

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
June 8, 2009

Special Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 5:35 p.m.

Roll Call

Present: Hollister, Lavery, Proctor, Rasmusson, Smith, Canja
Absent: Woods

Trustee Woods arrived at 5:38 p.m.

Pledge of Allegiance

Trustee Lavery led the Pledge of Allegiance.

Limited Public Comment Regarding Agenda Items

Steve Vossler: Good evening, I'm Steve Vossler, Chair of the Labor Coalition. I am very disappointed about the layoff notices put out to 3 counselors and at least the appearance that we hired three advisors previously to replace them. The labor coalition received the FOIA'd material last week Tuesday. We were expected on last Friday to be able to talk about it. That was not enough time to look at this material. We are going to meet this coming week hopefully to be able to deal with it. The same things seem to be going on as with the early retirement incentive. Everything is a big rush. Hurry, hurry, let's do it in the last minute and let's get it done. I am not so sure. Maybe I don't understand all of the budgeting stuff, that you can't approve a budget at one point and then change it. We do that anyway. I see all these terms about adjusted budget and stuff. So if we don't have the right one in place July 1, I don't see why we can't put something else in its place. Just looking at the budget material that was past out, I noticed that there is a \$1.2 million contingency fund; or the term that I like to use, the slush fund. It is money sitting there not assigned to anything; but it is inside of the budget rather than outside of the budget. If we didn't have it inside the budget, I believe we would only have a \$2 million dollar problem instead of \$3.2 million dollar problem. So I think where we put those funds makes a difference. I wanted to tell you that spending goes on. They are going to be doing remodeling in the Tech Career's office this week redoing the

furniture. I am not sure of the exact values. \$26,000 comes to mind, but I could be wrong on that number. I have concerns about our hires in our HR Department. We have 4 directors and 4 managers that we have hired in less than a year. But yet we have been told that things are bad. Also going on is the senior level Vice President's. We have 3 senior level Vice President positions. We never had senior level Vice President's before. We had Vice President's, but not Senior Vice President's. So now we are going to have 3 of them. I remember the Provost position until recently was not a senior level VP. Now it has been combined with a position that Dr. Shanblatt has and has become a senior level one. I am assuming that there is compensation to go along with being senior level rather than just being a plain old VP. One of the things we were told about on Friday was that Mr. Hilquist is a good possibility for that 3rd VP position.

Monica Del Castillo: Good evening President Knight, Chairperson Canja, Trustees, and fellow participants. Thank you again for the opportunity to address you. Collaboration and transparency are like a mirage in a sand storm at many levels of this institution. I'll cut to the chase and give you an example. A case in point; a director of Counseling and Advising was given 1½ weeks to develop and submit the budget for FY09' and FY10'. That included 5% and 10% budget cuts. Typically this process takes a couple of months so as to ensure the highest level of collaboration with the department leaders, especially when considering a reduction of workforce in an area that provides direct services to students. Not only did our director not seek input from the department leaders, she refused to share her proposed budget with the department citing I quote, "*The divisional leaders made the decision not to share information about the proposed budgets until we had a better idea of what cost cutting measures would really be necessary on the divisional or departmental level.*" As a result of a FOIA request, the proposed Counseling & Advising Department budget was garnered and the proposed budget was alarming. The staff targeted for reductions included counselors for both general and at-risk students, special populations staff who serve students with disabilities, ESL/LEP students, TIP students, single moms, displaced homemakers, as well as a support staff that provides clerical support for case management and advising. Given the opportunity, I am certain that the leaders of the Counseling & Advising Department would have come up with, and have come up with, cost saving scenarios that would have less serious implications on student success.

Sandy Kidder: Good evening again, I'm Sandy Kidder from the Center of International and Intercultural Education. I've been asked to read a letter that was sent by a student who was writing in support of her friend who spoke during the public comment section of last Thursday's meeting.

I am aware that in working through the budget that you have considered severely reducing the Counseling Department at LCC. To me this seems like a huge mistake and a step in the wrong direction. The counseling department is a

vital part of the health and success of your institution. The counselors are working quietly behind the scenes to help students and ultimately the college becomes successful. They help failing students pass, and mediocre students excel. Successful students lead to a successful college. Struggling or failing students reflect poorly on the institution.

There are students in any age bracket, or stage of life, that need the support and guidance of a counselor to help them through whatever they are struggling with, mentally, emotionally, psychologically, socially or physically. Student life isn't just about the classroom. Academic performance is affected by the total health of the student. An emotional struggle can reduce academic performance greatly. If a struggling student can get help in whatever it is they need help with non-academics, the result can be more learning in the classroom and better grades for the semester and a more successful life after college. Sometimes, what a student learns outside of the classroom can be more beneficial in their education than what they learn in the classroom.

In this time of economic uncertainty many more people seem to have more life situations to deal with than ever before. More people need help guidance and support to get through these stressful and uncertain times. In times like this, it makes sense to increase the number of counselors available to help people, not decrease them. I propose adding one or two more counselors to help with the extra people in need of counseling services.

It is vital that these services are offered on the college campus. These services are not readily available in the community, and when they are, they are so expensive that only people with high paying jobs or very good insurance can afford them. Most college students have low-paying jobs, often part time. The meager wages they earn go to pay for their education. Very few college students would be able to afford these services if they had to pay for them in a private setting.

Please consider how important it is to have the Counseling Department fully staffed and available to assist students in becoming successful. The success of your college depends on it. Thank you

Pam Davis: Good evening, thanks again for allowing me to address you. I'd like to follow up with Sandy that this is a letter from a psychologist, Dr. Robert Fabiano, who wrote this when he heard that our staff is going to be reduced in counseling and that one of the alternatives might be outsourcing.

Dear Distinguished Board Members:

I was recently informed about the possibility of Counseling Services being terminated at Lansing Community College. I operate one of the largest psychological and mental health clinics in Lansing called PAR Rehab Services.

Some thought that perhaps this could present an opportunity to expand my business. My answer is very simply, yet emphatically, absolutely not.

Many students graduate from high school with no clear plans regarding their vocational, educational or career path. For many, their enrollment into a Community College such as LCC is without a clear plan or purpose. The skills and knowledge to cultivate career interests with some compatibility with academic aptitudes is unique to Career Guidance and Counseling. To include the ability to identify the appropriate accommodations for students with special needs and the job demand of counselors become even more specialized. This is further complicated by the increasing mental health issues that many students have, issues which are often aggravated by the stress and confusion brought on by our educational demands. These mental health needs are on the rise, due to advances made in the effectiveness of psychiatric medications which allow many students to attend community college who previously would have not had the psychological stability to do so. The rise in Veterans returning to our community with vocational and educational needs is best served at LCC. Many of these Veterans with mental health needs, such as Post-traumatic Stress Disorders, increases further the importance of having specialized Counseling Services at Lansing Community College.

It is importance to maintain Counseling Services at Lansing Community College and is imperative to the welfare of the students, faculty, staff, and institution. Please preserve the integrity of this fine institution by maintaining Counseling Services.

Just as a follow up to that, counselors have the trained background specifically for students on a college campus. Studies have shown that it is more cost effective to retain students than to replace them. In a University of Idaho Student Counseling Center Survey, retention was 14% higher for those students who had received counseling. 77% of those students reported they were more likely to stay in school because they received professional counseling. 90% of the students reported counseling helped them meet their goals and reduced the stress that interfered with their academic success. By investing in trained professional counselors, you invest in your students

Marlene Burluson: My name is Marlene Burluson and I appreciate the time. I'm a parent of two sons who go here to LCC. The experience with my two sons; one saw an advisor, and then needed more additional help that the advisor could not give him. He had to then schedule an appointment with a counselor, which in return had a wait period of 4 to 6 weeks. It was so frustrating and so non-productive to my son. My second son, with the experience of the first son, decided no advisor, go straight to see a counselor. The issues that he does encounter are addressed and the resolution is much more efficient. That is my experience with my two sons. I just also wanted to say that if any of you try to call and get an appointment with a counselor here at LCC, the wait time is 4 to 6 weeks no matter what. I challenge every single one of you to try that. It is a wait time to see a counselor here. My one son who does see a counselor, the counselor is available through email at any time that he does have a specific problem; she is available to him through email. It is sort of like an advisor and a student don't seem to have the same relationship as a counselor has with a

student and that's just from our personal experience with our two sons. I just feel that in this community and at this time when enrollment is good, cut backs in the advising and counseling department makes no sense at all. It is such a core source for students here at LCC. The final thing I have to say is seeing a sign coming in here tonight, a world of possibilities. I really wish you all would reconsider where you do the cut backs and please don't do it within the Advising and Counseling Departments.

Curlada Eure-Harris: Good evening President Knight Board of Trustees. My name is Curlada Eure-Harris and I am a Career Counselor Specialist. I would like to read a letter.

Dear Dr. Knight, Board of Trustees,

I am writing to you regarding the possibility of a proposed cut for LCC counselors. As a high school counselor of nearly 30 years, who has college student's return to visit, I would ask you to please reconsider this proposal and not let it happen. College is an adjustment for young people as well as for older returning students. Most students are trying to balance many things in their lives. They need to know that someone is there at the college level who can be objective and help them through the issues that they have as a student and in their personal lives. I worry what will happen, with the already high depression and suicide rates, if LCC does not have counselors and students do not have them to turn too.

Recently I had a former student stop by to see me and she was very honest about what a change going to LCC was in her life. She was a well adjusted student at Okemos High but said that going to LCC and living on her own was more difficult than she could imagine. She was doing better now with balancing her time and handling everything, due to the help of an LCC counselor. I am always pleased when I hear that former students seek out counseling staff at the college level. We have taught them that there are people there for them to help with personal issues in college as there was in high school. I shudder to think of this resource being taken away from them, as well as my own children who will be attending college, one of them at LCC. I could go on but I thank you for your consideration of this matter and it is my hope that you will not cut any of them!

Sincerely,
Denise Carbonell
President, Lansing Area Counseling Association

I am a Career Counseling Specialist. I got my Masters at Michigan State with a specialization in community college. I want to say, you must correct this. LCC approved to hire 3 new part time advisors staff in the Counseling and Advising Department and 2 of them started May 1st, 2009. Then on May 22nd, the LCC attorney sent an email that the college was considering laying off counselor staff for budgetary reasons. 3 were sent a layoff notice on June 5th. The 3 who were sent notices are the only remaining White and African American males and the

only remaining African American female Counselor in the Counseling and Advising Department. How would headlines look like this: "LCC hires Academic Advisors then pays them by laying off Academic Counselors". You must correct this. "LCC eliminates access of the multicultural student community to a quality multicultural service delivery experience". You must correct this. "LCC favors new Academic Advisors over experienced and professionally developed professional Counselors". You must correct this. Corrected, LCC pays for 4.5 full time equivalent counselors; a decrease over the past 10 years caused by not replacing 10 retired counselors. The college has 3 full time academic advisors, 4 30-hours academic advisors, and several part time academic advisors, who together with many program advisors in the three Academic Divisions coordinate for student service delivery excellence. Then the headline might read, "LCC counseling staff remaining so that the People's College addresses student academic issues such as majors, degrees, and jobs with personal efficiency. So that the college offers better student retention in courses and outcomes for occupational success; so that the college excels in succeeding a diverse student body in their first attempts at college, and so that the college saves money by including the quality standards of student service professionals." Thank you for your time.

Cindy Storie: It's extremely disappointing that last Friday 3 of our counselors received notice of layoff. It has been very strategic. Our contract requires a two semester notice. We believe that with our meeting with the President and the Provost that we were on the road to having some discussions that would lead us in a direction to have some open transparent conversations with our counselors that would address issues that they had concerns with counseling and advising. Instead, we have to turn our attention and directions to layoff notices and work at getting us to the table to solve this problem. It's disappointing that these 3 counselors are our senior counselors on staff. It's disappointing that we need to look at the needs of our students when there is an increasing student enrollment management initiative, but require a higher level of services, yet we are reducing the staff that actually can provide that. I don't know what directions this college is taking, but right now I see a huge decline in the commitment and I am asking for the Trustees to really look at what this budget means. What is the college asking us to do? We believe that there is more than financial budget behind it. What is the plan? We've asked for the plan. We will do the analysis. We've gotten the FOIA'd information. We will meet next week. We put out a date for Thursday to meet with not only the CFO and David Hilquist, but our MEA Analyst to get together to do this. We still need to come back with a plan and openly figure out what is the college wanting to do. Bring the counselors in the room so that the discussion is open and transparent. It is frustrating when we have to do it in a manner that is very legalistic and what I don't believe is collaborative and cooperative. Instead, it's created a very fearful work environment for many employees. Not just our counselor and advising staff, because many other employees have also been told that they may be next. This is a huge problem for not only our employees, my members within the union, but it is also a

problem for our community and particularly our students that we are here to serve. I please ask you and implore you not to continue to let this happen. We have got to change this process and it takes you to make that happen.

Ed Bryant: Hi my name is Ed Bryant and I come before you as a people person. We started off by saying "with liberty and justice for all". That sounds like vertical integration; vertical integration of a society. The People's College, I believe is also an example of vertical integration; vertical integration in this community. In a March 5th interview with Lansing State Journal, as they were joking about layoffs, there was a discussion and tying it into the concept of vertical integration with Ford Motor Company. Now as the People's College we have people here who have given their adult lives to building this college. We are not vertically integrating anymore. We are vertically disintegrating and we were planning to vertically disintegrate this college back in March before we even had a budget. I find that to be unconscionable. It saddens me greatly that we are at this point. How can we do that? How can we treat people that way? We have the money. Our students need these services. The people of this community need these services. We can't stop these services. Our community needs us. We have the money. I implore you to use it wisely. There's a teacher who told me a story back in the 60's before unions; as part of her interview, she had to kneel on the floor so that the principal could check her skirt. This happened behind closed doors. These decisions are happening behind closed doors. In the State Journal this morning, an editorial was commending the State News for their pursuit of information from Michigan State University through the FOIA process. They closed that with, when people chose to operate in secrecy, they chose to operate without credibility. We are operating in secrecy behind closed doors and we are destroying the credibility that this community deserves and expects from us. Thank you.

Irene Cahill: Hi, Mr. President, Madame Chairperson, Board of Trustees. I hope you will honor the Mutual Commitments listed on the board to your left. Line one is to uphold the public's trust and I trust that you will do that because you proposed a budget that it is not the final budget, and that you will go back and do some work and come to a real understanding and give a fair shake to the staff that you have here tonight. Line 11, seek and accept constructive comments. I hope it includes the LCC unions who have collectively bargained with you, the President and the Trustees. That's an important distinction in this community; that so many people are members of the union. The last line is to be the role model for students. The students here are actually going to school and hope to get a job and I would think that they would aspire to work at LCC. With less jobs, that is going to be more students thinking "what am I going to do, why would I stay around in the Lansing area". I am also concern about the loss of LCC professionals to the Greater Lansing professionals and to the Greater Lansing community. We will lose their knowledge. We have invested into those people. We will lose their income and less money will circulate in the community. It affects us all. We the LCC community and LCC as a college are

educating students. How are you going to operate? You can't operate with more computers. Computers break down. People are there everyday. Three LCC counselor received layoffs notices last Friday, after it was publicly announced that there were no layoffs. I think that there is a miscommunication going on there somewhere. You were elected to represent the community. Please support your dedicated staff. It is not an easy thing for your staff to appeal to you. Please keep their suggestions and concerns in mind. Thank you.

Sally Pierce: Hi I'm Sally Pierce, Action Chair for LCC MAHE. I would like to read this to you.

Dear Board of Trustees:

At a time when the majority of our students want to do more with less, which can mean assuming a heavy course load or possibly attending courses academically underprepared, you have been asked to remove a support system that many of our students need to ensure academic success. At a time when it is more likely that we will see an increase in enrollment due to the state of both our local economy and the national economy, you have been asked to make a cut in a pivotal area, which will provide LCC with short-term financial offsets and our student population with immediate long-term negative effects.

This particular course of action is not in alignment with or in the spirit of the community college appeal. Many of our students attend LCC with the hope that they will have their individual needs accommodated. The proposed layoffs of advisors and counselors would preclude an advantage that our students currently have. The small classroom settings that we offer, with qualified educators is only part of the equation. Our students require regular support from advisors and counselors to ensure a solid academic foundation, which LCC can afford them. If this particular component from the equation is removed, the need for it does not disappear. It will only manifest elsewhere.

The inattentiveness to, or the lack of oversight of academic plans, informal assessments of emotional readiness, and assistance with decision making as it relates to students attempting to juggle school, work, and family life is certain to contribute to student frustration; particularly when academic plans begin to unravel or go awry. There should be no doubt that when a student is encouraged to see an advisor or a counselor regularly, he has access to an advisor or a counselor as needed, the individual student is more likely to have a positive college experience; thereby ensuring a productive, safe, and ultimately vibrant campus life for everyone at LCC.

The propose plan of action is not in the best interest of our students, our advisors and counselors. The impact of these layoffs will likely be felt in the classrooms as student concerns go unchecked. So then, this proposal is not in the best interest of the College. Again, many of our students require assistance in making practical choices regarding the blending of their academic life with their personal life. Student success is often determined by the availability of

support systems. The LCC community should not be asked to do more with less.

Sincerely,
Tisha Saccarelli, Writing Program
Communication Department

Mary Murphy: Hi I'm Mary Murphy. I wasn't planning to speak because I spoke on Thursday. President Knight the only regret that I have from speaking Thursday is that I didn't use great math. There are only 4.2 hours in a week for every 1 working hour for anyone who's working fulltime. I believe that you do have a job that is worth more than you make. But the job that we in the world of education have is so much more important than the number of hours we have to manage. When I spend a couple of days at the MI Development Mental Educator's Consortium Conference; at the opening speech we learned that in the State of Michigan alone, 1.7 million adults do not read, write and do math well enough to enroll in our community college programs. If there are that many people who educational needs are so great, we should not be cutting back in education. Teaching in developmental classrooms just this past year I noticed that these students have more needs than the students in the core curriculum level classes. They are overcoming things that ordinary college students don't have to overcome. They need teachers who will work with them. But even more, they need the support system that LCC has been attempting to provide. They need it full measure. Not the 9 ounce Raisin Brand box, for the 12 ounce Raisin Brand box a few years ago. We should not cut back counseling. We should not cut back advising. We should not cut back any of those services which are designed to help our students succeed. Our state needs workers who are trained and capable of performing. Not workers who are held back by whatever afflicted their childhood education years.

Jenny White: I have experience raising three children and by profession I am a teacher. It is comforting to know that when my children have issues and did not want to work with me through it, I have been able to say, go see the Counselor at LCC. I have two of them that have graduated from LCC. The last one should be done in December. All of them have made use of the counseling services. It has really been a nice simple process to be able to be a single parent and know that they are able to come here. My last one, that just graduated a few weeks ago, I gave up when he was in high school stating if you want to be a 5 year senior, go for it. I was amazed. He got down here and just loved it. That is because he had the right support systems there. I know during tough budget times the first things to go is always prevention and what are our counselors, prevention. Also, from being in the world from the work that I do, I do know that the families are in a lot more stress. There is a lot less time to process correct coping skills. So the kids are getting the down low effect. I want them all to be successful. The only way to move this state ahead is to educate our people. We know that. Every statistic that we get at Michigan Works in a report shows that. So we are going to have to deal with situations that we didn't

necessary had to deal with 20 years ago. Trying to get kids up to speed and get degrees is going to take these counselors. I'm sorry I don't want to get involved in your budget; I just want to tell you my experience.

Alex Azima: Good evening Chairperson Canja, President Knight, distinguished Board members. I'm Alex Azima, a Physics Professor here. I have three brief comments. One, is when we ratified the faculty contract we were led to believe that we were proceeding on the basis of collaborationism and in the spirit of collaboration. I must say that I am a little disappointed with this year's activity. I know President Knight was not here when that contract was agreed to, but I doubt that the President would disagree with the ideal of being collaborative. I'm hoping that can still be something that we strive for. The second comment that I wanted to make is that as we pointed out we have the money. There is a rainy day fund. Why can't we dip into the rainy day fund? As the President has pointed out, these are extreme economic conditions. If this is not rainy day, I don't know what it is. I am hoping that you would consider dipping into that fund just a little bit. This brings me to the services that are proposed to being cut at a time where I think that nationally students are going crazy and shooting. I think it is really irresponsible if we cut counseling services. I don't think it makes any sense at all. Thank you.

Don Dean: Good evening my name is Don Dean. I'm a student and graduate of LCC. I am still a student here. I also do catering. One morning I had the opportunity to walk by HHS at 5:30 in the morning. The lights were all on. We designed the building to have lots of glass in it, so that the lighting is really good. On each level that faces Washington Square, there are at least 90 bulbs. I don't know what the wattage is, but I don't see a necessary need to have light on at 5:30 in the morning. At 7¢ a watts, it is \$5 and hour for one night. That is \$15 an hour. That pretty much all I had to say.

Closed Session

Chairperson Canja asked that the Board entertain a motion to go into closed session for the purpose of considering a written legal opinion.

The motion was moved by Trustee Smith.

Trustee Rasmusson asked what was the conditions precedent for a reduction in force under the contracts.

President Knight responded that they would differ by contract and different bargaining units. He stated that for non bargaining unit people, they would be governed by whatever contract that there was and then applicable state laws and statutes.

Trustee Rasmusson asked if the Board could receive copies of those relevant pages in the contract. He further stated that he received many calls since the last Board meeting. He stated that one of them mentioned that there had been no program review and this was required by one or more of the contracts with union participation. Trustee Rasmusson asked if the caller was right or wrong about that.

President Knight responded that from his point of view that would pertain to academic programs. He stated that if the Administration were to recommend an elimination of the welding program, for example, there would be some steps that they would have to take prior to the elimination of the welding program. He further stated that they have not recommended the elimination of any academic program.

Trustee Rasmusson stated that he was perplexed because the people that the Board was told were already leaving are being replaced. He stated that he did not see how this is any kind of reduction in force.

President Knight responded that they have different terms and conditions and issues with different kinds of personnel. He stated that there are different explanations for different types of personnel.

Trustee Rasmusson stated that he and Trustee Laverty lived through this before, where certain people were targeted and the Board was told that it was needed. He stated that there ended up being a suit in federal court and all kind of information came out. Trustee Rasmusson stated that it was done strictly for what would be called a violation of 42USC 1983 and that the college ended up paying about \$85,000 for that little mistake.

President Knight responded that he would have to refer to counsel on any statute like that. He stated that to the best of their ability their actions are consistent with any statutes and case law.

Trustee Laverty stated that most of the comments heard tonight, as was last Thursday night, were about the counselors. He asked how many counselors they had before the incentive program.

Dr. Shanblatt responded that she believed the number to be ten.

Trustee Laverty asked how many took the incentive.

Dr. Shanblatt responded two.

Trustee Laverty stated that would leave 8 and that letters went out on Friday to 3. He clarified that the letters went out Thursday and they received them Friday when the Board was having a Board meeting on that Thursday night listening to

3 hours of public comments when letters were already sent out. Trustee Laverty asked what the criterion was for those who received a letter. He asked if it was by seniority. He asked how they determined the 3 that were going to get a letter; was it according to the contract or by seniority?

Trustee Woods asked if the attorney could respond.

David Fernstrum stated that it was his understanding that a position was made to retain the counseling programs for special need students and others identified in this population; those being TRIO, International, and Special Needs etc. He stated that letters were sent to those not involved in those programs.

Trustee Rasmusson stated that it was odd that the Board could not get an answer from the President or the Vice President but the answer had to come from a lawyer.

Chairperson Canja stated that there continued to be a motion on the floor to go into closed session for the purpose of considering a written legal opinion. She asked if there was a second.

The motion was supported by Trustee Hollister.

Trustee Rasmusson questioned if the Board could go into closed with there being a topic on the agenda.

David Fernstrum stated that the Open Meetings Act requires that the purpose of going into closed session be verbalized in connection with the motion.

Trustee Rasmusson stated that for a Special meeting the notice has to include the purpose of the meeting and that is not stated in the notice.

Trustee Smith stated that for Special meetings, the item the Board goes into closed session for is brought forth and that is considered being part of the agenda. She stated that it sets the tone for what the meeting is called for. She further stated that they have had other meetings where the Board has entered into closed session under a Special meeting. Trustee Smith stated that if there is an action that needs to take place, that action is brought forward.

Chairperson Canja stated that the agenda item is Closed Session and that the purpose for going into closed session has been verbalized for the purpose of reviewing a written legal opinion.

Trustee Woods stated that he needed to hear a legal opinion.

Chairperson Canja called for a recess at 6:27 p.m.

The Board returned to open session at 6:33 p.m.

Chairperson Canja stated that legal counsel had had an opportunity to take a look at the Open Meetings Acts.

David Fernstrum stated that the section on notice in the Open Meetings Act is section 5, subsection 4 which provides that for a special meeting a public notice stating the date time and place shall be posted at least 18 hours before the meeting. He stated that there is a provision however with regards to closed session which is section 7, section 1 that states that a roll call vote is required for closed session and the purpose for calling the closed session shall be introduced at the meeting. He further stated that there is no mention of agenda.

Trustee Woods stated for a point of clarification, that it does not matter if it is a regular meeting or special meeting.

IT WAS MOVED by Trustee Smith and supported by Trustee Hollister that the Board go into closed session for the purpose of considering a written legal opinion.

Roll call vote:

Ayes: Hollister, Lavery, Proctor, Rasmusson, Woods, Canja

Nays: None

Absent: Smith

The motion was carried.

(Trustee Smith was still out from the recess.)

The Board entered into closed session at 6:41 p.m.

The Board returned to open session at 8:41 p.m.

Roll call:

Present: Hollister, Lavery, Proctor, Rasmusson, Smith, Woods, Canja

Absent: None

Public Comment

Cindy Storie: Article IX Bargaining Unit Classification, B.1.b 2) defines Full-time Faculty includes FT Counselors and c.5) states to ensure the work of the College is accomplished through shared responsibility and collaboration between faculty members and administration. Article XI. Employment Practices, A.2. In the event a member on a continuing contract is not to be offered a contract for the following year, pursuant to Article XIX., B. he/she will be notified in writing by

November 1. Article XIII. The Role of Faculty on page 24. The whole preamble is the philosophy that this contract is build on and we believe it is being stepped on continually in this process. The goal of this agreement is to set a new standard in encouraging and recognizing professional contributions of faculty. It is to serve as a guide for cooperative and collegial working relationships among faculty members and between faculty and administration to further enhance the fulfillment of Lansing Community College's mission to "serve the learning needs of a changing community." The College recognizes the intrinsic value of all faculty to the work of the college. This value rests not only within the discipline-specific expertise and experience of individual faculty members, but also includes the impact of a faculty perspective upon planning, decision making, and college operations brought by the collaborative work of a body of faculty members. Though final responsibility for assuring the work of the college is accomplished rests with administration, and thus requires their ability to assign work; this agreement is intended to contribute to an environment of mutual respect, collaboration, and shared decision making. Thus, the Association will encourage its members to utilize their specialized expertise for the benefit of the College. The administration will make a continuing effort to make appropriate use of such expertise. Both entities pledge a commitment to working collaboratively to accomplish the work of each department of the college within the context of open and honest relationships and fair practices. The counseling area is a department. It is a program that serves our campus and our students well. Continuing, Article XIII. Workload, A. Work Assignments, ...developed collaboratively between department chairs and faculty... more specifically under N. in that same Article, Counselors and Librarians, workload is to be determined collaboratively between the department faculty and the department director or the immediate supervisor. They will be scheduled, as to fulfill the objectives of the department to be consistent with student and service needs. Of the 5 counselors that would be left, 2 are students with disabilities, 1 is for international students and 2 are for At-Risk students as defined by the At-Risk grant, which basically are our developmental students. No one would be left for the general population. That is their role. Those five people are very specifically assigned too. Article IV. C.1 Safety and Work Space, Reasonable effort will be made to assure that bargaining unit members are able to work in safety consistent with good health practices and federal and state laws regarding health and safety. Article XVII. Faculty Input, on page 51. We also have Article XIX.C. on Civil Rights, Article XXV. Layoff and Recall. Here we have quite a list starting on page 87, of a process that the best interest of the College, the students, faculty, and staff to avoid layoff whenever possible by seeking alternatives to layoff. The Association recognizes the exclusive right of the Board of Trustees to determine reductions in personnel and/or operations and the exclusive right to determine the area in which such reductions will be made subject to the provisions contained within this Agreement. It should be followed that if the College decide to reduce the number of Faculty Members, which include Counselors, within a department or program owing to its elimination, programmatic changes, or owing to an enrollment decline or a reasonably

anticipated enrollment decline. None of these has occurred. Under B, Layoff Procedures, we would have 30 days to give input. We had a notice on May 22nd that the Counseling area was targeted. The calendar says that today is June 8th. We have until the June 22nd. Yet notices went out and were delivered to our Counselors on the 5th. Reduction priorities and length of services and highest degrees should be looked at. Notice of Layoff, we believed to have been mailed prior to the Board Authorization. We think that was done in order to meet a timeline, because it had to be mailed before the first day of the semester which is June 5th. So on June 4th they had already been drafted and out there. Under C alternatives to Layoffs on page 89, we still need to look at those and in Appendix I you have the EEO and Affirmative Action issues that has already been related by one of our counselors Curlada Eure-Harris. I wanted to make sure that you are clear on that there are contractual requirements. We don't believe have been met.

Adjournment

IT WAS MOVED by Trustee Proctor and supported by Trustee Smith that the meeting adjourn.

Ayes: Hollister, Laverty, Proctor, Rasmusson, Smith, Woods, Canja
Nays: None
Absent: None

The motion carried.

The meeting adjourned at 8:48 p.m.