



General Library Item

Name Minutes 2010-12-08

Content

LANE COMMUNITY COLLEGE BOARD OF EDUCATION MINUTES December 8, 2010

1. Attendance

Board members present: Bob Ackerman, Pat Albright, Susie Johnston, Tony McCown, Sharon Stiles. Board members absent: Roger Hall, Gary LeClair. Also present were: President Mary Spilde; Vice President Sonya Christian; Chief Financial Officer Greg Morgan; Legal Counsel Meg Kieran; Lane Community College Education Association President Jim Salt; and Lane Community College Employees Federation President Bob Baldwin; and Associated Students of Lane Community College President Mario Parker-Milligan.

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

B. President's Report

First I would like to welcome our new Public Safety Director, Jace Smith. He has vast experience both in higher education, health care, and safety and security. Welcome to Lane, Jace! We're really glad you are here.

Lane has been invited to collaborate in a study by the Sustainable Endowment Institute that will be a one-of-its-kind analysis in how to fund green initiatives on campus. The study will feature Lane's Energy Conservation Fund and share best practices among colleges. It will be published in early 2011.

The State Accident Insurance Fund is giving us a dividend of \$59,667, a reimbursement on our premiums, for our outstanding safety and workers compensation claims record. This is in addition to another dividend of over \$50,000 given to us in the past year. Everyone at Lane deserves credit for emphasizing safety and minimizing work-related injuries and illnesses.

We celebrated the long awaited grand opening of our Native American Longhouse last week. I want to thank everyone who attended. Special thanks to Donna Koechig for her leadership of this project, to the Longhouse Committee for its months of planning and fundraising, and most of all to our students for making this dream come true. We are also grateful to the Spirit Mountain Community Foundation for another \$20,000 grant for audio-video equipment.

On the same day as the longhouse grand opening, a retirement celebration was held for Florence Center Director Bob Purscelley. His retirement will be official at the end of this month. We will miss him for his tireless enthusiasm for Lane and the Florence Center.

Although receipts are still being tallied, I'd like to congratulate the We Care Committee for helping raise more than \$95,000 so far in the employee giving campaign. Special thanks to campaign chairs Carol McKiel and Patty Parks, and to Janet Anderson and Tiana Marrone-Creech of the Foundation.

I would like to commend Elizabeth Andrade of the President's Office. She has been appointed to serve on the City of Eugene Human Rights Commission. Elizabeth is chair of Lane's Diversity Council.

Governor-elect John Kitzhaber announced Monday that I will be co-chairing his Post Secondary Education Team along with Duncan Wyse, president of the Oregon Business Council. Springfield Schools Superintendent Nancy Golden and former Republican-gubernatorial candidate Ron Saxton were selected to co-chair the team addressing elementary and secondary education issues.

The December Revenue Forecast released on November 19 contained some good news: For the first time in over two years, the quarterly forecast is up by \$61.9 million (and up by \$69.7 million including projected lottery increases.) The increase in revenues is the result of a change in funds withheld by individuals for estimated April tax payments. The forecast also included news that the budget gap for the upcoming biennium has widened again by \$272 million (or \$266.8 million including increased lottery resources).

Oregon House Democrats selected Representative Arnie Roblan to be their Co-Speaker-nominee for the next legislative session. He is expected to share duties with Republican House Leader Bruce Hanna. Dave Hunt is expected to remain as House Democratic Leader. Party leaders continue to work on details for how committees will function. On the Senate side, Peter Courtney is anticipated to remain Senate President.

There have been some significant developments on the higher education governance issue that we discussed at length last month. The Legislative Workgroup on Higher Education met on November 19 to hear reactions to LC 2861.

Subsequent to that meeting, the co-chairs of the workgroup, Senator Hass and Representative Read, requested a meeting with community college advocates. The meeting was extremely productive, and we have made significant progress on the bill. As a result of the meeting, Senator Hass and Representative Read agreed to remove from the bill

all changes to community college governance and leave community colleges under the Board of Education. However, both legislators stressed the need for a venue at the state level for deliberate discussion and recommendations for state investment of money into post-secondary education to further the state goals.

Last week, the National Commission on Fiscal Responsibility and Reform, which was tasked by Congress and President Obama to address our nation's fiscal challenges, released its report. The Commission was charged with identifying policies to improve the fiscal situation in the medium term and to achieve fiscal sustainability over the long run. Of note, the report stated that increased funding should be focused on "high-priority investments America will need to remain competitive, such as increasing college graduation rates."

One more time, I want to thank our students and staff for preparing and serving food at the Annual Whiteaker Community Dinner, and for their successful sleeping bag drive. You can read more about that in the monthly highlights in your packet.

I will just mention that last month I attended the annual conference of the Oregon chapter of American Association for Women in Community Colleges. Next week, Brett, Susie in her OCCA role, and I are registered to attend the Oregon Business Plan Leadership Summit in Portland.

I think everyone is aware of the college's decision to cancel a new non-credit class titled "What is Islam" in order to more carefully consider, in consultation with our faculty, how best to provide students a rich learning experience on religious topics. It was a decision that was made with due diligence, taking into account many perspectives and issues, including academic freedom, impact on our community, and intellectual inquiry. Ultimately we concluded that, in the context of recent events in Corvallis and Portland, the reasonable and thoughtful thing to do was to take a step back and give ourselves time to give more thought, more consideration, and more care to how we want to provide a learning experience on delicate subjects such as this. We are not stepping away; we're stepping back. The college began this process of thoughtful consideration not in response to pressure from any outside group, but because of the college's responsibility to make sound instructional decisions based on its mission and core values and on student, college and community needs.

It seems that two groups that I'd never heard of before last Thursday are making demands on the college. While it seems there might be a political agenda here, it is our job to focus on an educational agenda. Since cancelling the class resulted in news coverage and public input in support of and in opposition to the decision, it underscored the importance of the topic and the need for the college to carefully and thoroughly discuss how best to provide a rich learning experience. In fact, the response we have had makes me even more sure that it makes sense to take time to develop the kind of academic exploration we believe is needed. And this is why we have engaged our faculty in the discussion.

Some ideas under discussion include holding academic colloquia open to the public, inviting visiting scholars, or scheduling additional credit classes. As an educational institution, we do have a responsibility to discuss delicate and perhaps controversial issues, but in doing that we want to assure that we create an environment that is academic balanced with multiple perspectives. So in closing, I would just like to say we did not cave to pressure from any outside organization calling for the college to drop the class, nor will we succumb to demands to reinstate the class. Lane's instructional decisions have been and will be based solely on the best interests of Lane's students and the community.

I'd like to note that earlier today the college's Diversity Council passed a resolution supporting the college's decision to take appropriate and thoughtful response to the issue and also committed to work with the college at this teachable moment to do what is best for students, community, and the college. I'd like to turn it over to Sonya Christian, our chief academic officer, for a moment to make some comments.

Sonya Christian:

Academia is an appropriate environment to discuss controversial and delicate issues, whether those of economic justice, racialism or the role of religion in society. The academy is a place where deep intellectual engagement occurs, an environment free from fear that is dedicated fully to learning, to the expression of multiple perspectives, to a diversity of ideologies, allowing students to stretch their thinking and wrestle with new or difficult ideas.

As Chief Academic Officer, it is my personal responsibility to ensure that this is the case at Lane Community College. We have a comprehensive mission and, as an institution by design we support scholarly activity and a balanced approach. We have credit courses that are the core of the curriculum, rigorously vetted by the curriculum committee, with faculty selected because of deep academic training. We also offer non-credit classes to serve the community, taught by community members and taken by community members for a multitude of reasons, both personal and professional. Deans and directors are constantly creating, opening and canceling classes of both types; a routine part of their roles as managers of their departments.

The class in question was a new non-credit class, proposed by an individual from the community, and which was canceled for the winter term. The academy has ultimate responsibility over its curriculum and its personnel – we are not coerced by external agencies and remain true to our mission, core values and purpose. Two of our faculty in the religious studies program, Jeff Borrowdale and Cliff Trolin, along with Ken Murdoff, Division Dean of Social Science and myself, are starting to engage a larger group of faculty in this conversation. In the winter and spring we will be organizing academic colloquia and seminar series aimed at providing conceptual clarity, answering questions, and addressing issues. These colloquia and seminars will provide an opportunity for multiple views to be expressed and examined.

It should be noted that Lane routinely offers courses in Religious Studies. One of the courses is Religions of the Middle East, where Judaism, Christianity and Islam are treated in equal segments, where faculty conduct panel discussions and regularly bring in Muslim students to participate as panelists. The introductory courses of our religious studies program at Lane are broad, deep and robust, and are recognized as being so by faculty from the University of Oregon and Oregon State University.

By engaging in what the academy does best, the college and community at large will have a forum both to speak and be heard, to understand and be understood in an area where the ideas expressed can sometimes be challenging and demand the best of us.

President Spilde:

I will conclude my report with best wishes to all for a safe and peaceful holiday.

1) November Highlights

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

2) Personnel

The college's current personnel appointments were presented.

C. Board Agenda Review

No changes were made to the agenda.

D. Statements from the Audience

Michael Williams, co-chair of Community Alliance of Lane County Board of Directors and member of the Anti-Hate Task Force, expressed support for the college in cancelling the Islam class. Williams has seen several of Sommer's lectures, television shows, and read his writings. His approach is characterized by finding the most damaging and negative possible things from Koran and taking isolated incidents and applying them to all Muslims.

Dan Bryant, senior minister of First Christian Church, supported the college's decision to cancel the "What is Islam" non-credit course. Bryant is active in the interfaith community. When one house of worship is attacked, all stand together in support. While it is appropriate for the college to offer a course on Islam, it should be done with consideration and in consultation with local Muslim leaders.

Silver Mogart, student, thanked the board for passing a resolution last January to support the Dream Act, which passed today in the House of Representatives and now goes on to the Senate. If passed, it would provide a path for immigrant youth to go into the military or attend college.

Stan Taylor, political science instructor, has taught peace and conflict and constitutional law. Taylor supported the college's decision to step back and develop a broader perspective in teaching religion, including Islam. There has been a lot of rhetoric surrounding this issue regarding free speech, but freedom of speech is not the same as freedom to teach. That distinction needs to be understood. To offer the class would be in direct contradiction to the college's core values, which include promoting diversity, cultivating a respectful environment, and developing the capacity to understand issues of difference.

Grady O'Connor, track coach, stated that he met this morning with the Oregon Track Club and talked about Lane's track upgrade, where the University of Oregon track coach noted what a top notch facility we have here now. Lane is now able to be a practice site for events such as the Olympic trials, championships, and U.S. meets. Grady thanked the board and the bond team for the track upgrade.

Daniel Williams, a Lane student, stated that he had heard about the controversy surrounding the "What is Islam" class and thanked the board for holding the college to high academic excellence.

Serifa Lake, member of the Anti-Hate Task Force and Springfield Alliance for Quality and Respect, was reassured that Lane is taking a serious and diligent attitude regarding the Islam class and views it as a teachable moment. Lake stated that the community is behind the college in its efforts.

Katie Bidwell, student and women's soccer team player, stated that the Titans won their first playoff game on the new facility.

Elizabeth Andrade, chair of Lane's Diversity Council, read the resolution passed by the council this afternoon: "The Diversity Council supports Lane Community College's decision to cancel the continuing education course "What is Islam?"; Lane Community College's plan to review relevant college policies and procedures and develop appropriate and thoughtful responses to the issues the scheduling of this course raises for our college; and Lane Community College's commitment to promote college dialogue on this 'teachable moment.'"

Rachel Jensen, cross country athlete, stated that both men's and women's cross country teams did really well last season. She invited the board to come watch the first meet on March 12 and noted that the southern regionals championship will be hosted at Lane for the first time on May 14.

2A. Consent agenda

Albright moved, and seconded by Stiles, to approve the Consent Agenda consisting of:

- Approval of the November 17, 2010 minutes
- Advisory Committee Memberships

Motion passed unanimously.

3. Policy Review

A. Second Reading

1. Use of Tobacco, D.160

Ackerman moved, seconded by Johnston to approve the second reading of board policy D.160, Use of Tobacco.

Motion passed unanimously.

POLICY NUMBER: D.160
 POLICY TYPE: MISCELLANEOUS
 POLICY TITLE: USE OF TOBACCO

Smoking and all other tobacco use is prohibited in all core areas of Lane's Main 30th Avenue Campus; smoking and tobacco use is allowed in four designated peripheral areas only. Smoking and other tobacco use is prohibited completely in all other Lane campuses and locations. Limited exemptions to this policy may be allowed when tobacco has a ceremonial use.

ADOPTED: December 8, 2010

B. First Reading

1. Officers of the Board of Education, B.100

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

POLICY NUMBER: B.100

POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: OFFICERS OF THE BOARD OF EDUCATION

The board of education shall have as officers a chair and a vice chair to be elected by the board at its annual organizational meeting. The board shall then appoint the college president as the clerk of the district. Deputy clerks may also be appointed at this time to perform such duties as recommended by the president.

ADOPTED: November 9, 1998

REVISED: December 10, 2003

REVIEWED: January 9, 2008

REVIEWED: December 8, 2010

B.2. Board Job Description, B.120

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

POLICY NUMBER: B.120

POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD JOB DESCRIPTION

The job of the board is to represent the people of the college district in determining and assuring organizational performance.

The board is legally vested with final decision making in all matters of board policies, programs, facilities, budget, and personnel.

Consequently, the contributions of the board shall include:

1. The link between the organization and the citizens of the district.
2. Written governing policies which, at the broadest levels, address:
 - A. Ends: Organizational products, impacts, benefits, outcomes (what's good for which needs at what cost).
 - B. Executive Directions: Directions for executive authority which establish the prudent and ethical boundaries within which all executive activity and decisions must take place and monitors its own task.
 - C. Board-President Relationship: How accountability/authority and duties are delegated and monitored.
3. The assurance of presidential performance.

ADOPTED: November 9, 1998

REVISED: February 11, 2004

REVIEWED: February 13, 2008

REVIEWED: December 8, 2010

4. Discussion/Action Items

A. Auditor's Report

Greg Morgan, Chief Finance Officer, and Scott Muller, auditor from Kenneth Kuhns & Co., answered questions and responded to comments regarding the audit report.

B. KLCC Presentation

Steve Barton, KLCC Director, presented information on the college's radio station. The station began as an Electronics Department project in 1967 and joined the public radio system in 1971. The station was located on main campus until 2008, when it moved to a new building in downtown Eugene.

KLCC has a strong news department which has won many awards. Many genres of music are played; most programs are hosted by community volunteers who provide historical context to the music and information on the artists. These days, localism is more important than ever; KLCC is expanding its role as a community institution. The budget is a challenge, but the future is bright as long as staff remain flexible and are prepared for change.

Barton introduced Cheryl Crumley, a community member and longtime listener, who appreciates efforts to keep the station local. Crumley sees KLCC as a sort of community water cooler where you can stay abreast of the happenings around the county.

C. Downtown Campus Update

Morgan provided a handout on the summary of sources for the Downtown Campus funding. Spilde estimated that the funding needed is \$35 million. Including new market tax credits, we will have approximately \$31.55 million. A handout regarding funding options was distributed.

In terms of recovery bonds, we already have the authority to sell \$22 million. Infrastructure costs for the educational building could move to housing, which would lessen the cost of the educational building and increase the cost of the housing.

Jill Sherman from Gerding Edlen addressed the board, stating that when the project was started costs were allocated to the academic project since it was more concrete than housing at the time. These costs could now be reallocated to the housing building.

Sherman explained that the housing project was originally planned as four stories. It could be a five-story building, which would mean an additional 50 beds. The analysis shows the cost per square foot decreases with a five-story building, and the operating expense per bed goes down slightly. We are currently doing value engineering to try to bring down costs.

Spilde stated that the housing project would need a vote from the board tonight, and a funding options decision would be preferable in January in order to stay on schedule.

Albright moved, seconded by Stiles, to approve a five-story residential building for the Downtown Campus.

Motion passed unanimously.

D. Tuition Inflation Index

Greg Morgan noted that Board Policy D.110, adopted in November 2002, calls for the board each December to adjust the tuition rate for inflation using "an appropriate index for two-year public colleges." For the year ending June 30, 2010, the Higher Education Price Index (HEPI) showed an annual inflation rate of .9% percent. In comparison, the CPI-U showed inflation at 1.05% percent for the same period. Using either index, the tuition rate adjustment for 2011-12 academic year would be \$1.00 per credit hour.

Albright moved that the board approve the HEPI as the appropriate inflation index. Johnston seconded.

Motion passed unanimously.

E. Tuition Rate Adjustment

Using the HEPI index, the tuition rate adjustment for 2011-12 is \$1.00 per credit hour. Spilde stated that, while no one really wants to raise tuition, budget projections for next year call for a slight increase. Lane is in a much better position than some other community colleges that have to raise tuition as much as \$9 during this academic year. By keeping up with inflation gradually, Lane is able to implement just a slight increase annually. Board members were reluctant to increase tuition but realistic about the unpromising budget scenario.

Albright moved to approve an increase of \$1.00 per credit hour as the appropriate inflation adjustment for FY 2011-12. Johnston seconded.

Motion passed unanimously.

F. Budget Development

Spilde informed the board that the state has not released figures yet for the community college support fund. We will get a figure to work with, but it will be low. Different projections are being developed from a support fund of \$417 million to one of \$375 million. At \$417 we are looking at a deficit of over \$2 million, but this does not include salary raises. The administration will have firmer projections in January.

There are discussions that the Department of Administrative Services is thinking about a way to mitigate the maintenance of effort by taking the 8th payment we get in July and moving it to this year, which would only short us in the next biennium.

5. Accountability/Reports

A. Benchmarks

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

- General Fund Revenues and Transfers by Source – Lane
- General Fund Expenditures by Category – Lane
- General Fund Operating Expenditures – Lane and All Oregon Community Colleges

B. Facilities Update

An update on the status of bond and facility projects was presented to the board.

6. Reports

ASLCC President Mario Parker-Milligan reported that ASLCC stands by the administration's decision to cancel the non credit Islam class for all of the reasons previously stated, but ultimately because it would not have been aligned with the college's vision, mission, and core values. Parker-Milligan noted that the DREAM Act passed in the House of Representatives. He urged everyone to call Senators Wyden and Merkley in support of the act. He has been working with the Online Education Resources team to provide online resources. A space has been found for the no cash clothing stash, which was displaced with the building 5 remodel last summer. Parker-Milligan encouraged everyone to attend the Martin Luther King, Jr., celebration on January 17. ASLCC is working with high school students to recruit them for the MLK march. ASLCC is planning an end of the year student appreciation celebration in Downtown Eugene that would be held annually.

ASLCC Vice President Wesley Smith thanked the board for working hard to open the Longhouse.

LCCEF President Baldwin commented that he supported the college's decision to cancel the "What is Islam?" non-credit class. As union president, he had asked several questions about the decision and concluded that the class did not support our values. Lane's governance system provides an infrastructure which allows the college to include the college community in decisions and not just the authority of the district. If removed, the district would still have the authority, but it could not be said that decisions are made with the support of the community. It is a privilege and

honor to be a part of that structure. However, if the board decides to divert general funds to help with the building of the Downtown Campus before taking the issue to the governance councils, the college is inviting the perception that important decisions are made outside of the governance process. Also, if funds are diverted at the same time that the college pleads poverty in terms of contract negotiations, it could jeopardize support of the Downtown Campus project. Baldwin asked the board to allow for internal discussions regarding funding before making decisions.

LCCEA President Salt stated that he personally supported the college's decision to cancel the Islam class and take time to decide how to deliver the material. He noted that as a college, we will deal with controversial issues from time to time. He attended the National Education Association meeting in Washington D.C. last week. Salt reminded the board that part of the association's economic reopening called for a review of the audit and note the annual loss or revenue. When college goes to employee groups and projects a deficit, employees agree to rollbacks. Then if the college produces revenue, that's a problem. The association will be responding to the college. He commented that the options to help fund the Downtown Campus project from the general fund directly or indirectly are not only inconsistent with expectations but are also inconsistent with assurances that the college would not use general fund dollars to fund the project. He asked that the board and administration maintain that position; the association does not want to be in the position where support for the Downtown Campus project is threatened.

Vice President Christian reported that the state's community college support fund could go as low as \$358 million for the next biennium, which is lower than even the worst funding era of 2001-02.

Chief Financial Officer Morgan reported that the bond rating of A+ was reaffirmed, although he had hoped we would do better. The main barrier of a rating increase is a less than adequate level of reserves. Morgan commented on the use of the HEPI inflation index for academia, noting that Lane employees received four times the national average in salary and benefits increases last year.

Board Reports

Albright commended Morgan and the budget office staff for keeping good books and getting a sterling audit report. The circumstances of the new Downtown Campus reminded Albright of the community concern around 1980 about whether to build a conference and performing arts center, since we were in a recession at that time. It went to a public vote and passed, and now we have the Hult Center. It seemed a chancy commitment at the time, but now we can look back and see what an incredible asset the center is for the community. We are going to go through some questionable periods as we look at the Downtown Campus project, but he is convinced that, like the Hult Center, this is one of the best things that has been offered to Eugene and Lane County. Albright noted that many of those connected to the building of the Longhouse graduated from Madras High School, whose mascot is the mystical white buffalo.

Ackerman reported that he was a charter member of Civil Rights of Lane County. He thanked Spilde and her staff for developing a comprehensive approach to the issue regarding the non credit course. Ackerman attended the Longhouse Grand Opening ceremony. He also had a chance to see the amazing new track facility. He would have no objection to diverting some funds to the Downtown Campus since it will be a one-time chance to do something great for education and the community. It would not be a recurring expense and would bring the project into balance.

Johnston congratulated Spilde and Springfield Superintendent Nancy Golden for being appointed to the governor-elect's transition teams. More Eugene women are representing at the state level! Johnston was sorry that she missed Purscelley's retirement party, but she did attend the Longhouse Grand Opening, which was a very special ceremony. Johnston noted that the new track facility is indeed amazing. Regarding the cancelled class, Johnston appreciated the college's ability to deal with issues quickly and stand behind its mission.

Stiles commended Morgan for the clean rating on the college's audit. She applauded Spilde for her appointment to the governor elect's post secondary education team. Stiles attended Purscelley's retirement celebration at the Florence Center. It was a wonderful turnout. The selection team for Florence's new director received 50 applications, which have been narrowed down and 5 applicants will be interviewed on December 15 and 16.

McCown assisted in the food preparation for the Whitaker neighborhood dinner. It was quite the experience and great to see community and staff at the event. McCown attended the Longhouse grand opening, which was a phenomenal experience and drew Native American tribal members from all around the state and beyond. He encouraged all to attend the Martin Luther King, Jr., event at the Hult Center on January 17. McCown clarified that any funds that might be used for the Downtown Campus would come from the fund for capital improvements, not dollars that are designated for other purposes.

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

Wednesday, January 12, 6:30 p.m., Boardroom, Building 3, Lane Community College

8. The board meeting unanimously adjourned at 9:46 p.m.

Mary Spilde, President/District Clerk

Tony McCown, Board Chair