



General Library Item

Name Minutes 2009-01-14

Content

LANE COMMUNITY COLLEGE
BOARD OF EDUCATION
Minutes - January 14, 2009

1. Attendance

Board members present: Bob Ackerman, Pat Albright, Roger Hall, Paul Holman, Susie Johnston, Tony McCown and Pat Riggs-Henson. Also present were: President Mary Spilde; Executive Assistant to the President Tracy Simms; Vice President Sonya Christian; Chief Financial Officer Greg Morgan; Lane Community College Education Association President Jim Salt; Lane Community College Employees Federation President Bob Baldwin; and Associated Students of Lane Community College President Josh Canaday.

A. Chair Johnston called the meeting to order at 6:42 p.m.

B. President's Report

Happy New Year! It does seem like it is going to be a very challenging year because of the economic situation. We are facing unprecedented fiscal problems globally, nationally, in the state and, of course, at Lane. It is my hope that we can meet these challenges in a spirit of collaboration, transparency and with the understanding that all of us will be impacted and that whatever decisions are made will require sacrifice.

First, let me mention budget development. There is not a great deal that has changed since our last meeting with respect to the Support Fund. The Legislature convened on Monday. It looks like their first priority is developing a stimulus package that can be moved quickly to create some jobs and also take care of facilities issues that need to be addressed. We have been meeting with legislators, and I think it is fair to say that our local legislative delegation understands that we were treated unfairly and that they will try to do better. However, we cannot ignore all the other cries for additional funds that they will hear. We are continuing to put pressure on the Department of Administrative Services to finalize our Essential Budget Level (EBL) number. There will be a meeting on Monday. I am sure that Cam Preus, Community College Workforce Development (CCWD) Commissioner, will share the latest with us later in the meeting.

We have been working hard to finalize a deferred maintenance list that was submitted today.

In the meantime, we are seeing the impact of reductions in the current year's budget. Our students have been affected by changes in the Oregon Opportunity Grant. Despite good work by the Oregon Community College Association and our Governmental Relations Director, Brett Rowlett, the Oregon Student Assistance Commission decided to do a flat reduction to all grants of \$80. Since community college grants are less, obviously this was a bigger hit for our students. In addition, universities have more foundation capacity to assist students in the short run than we do. Community college students were disproportionately affected by the fact that new awards were cut off on December 1. Of the 2,697 students cut off, 2,295 were community college students. This is an obvious impact since our students are more likely to be laid-off workers that did not know they were going to come to school until later. I have asked our staff to let me know how much it would take to assist students with this reduction, but I am doubtful that we will be able to help.

Finally, the 1.2 percent reduction ordered by the governor will be taken out of our January payment. As indicated last month, we are tightening spending, scrutinizing vacancies, and minimizing capital outlay purchases. Also, we estimate about \$400,000 in additional tuition revenue as a result of our enrollment increase. This will not quite offset the reduction, but it will certainly help. By doing the above, we can significantly avoid changing our program and services for this year.

There are a number of local efforts going on to focus on the local economy. I have a series of meetings set up with different groups to assure that Lane is part of those efforts.

We are partnering with ASLCC on Tuesday to open up the CML so that we can come together to view the historic inauguration. I hope that students and staff will attend.

January 21 is "Jam the Gym" night for Lane basketball games. I hope you can join us as we support our basketball teams playing Umpqua, one of our biggest rivals. Lane's womens' team will be defending their home game winning streak.

2) December Highlights

December highlights at Lane Community College as offered in the board mailing were presented.

3) Personnel

The college's current personnel appointments were presented.

C. Board Agenda Review/Changes

No changes were made to the board agenda.

D. Statements from Audience

Dennis Carr, Human Resource Director, encouraged attendance at two upcoming diversity events: "Last Chance for Eden" on February 17 and "Culturally Competent Workplace" on February 18.

Steve Candee, Political Science instructor, requested that faculty contract negotiations reflect fairness, honesty, and understanding.

Eric Kim, Psychology instructor, expressed concern about low faculty wages.

Jay Fraser, Speech instructor, asked the board to create an environment where a fair faculty contract can take place.

Bert Pooth, Biology instructor, supported the idea of settling the faculty contract fairly and soon.

Barbara Breaden, Speech instructor, requested a reasonable bargaining proposal.

Dean Bergen, Auto Body instructor and faculty bargaining chair, urged the board to settle the faculty contract.

Jeffrey Borrowdale, Philosophy instructor, asked for a fair faculty contract.

Dennis Gilbert, Physics instructor, urged the college to come to terms with cost of faculty and to fill faculty vacancies.

Phil Martinez, Economics instructor, supported the faculty in their contract negotiations.

Jane Benjamin, Geography instructor, asked that the faculty contract be settled.

2A. Consent Agenda

McCown moved, seconded by Riggs-Henson, to approve the Consent Agenda consisting of:

- The approval of the December 3, 2008, minutes

Motion passed unanimously.

3. Policy Review**A. Second Reading****1. Harassment, D.020**

Riggs-Henson moved, seconded by Holman, to approve the second reading of board policy D.020, Harassment.

Motion passed unanimously.

POLICY NUMBER: D.020

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: HARASSMENT

Harassment Policy

Lane has a zero tolerance policy regarding all forms of harassment. Any proven harassment will result in immediate and appropriate action to stop the harassment and prevent its recurrence, including employee discipline consistent with collective bargaining agreements, or student sanctions. Remedial action will be designed to stop the harassing behavior. Any remedial action will be in keeping with the educational mission of the college. Whether or not the alleged harassing behavior is sufficiently severe or pervasive to be judged a violation of this policy, the college may take action to address a complainant's concerns and to ensure that Lane, as a workplace and as an academic institution, maintains a respectful environment. All forms of harassment, including student- to-student harassment, are covered by Lane's harassment policies. Incidents of harassment may bring about sanctions up to and including termination of employment or expulsion from the college.

Sexual Harassment

Sexual discrimination in the form of sexual harassment is prohibited. Sexual harassment is defined as unwanted sexual advances, requests for sexual favors, and/or other verbal, written, visual, or physical sexual conduct that makes the terms or conditions of employment contingent on the acceptance of unwanted sexual advances, that negatively affects employment or educational opportunities, or that creates an intimidating, hostile, or offensive environment for one of the parties.

Harassment Based on Race/Ethnicity or National Origin

Harassment based on race, ethnicity or national origin is defined as unwelcome verbal, written or physical conduct based on a person's actual or perceived race, ethnicity or national origin that unreasonably interferes with an individual's work or academic performance, adversely affects the targeted individual's or others' work or learning opportunities, or creates an intimidating, hostile or offensive environment.

ADOPTED: November 9, 1998

REVISED: September 8, 2004

REVIEWED: September 13, 2006

REVIEWED: January 14, 2009

2. Monitoring President's Performance, C.060

Spilde reminded the board that there had previously been some conversation about the importance of communication to the community by the President in regards to this policy. Spilde suggested including community outreach in her annual evaluation and through an annual monitoring report. The board agreed and decided to discuss it in a future work session.

Riggs-Henson moved, seconded by Holman, to approve the second reading of board policy C.060, Monitoring President's Performance.

POLICY NUMBER: C.060

POLICY TYPE: BOARD-PRESIDENT LINKAGE

POLICY TITLE: MONITORING PRESIDENT'S PERFORMANCE

Any evaluation of the president's performance, formal or informal, may be derived only from the criteria established within board Ends and Executive Directions.

Accordingly,

- The purpose of monitoring is to determine the degree to which board policies are being fulfilled. Information which does not do this will not be considered to be monitoring.
- The board will acquire monitoring data by one or more of three methods: (a) by internal report, in which the president discloses compliance information to the board, (b) by external report, in which an external, disinterested third party selected by the board assesses compliance with board policies, and (c) by direct board inspection, in which a designated member or members of the board assess compliance with the appropriate policy criteria.
- The standard for compliance shall be any reasonable presidential interpretation of the board policy being monitored.
- All policies that instruct the president will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule.

Policy	Method	Frequency
Treatment of Learners, A.020	Internal	Annually
Treatment of Staff, A.030	Internal/External	Annually
Financial Planning and Budgeting, A.040	Internal	Semi-annual
Financial Condition and Activities, A.050	Internal	Quarterly
	External	Annually
Emergency President Succession, A.060	Internal	Annually
Asset Protection, A.070	Internal	Annually
Compensation and Benefits, A.080	Internal	Annually
Communication and Support to the Board, A.090	Internal/Direct Insp.	Annually
Governance Process Policies, B.010 – B.200	Direct Insp.	Annually

ADOPTED: November 9, 1998

REVISED: May 12, 1999

REVIEWED: May 12, 2004

REVIEWED: November 9, 2005

REVIEWED: January 14, 2009

Motion passed unanimously.

B. First Reading

1. Gambling, D.040

No changes were recommended to this policy. A second reading will be held in February.

POLICY NUMBER: D.040

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: GAMBLING

Illegal gambling of any form, whether played for money, check or any item or service representative of value, is prohibited on the Lane Community College campus or facilities under its direction and control.

ADOPTED: November 9, 1998

REVIEWED: May 12, 2004

REVISED: January 18, 2006

2. Use of Intoxicants and Controlled Substances, D.050

No changes were recommended to this policy. A second reading will be held in February. The board wondered about the use of medical marijuana on campus. Legal counsel will check the Oregon statute on the use of medical marijuana.

POLICY NUMBER: D.050

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: USE OF INTOXICANTS AND CONTROLLED SUBSTANCES

No person may bring onto college property or into any college-owned facility or to any college-sponsored class or activity any intoxicating beverage, controlled substances, volatile inhalants, for the purpose of mind or mood alteration, except in the situations specified in this policy. No person may appear on college property or in any college-owned facility or in any college-sponsored class or activity under the influence of any of the above mentioned substances. Under no circumstances shall alcohol be served at college-sponsored activities to underage minors as defined by state law.

Exceptions to this policy are as follows:

- Alcoholic Beverages may be used/served:
 - for cooking and/or instructional purposes in food preparation labs or classes and in labs or classes related to the science and/or service of alcohol; or

- at college-sponsored or on-campus activities catered by legally licensed and insured businesses or agencies with prior approval using procedures specified in college administrative rules (see <http://2011sitearchive.lanecc.edu/cops/foodalc.htm>).
- With appropriate documentation, medical marijuana, prescription opiates, or other psychoactive medications, may be used as legally prescribed by a licensed practitioner. However, according to statute, marijuana may not be ingested on campus even with a medical marijuana card.
- Glue and thinners may be used only in class-related lab environments and in facilities construction and maintenance for non-intoxicating purposes.

ADOPTED: November 9, 1998

REVISED: June 9, 2004

REVISED: March 8, 2006

4. Discussion/Action Items

A. Community Colleges Workforce Development Commissioner

Cam Preus, CCWD Commissioner, apprised the board of statewide issues. The governor's office staff have been making recommendations to several legislative committees. The governor's focus is on Pre K – 20. Deferred maintenance funding for community colleges went from \$141 million to \$60 million. Preus complimented Lane for their quick response to the deferred maintenance list request; the list has been prioritized and is now in the hands of the legislature.

Preus distributed a handout showing community college enrollment and funding over the past fifteen years. She commented on how the stimulus package might affect community colleges and how CCWD plans to identify unemployed workers to recommend for specific jobs.

B. Bond Planning Update

President Spilde provided an update on the progress of bond project implementation, including the decision making process and an explanation of the different groups involved and their responsibilities. The college is developing criteria for identifying the sequencing of projects. Some smaller projects will be done this summer. A Request for Proposals is being developed to go out for the underwriting for the sale of the bonds. Morgan informed the board that a bond has a three-year limit once it is executed; therefore, we will want to do as much as possible before selling the bonds so that we will have the full three years to complete the work.

C. Tuition Rate

In compliance with board policy D.110, the board reviewed Lane's tuition rates. In the October 2008 meeting, the board reviewed index options and directed the administration to use the Higher Education Price Index (HEPI). Based on the HEPI, which showed an annual inflation rate of 3.6%, the college recommended an adjustment to the 2009-10 tuition rate.

Albright moved that the board approve an adjustment to the 2009-10 tuition rate equivalent to \$2.50 per credit hour, maintain the international rate at \$210 per credit hour, establish the nonresident rate at \$210 per credit hour, and increase the non credit tuition rate by 3.6% rounded to the nearest half dollar. Hall seconded.

Ackerman moved that the issue be tabled until the February meeting until staff can show the affordability and access for students and the revenue requirements of the college. McCown seconded.

Motion passed 6 – 1. Albright dissented.

D. Budget Development FY10

The board reviewed the following FY10 budget development documents: Budget Development Priorities, Budget Development Strategies, Budget Development Principles and Criteria, and Preliminary Assumptions for Base Budget Projections.

Holman moved to approve the budget development documents as presented. Albright seconded.

Motion passed unanimously.

The board took a ten-minute break at 8:25 p.m.

Hall moved to reconsider the motion to table the tuition rate discussion item 4.C. Holman seconded.

Motion passed 6 – 1. Ackerman dissented.

The board agreed that raising tuition is a difficult decision and understood that students are struggling. Unfortunately, costs have risen, and state funding has decreased. Maintaining the current tuition rate may mean cutting programs, which would also be difficult for students.

Albright's original motion to raise tuition 3.6% passed 6 – 1. Ackerman dissented.

Spilde asked for direction on which budget projection to use in developing recommendations. The board directed that the administration use the \$485 million projection with a tuition increase of 3.6% to develop budget recommendations for FY10.

5. Accountability/Reports

A. Benchmarks

Craig Taylor, Institutional Research, Assessment, and Planning director, described responded to questions and comments on the following Benchmarks:

- Gender and Race/Ethnicity Status of Graduates

B. Financial Planning and Budgeting, A.040, Monitoring Report

Morgan responded to questions and comments regarding the Financial Planning and Budgeting Monitoring Report.

C. Compensation and Benefits, A.080, Monitoring Report

Carr responded to questions and comments regarding the Compensation and Benefits Monitoring Report.

D. Asset Protection, A.070, Monitoring Report

Morgan responded to questions and comments regarding the Asset Protection Monitoring report.

6. Reports

ASLCC President Josh Canaday reported that officers are being trained on how to lobby at the state capitol. A "meet and greet" is scheduled at the capitol on Wednesday and Thursday. It has been good to have Rowlett to work with on governmental issues. ASLCC is getting ready for "Lane Day at the Capitol" on April 15. Enrollment is up; the parking lot and classes are full.

LCCEF President Bob Baldwin acknowledged the upcoming retirement of Mary Glenn, Human Resources Operations Coordinator. The college will sustain a loss with her retirement, and he wished her the best. LCCEF contracts have been printed and are being distributed. Baldwin noted that the classified union does not accept a fair number of conclusions in the Compensation and Benefits Monitoring Report. Baldwin distributed a handout showing eligibility for state assistance and that many classified employees would qualify at their current wages. If wages are not increased over the next couple of years, many placements on the classified pay schedule will be below minimum wage. He reminded the board that, without hiring and retaining quality staff, Lane will not be a quality college.

LCCEA President Jim Salt noted some issues that the faculty union had with the Compensation and Benefits Monitoring Report. He recommended that the board request a comparative data report prepared by faculty. Salt commented on the budget report received from Morgan. He asserted that as a result of the underestimation of the enrollment increase, the budget deficit was inflated and claimed that one of the sources of funding the ending fund balance came from less compensation and benefits for staff. Faculty will likely be asked to lobby in Salem for a better community college budget, but they may not respond if they feel alienated. He advised the college to change its bargaining proposal.

Vice President Sonya Christian talked about the enrollment increase and the revenue it has generated. Since Lane is facing a reduction in funding for this fiscal year, the funds from tuition will help in allowing us to not cut budgets this year. The Academic and Student Affairs (ASA) office is getting a handle on enrollment management, focusing on the number of sections offered, the impact on students, low cost programs, and programs that meet workforce needs. Meanwhile, ASA constantly has the bottom line of financial impact in mind. Christian took a moment to acknowledge one of our college leaders, Dennis Carr. He believes in the concept of human resources and often uses the phrase that he is here to serve. He truly embodies the core value of integrity.

Chief Financial Officer Morgan noted the retirement of KLCC Manager Steve Barton and Printing and Graphics Manager Gary Anderson, who have been key managers in Operations. Both have agreed to stay on half-time for an indefinite period of time.

Board Reports

Johnston thanked the faculty for addressing the board. She hoped to move forward on the faculty contract soon. Albright described a situation in which a school notified its students about a weather emergency, and hoped that Lane has a way to do so as well. He stated that he had seen several articles regarding community colleges recently; when the economy goes south, community colleges are in the forefront.

7. Date, Place, and Proposed Agenda Items for the Next Regular Meeting

Wednesday, February 18, Boardroom, Building 3, Lane Community College

8. The board meeting unanimously adjourned at 9:55 p.m.

Mary Spilde, President/District Clerk

Susie Johnston, Board Chair