



General Library Item

Name Minutes 2009-02-18

Content

LANE COMMUNITY COLLEGE
BOARD OF EDUCATION
Minutes - February 18, 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; Executive Dean Andrea Newton; 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 6:30 p.m.

B. President's Report

This month has simply been a whirlwind of activities. Clearly, the legislature is taking a great deal of time. The State stimulus package required our Facilities team to pull together deferred maintenance projects in very short order. The planning we did for the bond served us really well in being able to turn around requests from the state in a matter of hours. We were fortunate to receive \$8 million for deferred maintenance. The purpose of these projects is to create jobs, and they must be initiated by the end of April so we are scrambling to meet these deadlines. We will be hiring people to do this work as well as contracting out some of the larger projects. The bill suspended purchasing rules, and we are asking the board to do so later in the meeting. This is the list of projects that were approved. It is particularly significant that community colleges were included as we are the only "non state" entities to receive funds. The fact that we have statewide reach and can create jobs in small communities is an advantage.

Hearings were held last week on budget reductions for this year. Sonya Christian represented the college to discuss the impact of a \$25 million reduction to community colleges in the last four months of the year. I expect to hear very soon what decisions have been made for this year. I copied you on the e-mail I sent to all staff concerning this year and our plans to deal with the shortfall depending on the level of cuts. Of course, we are arguing for a smaller cut to community colleges given our increased enrollment.

The new revenue forecast will be released on Friday, and the governor will release a "rebalance" of his budget after that. Things are very uncertain, as you can imagine, which makes it very difficult to plan our budget. Nevertheless, the Budget Development Sub-Committee is moving forward, and Executive Deans are attending Division meetings to share budget information.

Several of us attended the OCCA Legislative Summit which was quite useful.

At the federal level, Susie, Pat, Brett and I attended the National Legislative Seminar. It was exactly the right time to be in Washington as we were able to influence the Joint Federal Relations Commission of AACC and ACCT to focus on lobbying for the state stabilization funds instead of the construction projects. That makes a difference in our operating budget. We met with Representative DeFazio and that resulted in him spending additional time on campus today to hear about our Health and Wellness project, Energy Management and our Downtown project. We also met with Representative Wu, who is co-chair of the Community College Caucus. I think the efforts of some 700 community college trustees and presidents from across the country helped a bit in making the case for the state stabilization funds. I also had the chance to meet briefly with Secretary of Education Duncan before his speech to the group.

We also submitted a list of projects for federal stimulus though it is unclear whether there will be any funds. Everyone is madly reviewing the legislation to sort out exactly what will be available.

I have been invited to give testimony to the Community College Caucus in DC regarding green jobs and workforce development.

We have been receiving quite a bit of media attention regarding the economic stimulus and some other features about the college.

We held a recognition event for our major donors for the Opening Doors campaign. It was very well received by our donors. We have placed the match with the state and it has been returned and the bonds will be sold this month. The sale was moved up as part of the state stimulus package.

Several college staff and students were involved in the Martin Luther King celebration. Ruth Wren, Women's Center, and Greg Evans, Student Life and Leadership, were recognized for their contributions.

Several hundred faculty, staff and students gathered in the Center for Meeting and Learning and other locations across the college to watch the presidential inauguration on January 20. ASLCC sponsored the events.

Business instructor and honor society advisor Velda Arnaud has been selected as a Faculty Scholar for the 2009 Phi Theta Kappa Faculty Scholar Conference and 2009 Phi Theta Kappa International Honors Institute. She is one of only 24 people nationwide selected for the honor. Phi Theta Kappa is the international honor society for two-year colleges. Arnaud advises Lane's Sigma Zeta chapter. The chapter won numerous awards under Arnaud's guidance, including the Distinguished Chapter Award in 2008, placing it in the top 25. Arnaud has won a national chapter advisor award three times.

I attended the Clinton Global Initiative last weekend for the second year. This is President Clinton's effort to mobilize college and university students to make commitments to do projects around global health, poverty, peacemaking, and climate change. One of our students, Toby Kubler, whose commitment relates to the Learning Garden on campus, was one of about 12 students recognized at the event. It was very encouraging to see so many young people who are absolutely committed to making this world a better place.

2) January Highlights

January 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

Terri Sullivan, Sabina Tishmack, Phi Theta Kappa students, and Velda Arnaud, Phi Theta Kappa advisor, dropped off Oscar the Ogre. Oscar is a fundraising activity; for five dollars, he can be placed in anyone's office. For another five dollars, that person can have the ogre removed and have someone else "ogred."

Doug Smythe, Counselor, congratulated the faculty and administration bargaining teams on a job well done for reaching a tentative agreement on the contract.

Jane Benjamin, Geography instructor, expressed appreciation that the bargaining teams have come to a tentative agreement.

Steve McQuiddy, Academic Learning Services instructor, thanked the bargaining teams for reaching a tentative agreement on the faculty contract.

Justin Blakely, former student, expressed dissatisfaction regarding assistance received from Disability Resources.

2A. Consent Agenda

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

- The approval of the January 14, 2009, minutes

Motion passed unanimously.

3. Policy Review

A. Second Reading

1. Gambling, D.040

Riggs-Henson moved, seconded by McCown, to approve the second reading of board policy D.040, Gambling.

Motion passed unanimously.

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

REVIEWED: February 18, 2009

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

McCown moved, seconded by Albright, to approve the second reading of board policy D.050, Use of Intoxicants and Controlled Substances.

Ackerman moved to amend the motion to insert the word "'shall'" after the word "marijuana" in line three of the numbered paragraph two.

Amended motion passed unanimously.

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~~ **shall** 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

REVISED: February 18, 2009

B. First Reading

1. Possession of Firearms, D.030

As part of the review of all board policies, the board reviewed the following policy in December 2008. It was determined that a revision was needed to accommodate training in noncredit classes and that the policy should be brought back with revisions for another first reading. Legal counsel reviewed the policy, and the college is recommending the following changes:

POLICY NUMBER: D.030

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: POSSESSION OF FIREARMS

No person, including students, employees, college patrons and vendors may bring, possess, conceal, brandish, use or be in possession of a firearm, destructive device, or other dangerous weapons as defined by law, or give the appearance of being in possession on college-owned or controlled property or at activities under the jurisdiction or sponsorship of the college, except as provided by Oregon or federal law. **Permitted exceptions include use in conjunction with approved instructional demonstration.**

ADOPTED: November 9, 1998

REVISED: November 16, 2004

REVISED: February 15, 2006

The board discussed how the policy affects peace officers coming on campus and carrying firearms. Legal counsel will review the policy and the Oregon Revised Statutes to determine if a change to the policy is needed.

2. Equality of Opportunity, D.060

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

POLICY NUMBER: D.060

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: EQUALITY OF OPPORTUNITY

The board directs strict adherence to the principles embodied in Oregon and Federal "Equal Employment" legislation. Lane Community College shall provide employment opportunity to all qualified persons and prohibit discrimination on the basis of age, sex, race, color, religion, physical or mental disability, national origin, marital status, sexual orientation, gender identity, pregnancy, veteran's status, familial relationship, expunged juvenile record, association with anyone of a particular race, color, sex, national origin, marital status, age or religion, opposition to safety and health hazards or application for Worker's Compensation benefits.

ADOPTED: November 9, 1998

REVIEWED: June 9, 2004

REVISED: October 17, 2006

3. Equality of Opportunity in Admissions, D.070

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

POLICY NUMBER: D.070

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: EQUALITY OF OPPORTUNITY IN ADMISSIONS

Anyone who is at least eighteen years of age for credit classes and at least sixteen years of age for continuing education classes may enroll at Lane Community College. Under no circumstances shall an applicant who is otherwise qualified be denied admission or given a preference for admission to the college based on an individual's race, color, national origin, sex, age, marital status, familial relationship, sexual orientation, gender identity, pregnancy, disability, religion, expunged juvenile record, or veterans' status.

ADOPTED: November 9, 1998

REVISED: June 9, 2004

REVISED: October 17, 2006

Ackerman noted that restricting admission to persons 18 years and older for credit classes may conflict with ORS 351.505(1) which does not have an age limitation on this class of applicants. He requested that the issue be referred to legal counsel for review.

4. Discussion/Action Items

A. Dental Hygiene Presentation

Joyce Godels, Health Professions Interim Dean, Sharon Hagan, Dental Hygiene Instructor, and Sonja Compton, Project Specialist, presented information regarding Lane's Dental Hygiene program. At Lane, the program consists of excellent faculty members, an 18-chair clinic, state of the art technology, highly motivated students, and successful graduates. Our program participates in community partnerships, such as the free sealant day and the partnership with HIV Alliance.

Lane's Dental Hygiene program recently received \$1.97 million grant from the Department of Labor Employment and Training Administration to expend the program into three rural communities. This project included revision of curriculum into an online format and the development of three clinical facilities at Linn-Benton Community College, Umpqua Community College, and Lewis-Clark State College.

B. Stimulus Resolution No. 526

The Oregon Legislature enacted Senate Bill 338 (SB 338) on February 5, 2009, declaring an emergency and appropriating funds for state-wide public infrastructure deferred maintenance with the purpose of creating jobs in the Oregon economy as quickly as possible. Timely expenditure of the funds requires the Board as the local Contracting Review Board to declare an emergency that requires exemptions to the competitive bidding provisions of the Community College Rules of Procurement.

Hall moved to adoption Resolution No. 526 to allow expenditure of SB 338 funds in conformance with the legislative purpose of the appropriations, and exempting the contracting process from competitive bidding provisions of the Community College rules of Procurement. Albright seconded.

Ackerman pointed out that SB 338 will not be the final name of the stimulus package. **He moved to amend the motion to provide that the president, upon consultation with legal counsel, should have the authority to strike out the reference to SB 338 and insert the appropriate statutory citation.**

Kieran informed the board that at the time of drafting the resolution, it was unclear whether the Department of Administrative Services was going to adopt a similar resolution, and we did not have a copy of that document. Thus, we could strike out the last sentence of the resolution, which reads: "The Governor may issue an executive order declaring an emergency that creates a streamlined process, but that has not yet occurred. An emergency declaration adopted by the College Local Contract Review Board is consistent with the actions being required by State contracting agencies."

Ackerman moved to amend the motion to strike the last sentence of the resolution.

Hall accepted the amendments to the motion.

Motion and amendments passed unanimously.

C. Budget Authority Resolution No. 527

Senate Bill 338 (SB 338) appropriated eight million dollars for deferred maintenance at Lane Community College. ORS 294.326 allows for budget authority for a specific purpose to be authorized without a supplemental budget. This authority will allow expenditure of SB 338 funding this fiscal year without exceeding existing budget authority.

Riggs-Henson moved to authorize the president or her representative to execute the additional budget authority provided for in Resolution No. 527. Holman seconded.

Ackerman pointed out that SB 338 will not be the final name of the stimulus package. **He moved to amend the motion to provide that the president, upon consultation with legal counsel, should have the authority to strike out the reference to SB 338 and insert the appropriate statutory citation.**

Riggs-Henson accepted the amendment to the motion.

Motion and amendment passed unanimously.

D. Bond Planning Update

The board was presented with the sequencing factors, the preliminary bond schedule, and the Preliminary Group 1 Schedule. The college plans to sell bonds in groups in order to complete the projects within three years of sale of the bonds. By the time the architectural work is done for the downtown center, we may have secured the financing, so that work was moved up to include in the Preliminary Group 1 Schedule.

Riggs-Henson moved to approve the Preliminary Group 1 Schedule of projects. McCown seconded.

Bob Mention, Project Manager, informed that board that work on the Performance Hall will begin shortly after spring term ends. The work on the Florence Center should be completed by the end of summer. Work on Building 2 will get started at the end of summer. Deferred maintenance projects will need to have priority over the next few months.

The board encouraged the bond leadership team to keep the public informed of how bond money is being spent. Dave Willis, Facilities Manager, informed the board that a bond communication specialist position will be hired to focus on communication strategy.

Motion passed unanimously.

E. Budget Development FY10

Spilde summarized the discussion in the work session in which the college presented projections of \$440, \$460, and \$485 million. By the next board meeting, we will likely know what the co-chairs' and governor's budgets will be. The college will update the board as we get information from the legislature.

5. Accountability/Reports

A. Benchmarks

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

- Goal Accomplishment of Former Students
- Transfer Students' Satisfaction with Lane Preparation
- Employment of Career Technical Students in Jobs Related to their Training
- Career Technical Students' Satisfaction

B. Emergency Presidential Succession, A.060, Monitoring Report

Spilde responded to questions and comments from the board on the Emergency Presidential Succession monitoring report.

C. Communication and Support to the Board, A.090, Monitoring Report

Spilde responded to questions and comments from the board on the Communication and Support to the Board monitoring report.

D. Financial Conditions and Activities, A.050, Monitoring Report

Morgan responded to questions and comments regarding the Financial Conditions and Activities monitoring report.

E. Financial Conditions and Activities, A.050, Quarterly report

Morgan responded to questions and comments regarding the Financial Conditions and Activities quarterly report.

6. Reports

ASLCC President Josh Canaday reported that the Oregon Students of Color Coalition was held at Lane earlier this month. There was good attendance at the workshops, and Lane staff were very helpful in accommodating the event. Lane Transit District (LTD) bus service has changed, and it is affecting students. Buses are overloaded, and some students are being left at bus stops. ASLCC is meeting with LTD to find a solution to the situation, which may mean an increase to the transportation fee to increase bus service. ASLCC Lobby Day at the Capitol is February 26.

LCCEF President Bob Baldwin distributed a table showing the discrepancy between recent inflation rates and cost of living increases. Many classified staff qualify for public services even at a full-time wage. He has made a proposal in the budget process that we should look at capping managers' wages at \$75,000 annually. LCCEF is dissatisfied with the internal complaint process relating to harassment and discrimination. The union will be filing an unfair labor practice by the end of the week on an issue that was not able to be resolved.

LCCEA President Jim Salt commented on the deferred maintenance project list which includes spending \$1.3 million dollars to change the lock system. Projects that are more clearly linked with providing a quality education should have been submitted. The Association and the College have reached a tentative agreement on the faculty contract.

Unfortunately, it won't be finalized before the next round of bargaining. That was the College's choice; the faculty had asked for a three-year contract. Salt is working up comparative data on faculty salary which will be presented when it is complete. Faculty have been working hard to get support from the federal and state governments; Salt testified at a joint ways and means committee last week. He has attended the last two meeting of the Post Secondary Quality Education Commission and has been disappointed. The commission was charged with determining a model for higher education funding, and yet they are operating as if they are the 40-40-20 education goal committee.

Executive Dean Andrea Newton delivered the report from Academic and Student Affairs. She reported that there is a growth in FTE of 16.9 percent in Winter 2009 compared to Winter 2008. Staff are working hard to accommodate the students to provide a good educational experience. The Business Development Center is trying to maintain their current partners and help them as much as they can during these difficult economic times. Lane County Head Start is now on campus. The Head Start classrooms officially opened in January 2009 with two ½ day classrooms of eighteen preschoolers. This is a new revenue source and collaboration that benefits students, families, children and the college. Chief Financial Officer Morgan shared that the Facilities employees are very busy preparing for bond and deferred maintenance projects. He distributed the biennial report from the KLCC arbitron rating.

Board Reports

Ackerman attended the Oregon Community College Association Legislative Summit at the end of January. Community College revenue and expense budget issues are waiting for the release of the budget forecast. It is remarkable that community colleges were able to avoid a second round of cuts for this year; it speaks well of overall lobbying efforts in Salem.

Holman stated that he is pleased to see the economic stimulus money come to the community college level.

McCown congratulated both bargaining teams on coming to an agreement on the faculty contract.

Albright attended the American Community College Trustee (ACCT) National Legislative Summit in Washington, D.C. He saw Brett Rowlett, our governmental relations director in action and feels that we made a very fine choice in selecting him for the position.

Johnston also attended the ACCT event, and it was great to see the work that all of the community colleges are doing for the students. It's wonderful to see Mary Spilde get national recognition for the work she does.

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

Wednesday, March 11, Boardroom, Building 3, Lane Community College

8. The board meeting unanimously adjourned at 8:51 p.m.

Mary Spilde, President/District Clerk

Susie Johnston, Board Chair