

July 7, 2007

Karin J. Hern, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room 303
San Rafael, CA 94903

Re: Marin County Civil Grand Jury Report – 2007
College of Marin: Problems and Progress

Dear Ms. Hern:

Pursuant to the April 10, 2007 Grand Jury Report on the College of Marin, we provide the enclosed response to the Findings and Recommendations contained in the report "College of Marin: Problems and Progress". We respond in a timely manner and provide the format of our response in compliance with Penal Code section 933.05.

The enclosed is the response from the Marin Community College District Board of Trustees only. The Grand Jury also requested specific comments from the College of Marin Administration, which is being forwarded to you under separate cover.

The Grand Jury requested responses from the Marin Community College District Board to the following Findings and Recommendations: F9, F12, F14-F17, R1, R3-R6. The Board of Trustees independently reviewed the report, properly noticed and discussed the report at two public Board meetings, and collaborated to provide the enclosed response to all of the requested Findings and Recommendations.

On behalf of the Board, the Administration, and the entire college, we want to thank the volunteer members of the 2006-2007 Marin County Civil Grand Jury. We believe the report on the College of Marin is valuable in our continued progress. We particularly appreciate the dedication and commitment of Bernie Bolger and Ken Howard, who attended all of our board meetings during their term of service.

Thank you.

Very truly yours,



Wanden P. Treanor,
President of the Board of Trustees

RESPONSE TO GRAND JURY REPORT FORM

Report Title: College of Marin: Problems and Progress

Report Date: April 10, 2007

Response by: Board of Trustees, College of Marin Title: PRESIDENT

FINDINGS

- I (we) agree with the findings numbered: 12, 15, 16
- I (we) disagree wholly or partially with the findings numbered: 9, 14, 17
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered 1, 3, 4 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered 6 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered 5 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 7-7-07 Signed: 

Number of pages attached 10

FINDING 9 - ATTACHMENT

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

The issue is not the "attention" because considerable attention, resources, creativity and studies have been focused on how best to utilize this campus. As noted in Appendix A to the Grand Jury's report, the question of "Why An IVC Campus?" has been raised and answered many times, including most recently by the Grand Jury. Prior to the Board meetings conducted throughout the county in 2002 and 2003, it was believed that the public would expect the college to sell IVC if funds were needed to modernize our decaying facilities. In our community meetings we learned that Marin residents view IVC as a beautiful, 330 acres educational campus. We also learned the college is expected to maintain IVC in public ownership and we were encouraged to be creative to invigorate a campus focused on higher education.

With the time and resources we have expended focused on revitalizing IVC, we learned the question is more appropriately "how best to utilize a campus when the district does not have the demographic profile to support two full campuses?"

When IVC was purchased, the projected population trends indicated Marin County would have twice the current population. Marin has half the population not due to anything College of Marin did, but rather, every jurisdiction in Marin County has imposed growth limitations. The likelihood of ever achieving the initial projections is not expected. In addition, as noted by the Grand Jury, the incorrect perception that IVC is "far off the freeway," further challenges the potential for attracting large numbers of students. Therefore, we must develop strategies to utilize and invigorate IVC so that it is a viable, creative learning community, attracting students from throughout the Bay Area.

College of Marin has focused resources and creativity to create pilot projects at IVC, such as the Multi-Media program, the SFSU courses being offered at IVC, the partnership with Sonoma State, Dominican University, Kaiser, Sutter and others in a Simulation Lab designed, in part, to increase clinical nursing slots for the ever-increasing need for trained health professionals, including nurses. We found a champion to encourage and foster such partnerships and pilot projects when we were able to hire the former Executive Director of the Marin Workforce Investment Board as our Dean of Workforce Development. She is dynamic, energetic, and has extensive personal contacts with the key Marin employers. With her focus and vigor, supported by the Board and Administration to pursue viable partnerships, there is a notable shift in the role the College of Marin is playing in providing the skilled workforce for the current and future needs of our Marin businesses.

The Grand Jury questioned the speed with which courses are being added by SFSU at our IVC campus. It was not noted, however, that College of Marin is not in a position to dictate the timing and extent of SFSU course offerings at our IVC campus. SFSU will decide, as it should, when to expand class and program offerings as they experience increased student demand and a willing cohort of professors interested in teaching in North Marin. Several factors, all outside the control of College of Marin, are in play and influence the speed of program development by that institution. We are committed to the success of this partnership and we plan to provide space for SFSU/COM students at our new academic building on the IVC campus. We already had COM students complete their course work with SFSU at IVC and transfer to the San Francisco campus to complete their undergraduate work. We expect the numbers to grow as the programs expand.

Other community colleges, which have partnerships with Cal State Universities, had significant "seed" money to underwrite some of the start-up costs incurred by both institutions. COM/SFSU began without financial assistance from the State. We are fortunate that the Marin Community Foundation sponsored a study to evaluate the interests of current and future students to determine which programs might draw the highest interest if offered at our IVC campus. This study also gauged student perceptions, and confirmed the perception note above as to "location" and distance from 101. We are also pleased that MCF continued its commitment with this IVC partnership by funding a "champion" to increase awareness and develop a marketing strategy to publicize the current and future course and program offerings considered by SFSU for our Novato campus.

So, no, we don't agree insufficient attention has been given to the development of partnerships at IVC. In fact, without the sustained focus and attention that has been given to invigorate IVC, we wouldn't have been able to create the various partnerships with Marin Conservation Corps, SFSU, Kaiser, Dominican and others. Because we spent the past decade listening to the public, fostering dialogue to encourage ideas for a "theme" for the IVC campus, and deciding to focus on higher education partnerships, we can't agree with finding 9 that we have only recently paid attention to IVC.

FINDING 14 ATTACHMENT

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.

We partially disagree with Finding 14. Basic Aid status for the past few years has allowed College of Marin revenue increases and we do have a smaller than average community college student population. The combination of increased funding and a smaller class size has resulted in higher per-student spending. Members of the Grand Jury attended a board workshop in spring of 2006 when the Board was presented with cost figures, which we believe form the basis for this Finding. Those figures presented in that report placed College of Marin's per-student funding closer to CSU student funding than to most community colleges for the two reasons noted above. However, that does not mean that the funding level is adequate. California's per-student funding pales in comparison to other states' financial support of higher education. California has not kept the promise of the Great Society, and the California Master Plan. Therefore, if the assumption behind this finding is that we are spending too much, we do not agree.

If College of Marin were to revert to apportionment funding, the programs and course offerings we currently provide with Basic Aid funding, would have to be radically reduced. If Basic Aid was lost, it is reasonable to assume that a significant number of courses, departments and disciplines would have to be eliminated, and a number of faculty and staff positions would be eliminated. The current expectation of the community that they can take whatever class they may be interested in taking would not be possible. College of Marin's offerings would be a mere shadow of what is offered under Basic Aid.

FINDING 15 ATTACHMENT

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

While we agree with the finding, it is important to note that College of Marin has increased its reserves from 3% to close to 10% in the last couple of years as a direct result of a Board goal and priority to do so. We have been discussing and plan to implement a reserve policy that will ensure we increase reserves over time.

Several years ago, there was a move in Sacramento to take the "excess" funds from Basic Aid districts (the amounts over the state's revenue limits), and a furious lobbying battle by Basic Aid districts at all levels statewide beat back that effort. The Basic Aid Districts argued that the "excess" was our local property tax money, that there were good reasons for the extra funding in Basic Aid districts, and that removing that extra funding would be devastating for virtually all of those districts. Plus, the state should be grateful not to have to pay much, if anything, to Basic Aid districts, meaning there is more to spread around to the other districts. In previous years, College of Marin has, in partnership with other Basic Aid community college districts, hired a lobbyist to ensure we are informed of any budgetary shifts or any other attempt to take away this extra funding, and to thwart any such effort if it is raised again.

While only a small percentage of school districts statewide are Basic Aid, about half of Marin's public schools are Basic Aid. Although only three or four California community colleges are Basic Aid Districts, College of Marin is the newest and, we agree, the most tenuous in that position.

We recognize our position is not as strong as the other districts because Marin is not building new housing stock. Due to the limited new housing opportunities, our tax rolls increase is due primarily to sales or remodeling of existing homes. As a result of this limited source of potential increase tax base, for the first time in the 2007-2008 fiscal year we are seeing the percentage increase is tapering off due to the shift in the housing market. We also know that it would take just one earthquake, with a reasonable level of property damage in the county, which would result in homeowners seeking and obtaining property tax reevaluations to reduce that burden due to the loss in value. If that were to occur, all Basic Aid Districts in Marin County would change overnight. So, yes, we know Basic Aid funding has its vulnerability, which is why we must increase our reserves to be ready in the event of a shift.

FINDING 17 ATTACHMENT

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.

The portion of Finding 17 that we dispute relates to an apparent broad brush that what has been accomplished with respect to modernization, enrollment and accreditation, have been moving forward at a "slow pace."

In an academic environment, specifically a California Community College with mandatory participation under "Shared Governance", timely completion of tasks operates at a different speed than the business environment. The necessary shared governance review and participation on those issues raised in the WASC report, resulted in a much longer than ideal process. While we would have preferred a more rapid pace to address the concerns raised in the accreditation review, such as Program Review, Student Learning Outcomes and the Educational Master Plan, they are not in the exclusive purview of the Board or the Administration, and we had to respect the process of the Academic leaders to participate as is required, but also as is critical to the success of such programs and plans. We cannot unequivocally agree that the issues noted by WASC have been addressed in a slow pace.

We agree that the monitoring and oversight tools we have recently developed in a wide variety of areas have greatly assisted the Board in its ability to track progress. They also serve to increase accountability and create opportunities to evaluate how things could be done differently in the future. This finding also assumes our enrollment could increase substantially, and as noted relative to the demographics of Marin, we can not be evaluated by the growth of other community colleges. However, significant progress has been made in turning around our enrollment decline, particularly as the Grand Jury noted, with respect to the progress made last fall and this past spring. We are tracking enrollment as it has never been done before and we are seeing results.

There are good reasons for the perceived delays in our modernization program and we are trying out a variety of monitoring tools to track progress both with respect to time and money for each of the projects making up our bond program. The staff has presented reports over the past year and we regularly discuss if these reports are providing the information that we need to be assured the bond program is moving forward both on time and on budget. That said, we agree that better tools were in fact needed, and while we have more reports, we are constantly evaluating their utility and value.

RECOMMENDATION (R-1) ATTACHMENT

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.

Recommendation number 1 has been implemented.

Over the past year, the administrative staff has presented reports concerning the bond program, its status, progress and projected dates for specific activities, which the Board reviews, at least quarterly.

The Board not only looks to the information contained in the reports, but also discusses whether the form of the various reports actually provide the information the Board needs to be assured the bond program is moving forward both on time and on budget. We have requested modifications of reports in the past to better address the information needs of the Board members and would expect to continue to request modified reports, as needed.

We recognize the need for an improved reporting system to actually track the timely completion of specific tasks. We have requested that the milestones reported by date and task within each contract be calendared by staff and reports provided each month concerning each and every date specified in the milestone addendum to each contract. We also requested that information be provided at each meeting as to what milestones have been completed since the prior board meeting, and a report as to whether any milestones have not been met as indicated in those contracts, if not why not, when the task will be accomplished, as well as the additional time required and projected costs associated with that delay.

RECOMMENDATION (R-3) ATTACHMENT

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.

Recommendation number 3 has been implemented.

The Board has placed enrollment as one of its key priorities for the past several years. In the past year, Vice President Anita Martinez has provided the critical leadership to cause the development of a detailed work plan for strategies to increase enrollment. This work plan lists responsible administrators, timelines, and costs. Community partnerships at IVC are a key ingredient in our enrollment work plan. Dean of Workforce Development, Nanda Schorske, has been instrumental in initiating and developing a wide range of such partnerships. Dean Schorske is providing quarterly reports to the Board on the progress of current programs at IVC and the development of strategic partnerships for future programs.

During the past two years, Dean Nanda Schorske, has been very successful in initiating and developing at least a dozen potential and actual partnerships for our IVC campus. We believe the results of those initiatives are reflected in the sharp upward spike in IVC enrollment as noted last fall and this past spring. However, not all partnerships will impact enrollment for the College of Marin. We hope the Grand Jury is aware that some of the partnerships will respond to our goal to reinvigorate the campus with higher education partners, which may not necessarily increase or impact College of Marin enrollment figures. We envision such partnerships will bring students to the IVC campus and those students will eventually enroll in COM courses offered at that campus. If that vision is achieved, we will then be able to increase our course offerings at IVC.

The Board has requested status reports of the various partnerships, at least quarterly. We want to know the progress of those initiatives and whether the expected outcomes are being met. We also expect to be informed about all potential partnership, the status of on-going discussions involving potential or current initiatives, how those discussions are evolving and whether they warrant further expenditure of staff time.

**RECOMMENDATION (R-4)
ATTACHMENT**

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

Recommendation number 4 has been implemented.

For at least the past two year, the Board has had a standing agenda item for the CEO to report on the College's progress with program review, student learning outcomes, and other issues raised in our WASC accreditation report.

For the past six months we have been able to report that all matters have been satisfactorily addressed with the exception of program review. A pilot project for program review was implemented and we are provided updates on the status of that pilot project, as well as updates on the progress of the remaining departments scheduled for implementation of program review.

The board is monitoring this process closely. However, we must caution any expectation that the Board or Administration could implement program review in a vacuum. It must be done in collaboration under the leadership of the Academic Senate, pursuant to the California Education Code. The involvement of the Academic Senate and other faculty members is not only mandated, but is also critical to the practical implementation and ultimate success of such a critical program. We are pleased to report that the current members of the Academic Senate, as well as other faculty members, are providing the necessary leadership to ensure compliance with this final issue on the WASC report.

We expect to continue receiving monthly updates on WASC compliance until the Warning status is removed. The Board has also indicated that it will expect to continue receiving reports on the status of program review, student learning outcomes and any revisions to the Education Master Plan even after we are removed from Warning.

**RECOMMENDATION (R-5)
ATTACHMENT**

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).

Recommendation number 5 will not be implemented because it is not warranted nor is it reasonable.

The actual Basic Aid differential between what we would have received under apportionment versus Basic Aid, under our unrestricted budget in the fiscal year 2007-2007 was actually \$12.2 million, not \$14 million. The College of Marin's total unrestricted budget for that fiscal year was \$42,013,477.

If the District were to implement this recommendation and maintain a reserve of the differential (in 06-07 \$12.2 million) the District would be holding a reserve of 29%. This figure would be more than double what was achieved in fiscal year 2006-2007 and would have devastating impact on College programs.

The Board has come a long way from the time when reserves were at or below 5%, with a couple brief stops on the Chancellor's "Watch List" due to the low funding percentage. In the past few years, our reserve has been in the neighborhood of 8%-13%, with the highest in the most recent fiscal year (2006-2007) where we ended the year with a 13.3% fund ending balance. We project reserving 10.5% for this fiscal year (2007-2008). We would like the reserve to be even higher, but the \$14 million reserve suggested may not be practical in the near-term or even long-term future, as it would force us to double our reserve percentage. If we were to double the reserve funding level, we would be forced to cut programs to an unconscionable level, and it would necessarily preclude us from giving our faculty, staff and administrators appropriate salaries and benefits.

We are keenly aware of the College of Marin's tenuous financial predicament due to its weak Basic Aid status as discussed in the explanation to Finding number 15. We will continue to monitor the differential, as well as our reserve funding level, we will address our unfunded liabilities, and we intend to be responsible in balancing our fiscal responsibilities to ensure long-term structural stability of the college's financial condition.

**RECOMMENDATION (R-6)
ATTACHMENT**

R6: The board works 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.

Recommendation number 6 has not yet been implemented, but it will be implemented in the near future.

We have detailed and comprehensive review processes for a number of priority areas, however, board goals and priorities is not one of them. We are changing that and will be more specific in our reporting an analysis in our planning and evaluation.

In the past few years, we have put into practice the essential component of actually funding the Board priorities and goals. We recognized that without allocating funds, our priorities were only a "wish & hope" and could not be effectively implemented. We now refer to them as "Board Goals and Budget Priorities." As an example, we funded enrollment strategies recommended by the Administration to test objectives that might increase enrollment. We must also fund monitoring and reporting so that we are informed of the success of the various strategies recommended and funded. If we want to further test methods to increase enrollment, we must provide additional funding in those areas. We also know that we must support new initiatives to increase the visibility and value of the college and its many offerings, which is another priority of the Board. To be successful, strategies designed to implement this priority will require funding to implement.

We believe this process of accountability of outcomes to achieve Board priorities will be more transparent in the coming year.