



General Library Item

Name Minutes 2009-06-10

Content

LANE COMMUNITY COLLEGE BOARD OF EDUCATION Minutes - June 10, 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 ASLCC President James Manning.

A. Chair Johnston called the meeting to order at 6:30 p.m.

B. President's Report

It is really hard to believe that this is the last board meeting of the academic year. It's been an incredibly challenging year given the economy, enrollment growth and trying to develop a sustainable, long term budget. Nevertheless, many positive things have happened. I look forward to sharing more of the accomplishments of the college with you in the coming months.

Later this evening you will be asked to adopt a budget for 2009-10. I am pleased to recommend a balanced budget to you. However, I need to reiterate that this budget is a house of cards: it is built on a best estimate of state funding; it is built on an additional 3% growth on top of over 13% this year – this is not sustainable in the long term; it is built on a number of one-time adjustments – whether it is furlough days, materials and services cuts, use of the ending fund balance – this is not sustainable either; it is built on a compensation package for all groups which includes only half steps and another year where we do not catch up on cost of living adjustments. It is built on increases in tuition and mandatory fees. None of this is sustainable, but in these severe economic times it is as good as it can be. It avoids lay-offs; retaining employees gives us capacity to continue to serve students and accommodate growth; there is pain but to the extent possible, it is shared.

I am very concerned about the long term; two years from now the federal stimulus will disappear, creating a huge hole in the state budget; our enrollment may decline as people go back to work; the economy may not improve sufficiently to fill up the state coffers to fill the gap in enrollment or the federal stimulus. I believe the State of Oregon will be on very shaky ground for the next few years and that we will all have to set our expectations appropriately as we move forward. We should address this starting with the board work session in July so that we can update our strategic plan and have that drive the budget development.

We have been working hard at the legislature regarding the support fund as well as funding for the Downtown Campus. Our budget hearing is tomorrow, and I would invite you to attend. Bob Ackerman and I met with Speaker Hunt's staff as well as Rep. Galizio regarding the DTC. We are on the Speaker's list but need to work with the Senate. We are moving forward with discussions with the City of Eugene.

I am happy to tell you that we reached an agreement with the LCCEF after three days of bargaining. I see this as a very similar settlement to the faculty and look forward to ratification in the near future. I feel very fortunate that we have avoided lay-offs and have done everything we can to minimize the impact of a terrible economy on our staff. We had a wonderful celebration of the groundbreaking of the Health and Wellness building. Founding president, Dale Parnell, did a wonderful job of reminding us about why we are here, and it was gratifying to see our generous donors. It was great to see many of the people engaged with the project share in turning the dirt!

Two faculty received the Faculty Recognition Awards this term: Lee Imonen, sculpture faculty member, who is responsible for our site specific sculpture class, and Cara Di Marco who teaches in the Women in Transition program. Congratulations to them.

I will be traveling to Amman, Jordan on Sunday for a week to participate in a symposium with the U.S. Deputy Secretary of Education to share insights about the community college movement. Just as well I became a citizen! I would like to welcome James Manning, the new ASLCC president, to the board table. I look forward to working with him this year. I would like to thank outgoing president Josh Canaday. We have had a very active student government this year. They have participated in councils and have been actively involved in budget development. This is a result of leadership and so I would like to thank Josh and his exemplary team for their contributions to Lane.

I would like to congratulate Susie on her re-election. Also, it is with great sadness that we say thank you and goodbye to two board members for their service to the college, Pat Riggs-Henson and Paul Holman. We will miss you.

2) May Highlights

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

3) Personnel

The college's current personnel appointments were presented.

3) Budget Hearing

A. The board meeting recessed, and the Budget Hearing was called to order at 6:49 p.m.

B. Statements from the Audience

No statements from the audience were made.

C. Budget Recommendations

Riggs-Henson moved to accept the budget proposal as approved by the budget committee on May 27, 2009. Holman seconded.

Ackerman expressed concern regarding the temporary tuition surcharge included in the budget, saying that the college rushed to raise tuition to help balance the budget. Other board members disagreed, explaining that it was the result of underfunding from the state. All of the temporary budget adjustments have been implemented through a process that has taken place over the last six months.

Motion passed 6 -1. Ackerman dissented.

D. Resolution 532, 2009-10 Budget Adoption and Appropriation

Holman moved to adopt Resolution 532, 2008-09 Budget Adoption and Appropriation. McCown seconded.

Motion passed 6 -1. Ackerman dissented.

E. Resolution 533, Imposing and Categorizing Taxes for 2009-10

Hall moved to adopt Resolution 533, Imposing and Categorizing Taxes for 2009-10. Holman seconded.

Motion passed unanimously.

The public hearing adjourned, and the board meeting reconvened at 7:01 p.m.

C. Board Agenda Review/Changes

Consent Agenda Item A, the approval of the minutes from the May 13, 2009, meeting, was moved to Discussion Item 4-I.

D. Statements from Audience

Jim Salt, LCCEA President, expressed dissatisfaction with the inequity between the faculty and classified contracts.

The LCCEA executive board unanimously asked the board not to approve the contract.

Steve McQuiddy, Academic Learning Skills Instructor, distributed a handout on developmental and transitional students. That population of students at Lane is bigger than is commonly perceived.

2A. Consent Agenda

McCown moved, and seconded by Holman, to approve the Consent Agenda consisting of:

- The approval of the May 20, 2009, special meeting minutes
- Printer for the Aspire Publication and Catalog
- Center Roofing Project
- Health and Wellness Building Bid Approvals

Motion passed unanimously.

3. Policy Review**A. Second Reading****1. Tuition, D.110**

The board had conducted a first reading of policy D.110, Tuition, in April. A second reading was scheduled for May but was postponed until the June meeting pending legal review to determine if tuition can be raised twice in one year.

Legal counsel found that the current policy authorizes the board to consider two types of tuition rate changes: 1) adjustments tied to inflation in December of each year; and 2) adjustments "as needed" to ensure that tuition is appropriate to the district needs and comparable with other community college rates. Spilde suggested one change to the policy. The wording was included in the original policy but removed with one of the revisions. With that change, the college is recommending approval of the policy.

Ackerman moved to approve the second reading of board policy D.110, Tuition, with the recommended change. Riggs-Henson seconded.

Motion passed unanimously.

The addition is noted below in bold.

POLICY NUMBER: D.110

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: TUITION

In order to maintain a constant tuition rate relative to inflation, each December, the board will adjust the per credit tuition rate to reflect changes in an appropriate index for two-year public colleges since the last tuition adjustment. The rate will be rounded to the nearest half-dollar and become effective the following academic year (Summer Term).

For other adjustments:

Periodically and as needed, the board will review Lane's tuition rates to ensure: a) that tuition revenues are appropriate for the needs of the district and, b) that Lane's tuition is comparable with other Oregon community colleges that are similar to Lane in terms of student FTE and instructional programs. Prior to approval of the tuition

increase, the board will review the index options, affordability and access for students, and the revenue requirements of the college.

ADOPTED: November 13, 2002

REVISED: July 27, 2004

REVISED: July 13, 2005

REVISED: June 11, 2008

REVIEWED: June 10, 2009

B. First Reading

1. Expanded Options, D.120

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

POLICY NUMBER: D.120

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: EXPANDED OPTIONS PROGRAM

Consistent with Senate Bill 300 (2005 Oregon Laws, Chapter 674, Sections 1-21), the Board is committed to providing additional options to students enrolled in grades 11 and 12 to continue or complete their education, to earn concurrent high school and college credits and to gain early entry into post-secondary education.

Eligible students may apply to take courses at Lane Community College through the Expanded Options Program. A student is eligible if he or she is in grade 11 or 12 or is 16 years of age or older, has developed an education learning plan and has not completed four years of high school. A student must demonstrate preparedness for the intended courses at Lane. A student who has graduated from high school may not participate; however, a student who has completed course requirements for graduation, but who has not received a diploma, may participate in the Expanded Options Program.

Lane Community College will provide written notice to the student's school district and the State Department of Education and shall enter into a financial agreement with the student's district such that each district will be responsible for their students' tuition, fees or other required instructional costs associated with the student's enrollment.

The College does not intend to provide special education and related services to the student.

ADOPTED: April 12, 2006

2. Advertising, D.130

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

POLICY NUMBER: D.130

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: ADVERTISING

GUIDELINE:

Advertisements shall relate to the mission, vision and core values of the College.

TRUTH IN ADVERTISING:

Advertisements shall tell the truth and shall reveal significant facts, the omission of which would mislead the public. Advertisers are responsible for providing accurate copy. Prior to making advertising claims, advertisers shall have in their possession documents that substantiate such claims.

RESTRICTIONS:

Lane Community College reserves the right to refuse any advertisement at any time, including, but not limited to the following:

1. Advertisements that are deemed to discriminate on the basis of age, sex, race, color, national origin, religion or sexual orientation.
2. Advertisements deemed to contain statements, illustrations or implications which are offensive to good taste or public decency.
3. Advertisements for any product or service which if purchased by a qualified individual would be in violation of any law.
4. Advertisements bearing the name/logo "Lane Community College" or "LCC" must be approved by the College.

ADOPTED: September 13, 2006

3. Security of Personal Information, D.140

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

Recent State and Federal regulations, including the Oregon Identity Theft Protection Act and the Fair and Accurate Credit Transactions Act, requires Lane Community College to formally establish an identity theft prevention program. The following board policy is recommended:

POLICY NUMBER: D.140

POLICY TYPE: MISCELLANEOUS

POLICY TITLE: SECURITY OF PERSONAL INFORMATION

Consistent with Oregon's Identity Theft Protection Act (ORS 646A.600 to 646A.628), the Board is committed to protecting the personal information of all College consumers that is included in any college electronic data or written records.

The President is authorized to establish an identity theft prevention program designed to detect, prevent and mitigate the theft of personally identifiable information as defined by ORS 646A.602(11) that is included in any college data, records or that is requested in any college procedures.

This policy applies to any college record or procedure which contains a person's personally identifiable information. In the event of any breach of security, any person whose personal information was included in the breach will be notified as soon as possible, consistent with Oregon's Identity Theft Protection Act.

This policy complies with the Fair and Accurate Credit Transactions Act of 2003, Sections 114 and 315.

4. Discussion/Action Items

A. Developmental/Transitional Learners Presentation

Dawn DeWolf, Adult Basic and Secondary Education (ABSE) Division Dean, and Cathy Lindsley, Academic Learning Skills (ALS) Division Dean, presented information regarding developmental and transitional learners at Lane. These divisions offer pre-college level courses designed to teach basic academic skills. Approximately 25,000 adults in Lane County do not have a high school diploma or GED. Forty-seven percent of students who take our math placement tests test into Math 10 or below. Thirty-seven percent test below Writing 115.

For many reasons, a fair number of Lane students are in transition. The goal is to entice and prepare more students to transition into college level courses. Students are served in ABSE, ALS, English as a Second Language, Mathematics Division, and many other programs, such as TRIO, Women in Transitions, and Academic Advising.

Ruben Holguin, an ALS student and recipient of the Register Guard scholarship, addressed the board. He was laid off and came back to school at the request of his children. He was skeptical, but Lane instructors taught him techniques to overcome his dyslexia. His goal is to become a counselor; he never would have thought it was possible until he came to Lane.

Bethany Metcalf is a student who started in the Women in Transitions program. She came to Lane to become a pediatric dental hygienist. She tested into Math 10 and avoided it at first. Now, she has done surprisingly well. She has encountered great teachers and a positive learning environment. Completing math has opened the door to become successful and ultimately attain her goal.

B. ASLCC Election Results

Hall moved to approve the May 2009 ASLCC election results. Holman seconded.

Motion passed unanimously.

C. Facilities Update: Bond and Deferred Maintenance

Greg Morgan, Chief Financial Officer, informed that board that \$45 million in bonds will be taken to the market in the next few days. It appears that we will be able to keep the amount under \$.25 per \$1,000 of assessed property tax value.

D. LCCEA Contract Ratification

Spilde informed the board that she had spoken with Salt regarding his concerns. There is disagreement about the figures; last year, there were one-time allocations to faculty salaries that were not intended to be included in this year's bargaining. A 2.3% salary adjustment was arrived at through the negotiation process. The college intended that each group would receive equitable treatment, which in this case was a 2.3% salary adjustment and a half step. When looking at bargaining history over time, faculty salaries have been raised 19%, while classified has been raised 15%. Ackerman moved to approve the contract between the LCCEA and the Lane Community College Board of Education. Albright seconded.

The board discussed whether or not the faculty contract is equitable to the classified contract. The board encouraged the college to find an objective definition for "equitable" before the next bargaining period so that there isn't any last minute pressure. Board members recalled that the savings from moving to OEGB insurance that was given to the faculty was a one-time allocation and would not be recurring. Spilde reiterated that the college bargained in good faith with the understanding that the OEGB savings was decoupled from the salary schedule.

Motion passed 6 -1. Riggs-Henson abstained.

E. Legal Services

Spilde explained that, in accordance with state statute and board policy, the college periodically reviews its need for legal services, and issues a Request for Proposals (RFP) to qualified firms for the required services. The college last solicited for legal services in 2002, and last year a review was performed to determine whether contracted or "in house" services would best meet the college's needs; a decision was made to solicit for contracted services this year. Two firms were interviewed by a committee that included board members Johnston and Ackerman.

Riggs-Henson moved that, in accordance with the proposal documents, Gartland, Nelson, McCleery, Wade & Walloch, PC, of Eugene, Oregon, be awarded the contract to provide board and administrative legal services to Lane Community College. The total annual cost of services will depend upon the number of hours required; the contract provides for a retainer in the amount of \$102,000 for FY 2010, to be paid monthly in the amount of \$8,500. Albright seconded.

Motion passed unanimously.

F. Accreditation Standards Overview

Christian informed the board that Lane's regular interim accreditation visit is scheduled for October 2009. It has been five years since the accreditation was awarded. Christian is the chief accreditation liaison officer. The interim visit will ensure compliance with the nine standards; each of the standards is assigned to one of the governance councils. The board will receive a copy of the interim accreditation report in September.

G. President's Evaluation and Goals

The board has conducted the annual performance evaluation of President Mary Spilde. Johnston read a summary of the board evaluation, stating that Spilde continues to demonstrate extraordinary leadership. Spilde received an outstanding performance evaluation for the eighth consecutive year.

Riggs-Henson moved to accept the results of the 2008-09 president evaluation and to authorize chair Johnston and vice chair Albright to complete the contract details. Holman seconded.

Motion passed unanimously.

H. Board Evaluation

The board received the results from the 2008-09 board evaluation and self-assessment. The results will be discussed and goals will be set at the July retreat.

I. May 13, 2009, Meeting Minutes

Ackerman moved to approve the corrected the minutes from the May 13, 2009, board meeting. Holman seconded.

The correction is as follows:

The motion on Item 3-A-3, the second reading of board policy D.110, Tuition, should read:

"Riggs-Henson moved to postpone ~~table~~ the second reading of D.110, Tuition, to the June meeting pending review by legal counsel. Albright seconded."

Motion passed unanimously.

5. Accountability/Reports

A. Benchmarks

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

- Students 16 to 19 Years of Age Enrolled in Credit Classes
- College Now Enrollment
- College Now Students Enrolled in Credit Courses (not College Now) One Year Later
- Number and Percent of Recent HS Graduates Attending Lane

B. Treatment of Learners, A.020, Monitoring Report

Christian responded to questions and comments regarding the Treatment of Learners Monitoring Report.

6. Reports

ASLCC President James Manning looked forward to working with the board.

LCCEF Vice President Alen Bahret reported that classified staff are busy preparing for the end of the academic year. Some staff are done for the year, some will work part time, and the rest will work full time to ensure that summer term runs and prepare for fall term. Because of the enrollment growth this year, this year has been tiring. Members are reviewing the tentative agreement between the college and LCCEF and will be voting on June 18. Bahret expressed support for the faculty union; it is difficult to see the equity issue arise. The Facilities crew was recognized for their hard work on bond and deferred maintenance projects and for bringing in many new temporary employees. LCCEA President Jim Salt appreciated the support from the classified union and made it clear that the association's concerns are not with them or with managers. LCCEA is only asking for equitable treatment. Salt was disappointed that the board approved the contract even though it is not supported by the faculty. Salt brought up a question raised by budget committee member Marston Morgan regarding the employer PERS rate. Salt claimed that CFO Morgan asserted that the rate is going up, but it is actually going down. Salt had requested a report and hasn't received one. Salt encouraged everyone to organize and put pressure on the legislators who voted against the community college support fund. Community colleges are getting hit harder than the other sectors of education.

Vice President Sonya Christian recognized Holman and Riggs-Henson for their work on behalf of the college. She assured the board that ASA will strive for an ambitious enrollment growth for next year. Two former Lane track and field Titans qualified for nationals in their events over the weekend. At the Cottage Grove campus, High School Connections hosted 200 middle school students on May 15.

Chief Financial Officer Greg Morgan acknowledged the hard work of the Facilities team. He expressed appreciation to Riggs-Henson and Holman as volunteers who give their time and talents to the greater common good. In response to Salt's comments regarding PERS, Salt is correct that in the next year rates are temporarily going down over the next two years, but consultation with PERS indicates a substantial increase in two years. Therefore, funds should be kept in reserve to cushion the increase.

Board Reports

McCown thanked Holman and Riggs-Henson for their time and mentorship and all they have done for the college. Hall reported that one of the best things he has done at Lane was to serve on the search committee that hired Mary Spilde. He is thankful that she is our president; those that criticize her should live in her shoes for a week. He thanked LCCEF for arriving at a tentative agreement with the college. In response to Salt's comments, Hall stated that the college's bargaining unit does not bargain in bad faith, and that there was a misunderstanding on how funds were treated. To imply that somehow the college has bargained in bad faith is not going to benefit the college, LCCEA, or the morale of the employees. Hall stated that it has been a privilege to serve with Holman and Riggs-Henson and thanked them for their work on the board.

Riggs-Henson reported that she will miss everyone at Lane. The board has been a joy to work with, and she has appreciated the level of respect for board members have shown each other.

Albright acknowledged Holman and Riggs-Henson's commitment to the college and thanked them for their service.

Ackerman thanked Holman and Riggs-Henson for their contributions to the college. He believes that Lane's governance process is unique and brings out the best in board members. Much of the reason is that Lane has a president that fully believes in shared governance.

Holman thanked everyone for the accolades, stating that it has been an enjoyable, and frustrating at times, seven years. The experience has been very educational and informative.

Johnston reported that it was a pleasure to attend the Health and Wellness Center groundbreaking. She also attended the GED awards ceremony and appreciated the presentation and students that spoke. Johnston congratulated Spilde on her well deserved evaluation. She thanked Holman, who was one of the first board members she got to know, and Riggs-Henson, who was a mentor for her.

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

Wednesday, September 8, 2009, Boardroom, Building 3, Lane Community College

8. The board meeting unanimously adjourned at 8:45 p.m.

Mary Spilde, President/District Clerk

Board Chair