

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
June 29, 2007

Special Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 3:09 p.m.

Roll Call

Present: Hollister, Pelleran, Proctor, Rasmusson, Smith, Laverty
Absent: Canady

Trustee Canady arrived at 3:11 p.m.

Limited Public Comment Regarding Agenda Items

Sankofa Shule Public School Academy

Willie Davis: My name is Willie Davis, Adjunct Professor at Lansing Community College for 25 years. Based on the Supreme Court decision that was made on yesterday, that interest to diversify schools is limited, African centered schools do a lot to place black children with positive orientation toward themselves. This is sometimes hard to find using your century centered methodology. African centered education refers to the confident of origin of all of us. It is truly an authentic education of which all children can relate to because it is inclusive of all diverse groups in every continent. This school and Lansing Community College can go a long way to helping to heal the rift in education based on race because only one race came out of Africa; the human race. Lansing Community College can set a standard of global education, humanitarian education and continuous firm commitment of education for all. This will also guarantee that many children can continue their school home and also garner financial resources for Lansing Community College.

Samuel Duncan, Jr.: Pastor Samuel Duncan of the Lansing Church of God in Christ and also a Board Member of the Sankofa Shule Academy. I wanted to just voice my concern and appreciation for your consideration in this matter and hopefully you will think of the children as we have. As a leader in the community, that was my primary purpose for becoming a Board member; for the children and for providing them with the opportunity to have a afro centric learning and also the opportunity to be in a environment that would have positive role models that would shape and mold them into their future. When I heard about the history of

the school, I knew that I wanted to be a part of this endeavor. Again, I ask that you would give it your favorable consideration.

Sankofa Shule Public School Academy

MOVED by Trustee Canady and supported by Trustee Smith to initiate the authorization process of Sankofa Shule Public School Academy.

Trustee Smith stated that the Board has received a lot of information as well as a lot of response from the Community. She stated that as an educator she felt that losing Sankofa would be a lost to the community and that she had concerns with Central Michigan's University's oversight of the Charter. She also stated that this was not the first time that CMU revoked a Charter. Trustee Smith stated that Charter Schools are public schools and gives students the opportunity for a broader based curriculum. She stated that Sankofa was a school that was achieving its yearly progress and wanted to go on record to say that she believed that the community could benefit from Sankofa with the oversight being done by someone within the community. Trustee Smith stated that she will be supporting an authorization for Sankofa Shule Public School Academy.

Trustee Rasmusson asked that Ms. Michelle Gallagher give a report on her findings in examining the finances of Sankofa.

Ms. Michelle Gallagher reported that she put documentation together with the help of LCC CFO, Catherine Fisher. Ms. Gallagher stated that she is submitting facts and not offering an opinion. Ms. Gallagher provided the following information:

- An estimated cost of \$100 to \$135 thousand, to the College, to be the authorizer of one charter school. She stated that this was based on industry research.
- It was concluded that the College would need to hire an administrator who could oversee the charter school program within the college and at least a half time assistant.
- 100 students would cost \$100,000 and 200 students would cost \$135,000. She further stated that LCC would need to break even with about 145 students.
- Citgo, who was hired by Central Michigan University to do a financial analysis in April of 2007, projected over a \$200,000 deficit in the school operations. Citgo's break even analysis was also 145 students.
- Sankofa has a debt reserve fund that was required by their financier. She stated that this balance of \$350,000 can only be used for debt services and not operational matters.

- Ms. Gallagher reported that Sankofa had no payable and that they are expecting a very large payment from the State and will be in a cash positive position throughout the summer.

Discussion followed.

Chairman Lavery stated that he will not be supporting the motion. He stated that this not because he doesn't appreciate what Sankofa Shule does and thinks they are doing a lot of good. He stated that he doesn't feel it is the right time for Lansing Community College to enter into another endeavor such as this. Chairman Lavery reported that Lansing Community College already has a high school graduation initiative. He stated that this initiative has been a lot of work and is not where it needs to be. He further stated that he would like to see the College put its effort in High School Graduation Program. Chairman Lavery stated that in light of the budget cuts from the State this is not a good time. He stated that this proposal coming to the Board will open up some additional dialogue between Lansing Community College and the importance of working with the K-12 institutions within this area.

Trustee Hollister stated that he believed that losing Sankofa would be detrimental to our community. He stated that having local authorization for local charters would be beneficial to Lansing. He further stated that this is something that the Board should explore in the future. Trustee Hollister stated that although he is not a proponent of additional charter schools that they have to realize charter schools are not going away and they have to embrace that and be apart of that dialogue. He stated that he sees this as a major shift for the College and thinks it would be premature to make that strategic shift based on the circumstances as unfortunate as they are. He stated that the discussion that is needed, they have not had and it would be premature to make this decision at this point and also could not support.

The question was called by Trustee Smith.

Roll call vote:

Ayes: Canady, Smith

Nays: Hollister, Pelleran, Proctor, Rasmusson, Lavery

Absent: None

Motion failed.

Trustee Rasmusson stated that he would be in favor of the Administration looking into becoming an Administrator in the future.

There were no objections from the Board.

Trustee Pelleran thanked the college staff, the Michigan Department of Education, Central Michigan University, and the administrators at Sankofa for providing the Board with the information that they asked for to make this educated decision today.

Trustee Smith thanked Sankofa for the educational opportunities that they have provided to this community. She stated that it saddens her today that they will no longer have this as an educational avenue for our students.

Legal Expense Review

Chairman Lavery stated that the next item on the agenda was the legal expense review. He called on Trustee Pelleran.

Trustee Pelleran stated that she would pass.

Chairman Lavery stated that this would be an appropriate time to bring up the fact that the Board received a letter from State Representative Michael Sak. He stated that when he got the letter he wasn't aware if everybody had gotten it, but he did have it and had copies of it in front of him. He stated that he believed that every one had gotten it. He asked the Board how they would like to, or himself, or the College, respond to this letter dated May 30, 2007.

Trustee Rasmusson stated that Representative Sak sent them a copy a long time ago.

Trustee Canady stated that he had a copy.

Trustee Smith asked to see a copy and stated that she did not remember it.

Chairman Lavery stated that he had copies of it and that it needs a response. He stated that he thought everyone would agree to that.

Trustee Rasmusson stated that he thought there was a legal opinion now. He suggested that maybe the Chair could just send Representative Sak's the legal opinion. He stated that he had heard this from Bruce Dunn but did not know if it was a fact.

Chairman Lavery asked if President Cardenas, base on the letter, would seek counsel or auditors to put together a response to this letter please.

President Cardenas replied sure.

Chairman Lavery asked if there was anything else on this issue.

Trustee Proctor stated that Representative Saks letter was not addressed to the Board of Trustees as a collective body. He said that it was addressed to each of them individually. He stated that he had thought about a need to respond to the letter, but that it was not clear as to what Representative Saks meant by offering some assistance to deal with the issues that they face. He stated that he had not had the time to sit down and attempt to even compose a response. He stated that he thinks Representative Saks needs one, but doesn't think he intended that it come from the Board; otherwise he would have addressed it to them as a Board and not individually. Trustee Proctor stated that his preference at this moment is to craft his own response and suggested that the remainder of his colleagues do likewise.

Trustee Smith added that if the Senator sent a letter to each and every one of them and it's the same letter; then she does not see why as a Board they can not address the letter. She stated that once a response has been drafted they as a Board can individually sign. She further stated that if one individual member of the Board feels that they do not concur with the response that has been drafted then they may elect not to sign the response. Trustee Smith said that since the letter was given to each and every one of them, even though it had each and every Board members name on it, she still did not see a reason why they could not have a response.

Chairman Laverty asked if she was suggesting that a letter be compose where all seven of them are in agreement with and then sign the letter. He asked if this was correct.

Trustee Smith replied yes.

Trustee Canady stated that just in response to that suggestion he thinks it may take them a very long time to come up with a letter that everyone would agree on.

Trustee Smith responded that they have managed to come together on other issues.

Trustee Canady stated that he didn't know if this is necessarily a good idea. He stated that he didn't have a problem with the administration giving a response from its perspectives and if individual Board members wanted to do that, let them do it. Trustee Canady further stated that he thought it was going to be virtually impossible for them to get a letter that they all were going to agree too.

Chairman Laverty stated that he agreed with Trustee Canady.

Trustee Canady responded to the Chair that there was no since going down that road.

Chairman Lavery stated that as he had spoken earlier, the President would assist with the crafting of a letter and individual Board members who would like to respond can do so also.

Chairman Lavery asked the Board if they were okay with him signing the letter that is crafted and presented by or through the President. He asked if they wanted to receive it by email. He further asked if there was a problem with the letter, then what?

Trustee Smith requested that it be sent by email. She stated that if the Board had any responses that they would like to add to the letter then to send them at that time. She further stated that if they had another letter that they would like to send, they're open to do so.

Chairman Lavery stated that they will put something together, distribute it and see how it goes.

FOP Tentative Agreement

MOVED by Trustee Pelleran and supported by Trustee Smith to approve the tentative Fraternal Order of Police Labor Agreement.

Discussion followed.

Roll call vote:

Ayes: Canady, Hollister, Pelleran, Proctor, Rasmusson, Smith, Lavery

Nays: None

Absent: None

Motion carried.

Configuration of Board Room Table

Chairman Lavery reported that at the last Board meeting there was discussion on the placement of the Board table as well as the angle. He stated that the staff did a great job putting the table together. He reported that they tested out the projector and screen and that the Boardroom seats more people in the new set-up.

Trustees Smith asked if the LCC logo could be replicated and placed over the new location.

President Cardenas stated that they will look into it.

Trustee Smith asked about the placement of the Mutual Commitment statement.

Chairman Lavery suggested that maybe the statement could go where the LCC logo is currently.

President's Contract – Tuition Reimbursement

Chairman Lavery reported that in the President's Employment Contract the Board agreed to reimburse her for tuition expenditure for working toward her second PhD. He stated that the amount is more than what was originally estimated by Nelnet. He further stated that the following resolution was presented to the Audit Committee.

The Board of Trustees of Lansing Community College resolves as follows:

WHEREAS, the Board in December, 2006 having selected and offered an Employment Agreement to Judith Cardenas to serve as the President of LCC for the period of January, 2007 to June, 2008; and

WHEREAS, President Cardenas accepted the offer to serve as the LCC President; and

WHEREAS, President Cardenas' employment agreement states "LCC will reimburse the Presidents' postgraduate tuition costs incurred in the pursuit of a Ph.D. degree in Education"; and

WHEREAS, the Board believes that the classes taken in the course of postgraduate education are of assistance to the President in maintaining and improving her skills that are needed as President of LCC; and

WHEREAS, the President has incurred postgraduate tuition costs in the amount of \$58,800.00, of which \$40,000.00 has been reimbursed; and

WHEREAS, the Board is requested to reimburse the remaining balance of \$18,800.00 at this time (see attached request dated June 25, 2007);

NOW, THEREFORE, BE IT RESOLVED THAT the Board expresses its support of President Cardenas' request for reimbursement of \$18,800.00 to pay postgraduate tuition costs incurred in pursuit of her Ph.D. in Education.

MOVED by Trustee Pelleran and supported by Trustee Canady to approve the resolution request for reimbursement in an amount up to \$18,800.00 for postgraduate tuition costs.

Discussion followed.

Roll call vote:

Ayes: Canady, Pelleran, Proctor, Rasmusson, Smith, Laverty

Nays: Hollister

Absent: None

Motion carried.

Advertising/Marketing Resolution

Chairman Laverty presented the following resolution to the Board.

The Board of Trustees of Lansing Community College resolves as follows:

WHEREAS, the Board notes the loss of privacy suffered by State employees and fears the same could happen to LCC employees; and

WHEREAS, the Board supports the public's right to know, but believes ordinary employment and health records are usually private matters; and

WHEREAS, ordinary employees are not public figures under the law; and

WHEREAS, ordinary employees should not give up their privacy and personal dignity when they accept employment with a public body; and

WHEREAS, the Board supports the First Amendment and freedom of the press, but believes a responsible press would voluntarily respect private matters; and

WHEREAS, the Board believes that, when the press may act irresponsibly, it is appropriate for others who wish to withhold support; as long as, it is understood that the press is free to print what it wishes and others are free not to support its business activities; and

NOW, THEREFORE, BE IT RESOLVED THAT the President of Lansing Community College is directed to cease all advertising and marketing through the Lansing State Journal effective immediately.

Trustee Rasmusson stated that the Board supports the public's right to know anything that relates to the public's business but believes that employment,

health and student records should be private. He offered the following amendment to the resolution:

That the Administration is requested to examine preliminarily, and report to the Board, the feasibility of expanding the LCC Lookout newspaper to reach all households in the College District; to publish daily online, news in sound, pictures, print and a variety of channels and links concerning the District schools and its students and their families; publish online stories and materials supplied by District schools; provide an exhibition space for students to show their art, performance, papers and other achievements; provide a bulletin board for community news submitted by District's schools, local governments, non-profits and students, and consider low cost advertising of products and services suitable for a family audience.

MOVED by Trustee Rasmusson and supported by Trustee Laverty to approve the resolution with the amendments.

Trustee Proctor believed that the resolution has separate issues and asked to have them considered as separate items.

Trustee Pelleran also requested to consider them as separate items.

Trustee Smith stated that she would like to see them as separate items. She stated that she would not suggest halting all advertisement with the Lansing State Journal. She further stated that she does not believe we should restrict our marketing dollars.

Trustee Canady states that he concurred with those that wanted to separate out the issues. He stated that he was concerned because the LSJ is the largest print media in the area and the College needs to have that advertisement and it is important to use that avenue for advertising and marketing. He also stated that withholding advertising dollars from a median is an attempt to restrain the press and does not think this is appropriate for a public body to attempt to do. Trustee Canady said he does not feel comfortable with a public body taken action against the press.

Trustee Rasmusson withdrew his amendment.

Trustee Pelleran stated that she would not be supporting this resolution for reasons her colleagues already stated. She requested to have advance notice of materials in the future.

Trustee Hollister believed that at some level a message should be sent. He suggested a reduction of advertising for a period.

Trustee Smith stated that she would be in support of a reduction for a short period of time.

Trustee Rasmusson requested to wait until September and give the President the opportunity to see where the College's advertisement needs are.

Chairman Lavery expressed concerns of something happening over the Summer.

Trustee Smith suggested that the Board write an editorial on their opposition to the actions that have been taken.

Trustee Pelleran was in support of writing an editorial.

Trustee Hollister stated that the message would be lost if the Board acted in September and would lose its message in that timing.

Chairman Lavery repeated the motion to cease all advertising and marketing in the LSJ effective immediately.

Trustee Rasmusson offered an amendment to start October 1st, so that the President's marketing plans will not be interrupted.

No support was offered.

Chairman Lavery asked that there be a roll call on the main motion.

Roll call vote:

Ayes: Hollister, Rasmusson, Lavery

Nays: Canady, Pelleran, Proctor, Smith

Absent: None

Motion failed.

MOVED by Trustee Smith and supported by Trustee Hollister to have the College write an editorial in the LSJ as it relates to this issue.

Trustee Pelleran stated that she could not support writing an editorial chastising the LSJ for exercising their freedom of speech. She suggested that they be positive and reframe the issue and put it into a constructive thoughtful educational tool to inform the public of the other dynamics with regards to the state budget.

Trustee Smith withdrew her motion.

MOVED by Trustee Smith and supported by Trustee Pelleran to have an editorial to address the issue as it relates to the State Budget and how the College addressed its budgetary deficits here at the college.

Discussion followed.

Roll call vote:

Ayes: Hollister, Pelleran, Smith

Nays: Canady, Proctor, Rasmusson, Laverty

Absent: None

Motion failed.

Presidential Search – Trustee Proctor

Trustee Proctor reported that the Board needs to make a decision in establishing a timeframe for the consultants to move forward with the Presidential Search. He stated that he has spoken with Betty Asher and Jan Greenwood, and that they believed the best time to conduct the search would be in the Fall. He reported that they would like to start in the Fall with a closure date by the end of February 2008. Trustee Proctor stated that this would mean having interviewed candidates, having identified a person to whom the Board would like to make an offer and having negotiated a contract with that individual. He further stated that this would have been the same time frame that was set a year ago. Trustee Proctor requested to allow Greenwood and Associates to begin the process of moving forward with the Presidential Search with the end date of February of 2008 and having someone contracted to start July 1, 2008.

Trustee Proctor stated that there are still some issues that might affect the fielding of candidates. He stated that the College still has the outstanding Auditor Generals report and outstanding legal issues. He stated that he informed Greenwood and Associates that the Board has adopted a Mutual Commitment, a Code of Ethics and adopted the recommendation to change the Boardroom configuration to allow the Board to have more interaction with each other. He further stated that news paper articles and minutes will be provided to Greenwood and Associates.

Discussion followed.

MOVED by Trustee Proctor and supported by Trustee Smith that Greenwood & Associates be directed to proceed with a Presidential Search that takes place this Fall with a termination point of the search at the end of February 2008.

A call for the question was moved and supported.

Roll call vote:

Ayes: Canady, Hollister, Pelleran, Proctor, Rasmusson, Smith, Lavery

Nays: None

Absent: None

Motion carried.

Trustee Proctor inquired if there would be interest in having another half day workshop.

Public Comment

There was no public comment.

Board Evaluation

Trustee Proctor stated that the Board has not quite come together as a Board and that there is still work to be done to be able to convince those who may be interested in applying for the position. He stated that Jan Greenwood suggested posting something that states "remember that everything we say and every vote we make affects the 20,000 students that attend LCC".

Trustee Smith stated that as it relates to the Mutual Commitment the Board adopted, she has seen a change in the dynamic of the Board.

Adjournment

MOVED by Trustee Proctor and supported by Trustee Canady for the meeting to adjourn.

Ayes: Canady, Hollister, Pelleran, Proctor, Rasmusson, Smith, Lavery

Nays: None

Absent: None

Motion carried.

The meeting adjourned at 4:34 p.m.