and potential COM students found location (either proximity or distance) was the most frequently cited

reason for students' strong interest — or lack of interest — in enrolling for COM degree or certificate programs.

A final factor adversely affecting COM enrollment is the competition from Santa Rosa Junior College (SRJC). Graduates of Novato's two largest high schools in June 2006 favored SRJC over COM in enrollment by more than three to one. Reasons for the SRJC choice include more classes and activities, as well as the proximity of SRJC's Petaluma campus to northern Marin. Another key factor is that, primarily due to the philanthropy of one family, SRJC offers the largest scholarship program of any community college in California.

Enrollment stabilized this academic year

Despite the above, recent focused efforts to counter headcount declines have had a positive effect. An encouraging aspect of fall 2006 and spring 2007 enrollment is that numbers held steady versus a year ago. While this may not seem significant, it is a far cry from the previous 20-year trend, as well as the average enrollment decline of almost seven percent annually for the three years prior to fall 2006.

Ending the enrollment slide in 2006-2007 is attributed to efforts in several areas, including adding new course sections for wait-listed classes, streamlining the admissions process, and expanding the marketing/outreach campaign.

Other enrollment campaigns have been tried over the years without success. The Grand Jury was told that these programs suffered from a lack of accountability. The current effort includes a work plan to optimize enrollment with six goals, all supported by specific activities, point persons, resources needed, expected outcomes and completion dates.

Need to determine which enrollment efforts are most effective

While the enrollment work plan has specific activities and accountability in support of its goals, it lacks effectiveness measures. Possible effectiveness measures could include asking new students questions at registration regarding how they heard about COM, or what made them decide to enroll.

Nine college departments are receiving about \$500,000 for enrollment growth programs in 2006-2007. Without data to determine the most effective goals and activities to drive future funding allocations, COM could be viewed as just throwing money at the enrollment problem.

Stabilization of enrollment was the goal for 2006-2007 and it was achieved. Growth goals over the next 10 years are highly aggressive, however, with a target of 10,000 students (8,000 Kentfield; 2,000 IVC) by 2016-2017.

Enrollment is up at the Indian Valley Campus

The IVC campus is attracting more enrollment (double-digit growth in fall 2006 and spring 2007 over prior year) by inaugurating unique college and community partnerships.

A healthcare Simulation Center started up in spring 2007-- a collaboration with local hospitals and universities to train nurses using computerized mannequins for a more realistic medical environment. IVC is also establishing a program with local public agencies to train landscapers in water management.

Lack of partnership success in the past

Other partnership programs have floundered or been slow to develop. A “digital village” formerly housed at IVC for start-up multimedia companies in business-education partnerships was unsuccessful. A much-heralded partnership with San Francisco State University to offer courses leading to four-year degrees at IVC has undergone excessive delay. The board authorized COM to develop a Memorandum of Understanding (MOU) with San Francisco State in January 2003. After the change in COM’s administrative leadership, the presidents of each institution signed the MOU in late 2004. A “partnership advisor” to help make this happen was not hired by COM until early in 2007.

Importance of workforce development

The Grand Jury believes workforce development is an appropriate endeavor at IVC, based on the following:

- community colleges educate the core of California’s workforce—more than 70 percent of all public college students in the state attend them;⁵
- community colleges are essential to building the educated workforce the state will demand during the next 20 years;⁶ and
- building partnerships between community colleges and industry is in line with contemporary thinking on the direction of vocational education.⁷

The IVC target of more than doubling enrollment to 2,000 students in 10 years remains very challenging. The recent additional focus on the timely development of college/community partnerships will be a major factor in helping to meet IVC’s enrollment goals.

III. Accreditation Warning

COM is fully accredited by the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges (WASC), which periodically evaluates all California community colleges. The two main purposes of accreditation are quality assurance to the public and promotion of institutional improvement.

Warning issued

COM was placed on warning status (the mildest sanction) in January 2005 after a team visit from the WASC accrediting commission. The wording of the warning was harsh, noting COM had shown a lack of follow-through on previous WASC team

recommendations from visits in 1993 and 1999, and there was "...limited evidence that the college is taking seriously their responsibility to meet the standards."

COM was told to comply with five recommendations:

- put a new participatory governance structure in place;
- reexamine the College Mission Statement;
- implement a more structured institutional planning process, including an Educational Master Plan and a process for addressing program effectiveness (program review);
- develop procedures to measure and assess how well students are learning; and
- determine the college's unfunded healthcare liability.

Substantial progress achieved

WASC teams performed two follow-up visits in November of 2005 and 2006 to assess progress on the above recommendations. Warning status was extended after each visit, most recently in January 2007. The latest WASC visit concluded that substantial progress had been achieved, and four of the five recommendations were satisfactorily addressed. One important item remained undone, however: a process for program review, as part of the recommendation on institutional planning.

Program review problems

Program review refers to a systematic process for the collection and evaluation of both quality and quantity data measures of an academic program, student service, or an area of administration. It is designed to identify strengths and weaknesses of the area under review, and to establish goals for improvement. It is required by the California Code of Regulations (Title 5), and is included in the accreditation standards of WASC.

During the November 2006 visit the WASC team offered many positive comments about progress in completing four of the five recommendations, but distinctly noted program review was not in place. In fact, the team admonished college representatives, saying COM was many years behind schedule on this item. The team's subsequent written evaluation cautioned the college:

...not to let process (that is, unending dialogue and debate) override action (that is, the implementation of program review). Program review has been an accreditation standard for over a decade. The college must address this issue immediately.

The Academic Senate represents the faculty. It has authority under Title 5 state regulations for development of program review policy. The major source of delay was

faculty concern over whether program review would be used to eliminate academic programs.

Program elimination was clearly part of the intent of the board when it issued a directive in January 2006 to implement the program review process, for informed decisions "...as to consolidation, enhancement, reconfiguration ... *and to actually phase out programs/courses.*" (italics added) As part of an update on WASC status in February 2006, COM administration noted, "Some programs will need to grow, be cut, merge or be added." As a result, many faculty members felt downsizing some academic programs would be a foregone conclusion of program review.

Program review process approved

The blunt language used by the WASC team during and after the November 2006 visit had the desired effect. By mid-December the college had unanimously approved a program review document. Rather than hold up approval, the document contained the following: "Program review will *not* (italics added) be used to justify discontinuance or termination of programs."

Establishing procedures for program discontinuance is a requirement of Title 5. The Academic Senate is working on a Memorandum of Understanding with the board to further define how program discontinuance is to be addressed. It is scheduled to be issued in spring 2007. To illustrate the different faculty-administrative perspectives, in December 2006 the Academic Senate reported to the board that the MOU "...will set criteria for protecting programs from discontinuance." Administration, on the other hand, stated in a December 2006 update letter to the WASC Accrediting Commission that the purpose of the MOU is "...for a program termination and elimination process."

Warning extended into third year

Administration stated it was not surprised with the latest continuation of the WASC warning, nor should it have been. WASC wants to see plans in action over time to ensure they are successfully implemented and produce the desired results. Six areas were selected for the "pilot" program review, and the process began in January 2007.

Revisions to the process are expected to be ongoing as program review becomes more established. Results from the pilot program will be announced in August. A second phase is anticipated to start in fall 2007, with subsequent phases to be scheduled on a regular basis. A progress report is due back to WASC in mid-October. Administration stated at a recent board meeting that WASC warning status for COM is expected to extend for a full third year until January 2008.

The college remains fully accredited

COM remains fully accredited, with all credit courses eligible for transfer to other colleges and universities. However, the WASC warning and its lengthy extension have hurt the reputation of the college. COM has had to fight the perception in the minds of many (including high school counselors) that accreditation was lost. A February 2007 editorial in a local newspaper acknowledged the significant progress made on WASC

recommendations, but referred to the extension of COM's warning status as "an embarrassment."

While a tremendous amount of positive change has been accomplished, more needs to be done to fulfill WASC and statutory requirements for program review and get out from under the WASC warning.

IV. Fiscal

The college has improved its financial health considerably in recent years. This can be misleading, however. The improvement is due to a change in funding methodology that provides significant incremental revenue for COM, but has the risk of being discontinued.

The primary criterion of financial condition used by the California Community Colleges Chancellor's Office is the end-of-year general fund balance (reserves) as a percentage of general fund expenditures. The "minimum prudent" balance recommended is 5%. The June 1999 Grand Jury report noted the Chancellor's Office had the COM on its "watch list" for several years, with reserves below 3% of expenditures. The district ended 2005-2006 with a reserve balance (\$4 million) which represented 10.5% of expenditures.

Improved finances due to funding formula change

This positive change in COM's financial fortune can be explained by a change in its funding formula. Funding is determined by law to be the larger of: (1) a fixed percentage of county property tax revenue, which is called Basic Aid; or (2) the state formula known as Apportionment — funding that bridges property tax revenues in a district to reach a total funding level approved by the state based on student enrollment. Faced with steep enrollment declines and significant growth in county property values, COM in 2001 became one of only three of California's 109 community colleges to be switched to Basic Aid funding.

Basic Aid has proved to be COM's financial salvation. Receipts from the district's share of local property taxes and fees exceeded the state revenue calculation under Apportionment by \$11.6 million in 2005-2006. In 2006-2007 the "Basic Aid Increment" over Apportionment is expected to exceed \$14 million.⁸

Revenue not dependent on enrollment

Because COM's major revenue source is not dependent on enrollment, it has not been forced to cut programs or spending in the face of enrollment declines. The COM 2006 Educational Master Plan cited data from the State Chancellor's Office showing the top seven instruction areas accounted for 42% of total class hours, while 41 areas each produced less than 1% of total class hours.⁹ The Grand Jury found these figures to be essentially unchanged in a review of the most recent (2005-2006) data reported by the Chancellor's Office.

A productivity measure compiled by the state is called faculty workload. It is calculated by dividing total student class hours per week by Full Time Equivalent Faculty (total

student units divided by 15—considered a full-time teaching load for community college instructors). A presentation to the board in 2006 noted COM’s state-calculated faculty workload was 308, while the state guideline for preferred load at community colleges is 525. This means COM instructors averaged less than 60% of the state’s target workload measure due to many small classes.

Small classes = high instruction costs

A large number of small classes results in high instruction costs. COM’s Fiscal Services Department illustrated this cost in a January 2006 board presentation by dividing COM’s full time equivalent students or FTES (total student class hours per week divided by 15 units) into budgeted general fund expenditures. Using this technique with 2006-2007 data, the Grand Jury found that dividing FTES reported to the state for the fall semester (4,214) into budgeted general fund expenditures this year (\$52.7 million) yields a funding level of about \$12,500 per FTES. A Public Policy Institute study estimated community college funding per FTES for the 2006-2007 California state budget at \$5,346.¹⁰ Thus COM is spending well over twice as much per FTES as the average California community college receives from the state.

General revenue in 2006-2007 is expected to increase 9.2% (\$4.5 million), primarily from increased property tax revenues. However, expenditures are expected to increase 12.2% (\$5.5 million), due to higher employee salaries and benefits. Thus the end-of-year reserve percent is expected to drop from 10.5% of expenditures in 2005-2006 to 9.8% for 2006-2007. A decreasing reserve percentage is disturbing in a year when revenues are expected to increase almost 10%.

Risk of Basic Aid discontinuance

Greater cause for alarm is the possibility that the substantial incremental revenue impact of Basic Aid over Apportionment could be taken away by the state in the future. Beginning in 2004-2005, the California Legislature has been working to equalize funding per credit FTES across all Apportionment community college districts, to have a “level playing field” for assessing district performance. Basic Aid districts are at obvious risk in the face of efforts to provide comparable levels of resources per student for evaluating performance across community college districts.

In addition, a proposal was made in the California 2003-2004 education budget to phase out Basic Aid for the K-12 (kindergarten through 12th grade) districts that receive it. Incremental Basic Aid property tax money (\$126 million for 60 out of about 1,000 K-12 districts) was to be used to address “higher-priority” educational needs. This plan was dropped after considerable opposition from affected school districts and parents. Concern remains that a proposal aimed at Basic Aid districts may resurface.

Need to increase reserves

California’s few Basic Aid community colleges need a definition of “prudent” contingency reserves that is much higher than the 5% guideline used by the state. An administration briefing document on budget items last fall stated a prudent contingency reserve for COM would be “...at least equal to the current-year differential between a

district's Basic Aid revenue and the state's funding formula guarantee. This protects the institution from the possibility of reentry into state Apportionment funding..."

With an estimated reserve at the end of 2006-2007 of about \$4.1 million, and the Basic Aid Increment this year estimated at \$14.2 million, budgeting for additional reserves to cover this differential would be challenging. It can be accumulated over time, however, by targeting for a higher reserve each year, rather than letting the amount be determined (as noted at a recent board meeting) by "what's left over" after all other budget expenditures are compiled.

V. Board of Trustees Oversight

COM's Board of Trustees consists of seven voting members who are chosen for four-year terms by public elections held in odd-numbered years. The board sets policy and then fosters and approves major decisions in support of COM's long-range goals. Board responsibilities include appointment of the president and approval of other administrative staff and faculty personnel recommendations.

New administrative staff and governance system

The board can take pride in their selection of the current president in 2004 and the experienced administrative team hired since then. The board and administration, working with other staff, faculty and students have achieved progress across a broad spectrum of issues, such as completion of four out of the five WASC recommendations. One of the recommendations was to put a new governance system in place, and the Grand Jury found nearly universal agreement that there is now more transparency, participation and communication in the way the college conducts business.

More effective monitoring needed

Much remains to be done, however. The tarnished image of the college reflects the image of the board.

The most recent board self-evaluation (academic year 2005-2006) contained numerous comments regarding the need for stronger oversight/accountability. The board sets policy, then delegates responsibility for implementation to administration. It is the board's responsibility to monitor that implementation, however, and for this they need the right tools.

Program review is an example of how tools for better oversight would have been helpful. The WASC warning was extended because program review was not in place. Prior to the last WASC team visit, the present board membership had been discussing program review for three years. Three board members have been serving since WASC first recommended implementation of program review over 10 years ago.

Detail in support of goals/priorities

Board goals and budget priorities for the upcoming 2007-2008 academic year were approved last fall. (See Appendix C) Some priorities in support of goals, such as

modernization implementation and program review, now have detailed plans in place that should allow for appropriate board oversight. Others do not.

- A priority under the goal of Fiscal Accountability is to set an “appropriate” level of reserves. While the board has acknowledged the need to define this, further discussion was tabled for 2008-2009 goals. As noted in the prior section (Fiscal) the Grand Jury believes a logical reserve target already exists: the Basic Aid- Apportionment differential.
- A priority under Educational Master Plan implementation is to “Enhance higher education partnerships.” More specific benchmarks would be helpful for board oversight in this area. The COM-SFSU partnership (discussed on page 8) has languished since a MOU was signed in late 2004.
- Another priority under the Master Plan refers to continuation of the Educational Excellence Innovation Fund (EEIF). About \$100,000 is in the 2006-2007 budget for EEIF, which is seed money to encourage faculty and staff to develop innovative ideas for improved teaching techniques and learning. Some measures of achievement from these expenditures would be helpful in the board’s oversight role (e.g., reports at board meetings detailing program improvements and/or enrollment growth).

Tools to effectively monitor progress on board goals would be to have standards in place such as benchmarks, timelines, outcomes, and measures of effectiveness for all goal priorities. Progress on accomplishing these priorities should be reviewed regularly.

FINDINGS

Facilities Modernization

F1: COM facilities at both campuses are in extremely poor condition. Voters passed a \$249.5 million bond in November 2004 to modernize them.

F2: The modernization project is proceeding at a significantly slower pace than previously anticipated, mainly due to a prior lack of detailed plans.

F3: Costs per project are significantly higher than past estimates, so less will be done. Spending is no longer budgeted for two of the nine buildings previously targeted for modernization. Only one of the remaining seven buildings has a budget for solar panels to generate electricity.

F4: Detailed plans now exist to provide the tools to track future modernization schedules and spending.

Enrollment Management

F5: COM has experienced a general enrollment decline extending back 20 years, mainly attributable to demographic factors of Marin County. Because enrollment represents the lifeblood of a college, it is vitally important that this trend be reversed.

F6: Enrollment efforts intensified in 2006-2007, with \$500,000 budgeted to support an enrollment work plan. Results are encouraging—overall enrollment held steady for both terms this academic year versus year ago.

F7: The enrollment work plan has the necessary details for tracking progress on goals and accountability, but it lacks data collection tools to assess which programs are most effective, and to guide future enrollment project funding.

F8: Using IVC to focus on vocational development is appropriate, given projections that the supply of college-educated workers will not meet the future workforce needs of California.

F9: Until recently, insufficient attention has been paid to the timely and successful formation of college/community partnerships at IVC.

Accreditation Warning

F10: COM has always been fully accredited, but it was placed on warning status by WASC in early 2005 and was given five recommendations to fulfill.

F11: The college has made great strides, completing four of the five WASC recommendations. Warning status has been continued for a third year due to delays in approval and implementation of a program review process.

F12: A “pilot” program review process is now being implemented. COM is expected to remain on warning status at least until WASC makes its next decision in January 2008.

Fiscal

F13: COM is one of only three of California’s 109 community colleges that qualify for funding under Basic Aid, which provides much higher revenue from property taxes than the state’s enrollment-based formula (Apportionment).

F14: Due to small average class size and Basic Aid funding, COM spends well over twice as much per student as the average California community college receives from the state’s Apportionment formula.

F15: Possible loss of the COM’s “Basic Aid Increment” is a risk not faced by most other community colleges.

Board of Trustees Oversight

F16: The board can point to progress on a number of issues.

F17: The slow pace in key areas such as modernization, enrollment and removal of the accreditation warning shows a need for better monitoring tools to help provide stronger oversight and accountability.

RECOMMENDATIONS

The Marin County Civil Grand Jury recommends that:

Facilities Modernization

R1: The board and administration closely scrutinize progress on approved target dates and spending plans, requiring stricter accountability to ensure construction projects stay on time and within budget.

Enrollment Management

R2: Administration perform more research to determine which aspects of the enrollment work plan are most effective, as an aid to future funding decisions.

R3: The board and administration provide more focus on efforts to develop IVC college/community partnerships. Such efforts should include specific milestones, timelines, completion dates and individuals responsible.

Accreditation Warning

R4: The board closely monitor progress on program review through monthly reports from administration, to ensure successful implementation and COM's removal from WASC warning status.

Fiscal

R5: COM's Fiscal Services Department establish for board approval a policy for gradually increasing reserves, with a goal of having reserves equal the Basic Aid- Apportionment funding differential (\$14 million in 2006-2007).

Board of Trustees Oversight

R6: The board work with administration to establish a standardized, systematic approach to management and accountability for all board goals and priorities each year. This would include detailed definitions for goal priorities of expected progress, outcomes and effectiveness, monitored continually throughout the year.

REQUESTS FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses from the following governing bodies:

Marin Community College District Board: F9, F12, F14-F17, R1, R3-R6

Marin Community College District Administration: F1-F15, R1-R6

The governing bodies indicated above should be aware that the comment or response of the governing bodies must be conducted in accordance with Penal Code Section 933 c and subject to the notice, agenda and open meeting requirements of the Ralph M. Brown Act.

The California Penal Code Section 933 c states that "...the governing body of the public agency shall comment to the presiding judge on the findings and recommendations pertaining to matters under the control of the governing body." Further, the Ralph M. Brown Act requires that any action of a public entity governing board occur only at a noticed and agendized public meeting.

The Grand Jury also invites responses from the following:

Marin Community College District Academic Senate

Marin Community College District Classified Senate

Marin Community College District Associated Students

Marin Community College District Associated Students of Emeritus College

GLOSSARY

Apportionment—Once the legislative process approves funding per credit student, the state supplies an amount that bridges funds provided by district property taxes to reach the approved funding level for that fiscal year.

Basic Aid—Primary funding is through property taxes, rather than the ordinary funding formula applied to most community college districts (Apportionment).

Enrollment Headcount—Credit student unduplicated headcount as of First Census Day, also known as Official College Enrollment.

Faculty Workload—WSCH divided by FTEF

Full Time Equivalent Faculty (FTEF)—total student units divided by 15 units

Full Time Equivalent Student (FTES)—WSCH divided by 15 units.

Weekly Student Contact Hours (WSCH)—Total hours per week students are in class (30 students meeting 3 hours/week = 90 WSCH).

Western Association of Schools and Colleges (WASC)—Performs evaluations every six years for community and junior colleges through its Accrediting Commission.

APPENDIX A

Why An IVC Campus?

The campus of Indian Valley College in southwest Novato opened in 1975. It was built in response to projections of population growth in Marin that didn't happen. Many people doubt it ever will. To make matters worse, the entire campus was shut down in 1985 for structural repairs to its wood buildings. The campus reopened in 1987, now as part of the College of Marin. Per COM's Facilities Master Plan, "Anecdotal discussions tell of people in Novato who to this day do not know the campus is open again."¹¹

Facilities were designed for a headcount of 5,000. Enrollment declined from an all-time high of 2,653 in 1992 to 870 students in spring 2006. Facilities are thus very underused, and have not been well maintained over the past 20 years.

Many have questioned why the IVC campus should remain open. This issue has been addressed many times over the years. The Grand Jury determined that a short answer to that question might read as follows: "A sufficient number of Marin taxpayers want IVC to stay open and have voted to pay for it." The 1999 Grand Jury report noted the need for focused public dialogue to determine taxpayer willingness to subsidize the IVC campus.¹² Both the dialogue and subsidization decision have since taken place, resulting in the retention of IVC.

The work done by a consulting firm¹³ in early 2002 is instructive. The college retained the firm to evaluate five scenarios for disposition and/or redevelopment of both campuses. The scenarios ranged from do nothing, to sell both campuses and build a new one. Six community meetings were then held as part of the evaluation process. The significant turnout for these meetings and the high level of participation evidenced a strong commitment by the community to both campuses. The board then decided that the college would retain both sites.¹⁴

The willingness of voters to retain and improve IVC through their property taxes was also shown by the passage of Measure C in 2004, with over 60% approval. The wording of Measure C included specific projects targeted for bond spending, listed by each campus location. One veteran Novato politician flatly stated Measure C unquestionably would not have passed if IVC had been excluded.

The 2006 Educational Master Plan noted strong public support for preserving the physical landscape and limiting the negative impacts of economic activity on the local environment at IVC.

Strong local community support for IVC goes back a long way. Even before it merged with COM, a fiscal crisis in 1983 brought up discussions of closing IVC. According to a 1984 Grand Jury report,¹⁵ an "emotional outcry" followed this announcement. The then-mayor of Novato stated the proposal would meet "stiff opposition." The president of the Novato School District Board of Trustees at the time presented Marin Community

College District Trustees with a petition against closing IVC containing over 3500 signatures, which were collected in just five days.

District top management made headlines in local newspapers last fall when they toured a senior housing complex on the Stanford University campus to see if something similar might be suitable for IVC. This option would also be a “tough sell.” A Task Force from the local north Marin community, which looked at options for IVC in 2000, described housing as a “lightning rod of community opposition because of the precedence it would establish for future land use at IVC.” Citing a prolonged environmental impact fight which occurred over the relatively minor issue of lighting the ball fields at IVC, the Task Force went on to state, “Any housing proposal at IVC is almost certain to lead to costly, time-consuming legal proceedings and perhaps ballot measures over jurisdictional issues.”¹⁶

With a location described in the Facilities Master Plan as “...on the way to nowhere” and limited options for alternate uses, COM is playing the IVC hand they have been dealt by focusing on the site for workforce training and career education programs (general education courses are also offered for degree and transfer eligibility). Areas of concentration for workforce training include healthcare, water and transportation technologies.

APPENDIX B

Measure C Facilities Modernization Bond

COM receives little in the way of state funding, so a bond appeared to be the only practical financing option for a major facilities upgrade program. A survey in November 2003 of 600 District constituents found significant support for a bond. The district then initiated a Proposition 39 bond¹⁷, which reduces the majority needed to authorize general obligation bonds for local school construction from two-thirds to a 55% majority. Legislation limits the amount of a Proposition 39 bond proposal and the subsequent increase in property taxes, so the district used legal and financial studies to help determine the bond’s amount.

Measure C in the amount of \$249.5 million was passed by over 60% of voters in the November 2004 election, easily surpassing the required 55%. A series of bond sales will be spread over several years, so that funds will be accessed as needed. The first of these issuances was for \$75 million in April 2005, with the next one planned for sometime in 2008. If financing rates are similar in subsequent issuances, the incremental property tax rate upon full issuance of the \$249.5 million is estimated to be about \$19 per \$100,000 of assessed valuation, or \$95 annually for a home with an assessed valuation of \$500,000.

A companion to the bond was a board resolution passed in July 2004, which authorized that all bond modernization projects would be guided by green building and sustainability principles.

APPENDIX C

COM BOARD GOALS AND BUDGET PRIORITIES 2007/08

Approved at the September 19, 2006 Board Meeting

1. Fiscal Accountability

- Set appropriate level of reserves.
- Implement plan for unfunded liability.
- Right-size institution for proper use of basic aid funds.
- Implement asset management planning for long-term fiscal health.

2. Implement and Evaluate Educational Master Plan

- Enhance student success—student support/guidance/counseling.
- Seek scholarship support from COM Foundation.
- Continue EEIF to promote faculty and staff excellence.
- Implement processes to provide on-going evaluation, assessment, and data for informed institutional decision making.
- Increase enrollment and right size institution.
- Implement Program Review for greater flexibility to meet student needs.
- Enhance higher education partnerships.

3. Strategic Communication

- Continue internal communications and participatory governance practices.
- Continue external communications for marketing and research.

4. Facilities

- Implement Measure C.
- Implement Capital Naming Campaign.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Grand Jury investigation.

ENDNOTES

¹ “The College of Marin” Marin County Grand Jury Report, June 1999

² “Facilities Condition Assessment Report—College of Marin” 3D/International, April 30, 2003

³ “Demographic Analysis for the College of Marin” Lapkoff & Gobalet Demographic Research, Inc. August 26, 2004

⁴ “College of Marin Needs Assessment” Harder & Company Community Research, June 2006 p.4

⁵ “California’s Community College Students,” Ria Sengupta & Christopher Jepsen, Public Policy Institute (PPI) of California Volume 8, Number 2, November 2006 pp.3 & 21

⁶ “Community Colleges Asked To Do Too Much,” Ria Sengupta (PPI) San Francisco Chronicle, January 14, 2007

⁷ “How the Governor Can Advance ‘Career Tech’” Mike Rose, UCLA Graduate School of Education; San Francisco Chronicle, March 26, 2007

⁸ “College of Marin Adoption Budget: Fiscal Year 2006-2007” August 29, 2006

⁹ “College of Marin Educational Master Plan” April 2006, p.36

¹⁰ PPI (November 2006) p.5

¹¹ “College of Marin Facilities Master Plan” 3D/International, July 20, 2004 p.82

¹² Marin County Grand Jury Report (June 1999), p.11

¹³ “College of Marin Facilities Assessment Report” Conversion Management Association, August 29, 2002

¹⁴ Facilities Master Plan (July 2004), p. 9

¹⁵ “The Marin Community College District” Marin County Grand Jury Report, June 1984

¹⁶ “College of Marin—Indian Valley Campus: Identifying Options for Achieving a Viable Campus” College of Marin Community Task Force & Moore Iacofano Goltsman, Inc. November 2000, p.17

¹⁷ “Proposition 39: Relying on a ‘Super-Majority’ to Approve Local School Bond Measures” EdSource, September 2000