

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF
JOHNSON COUNTY COMMUNITY COLLEGE

A meeting of the Board of Trustees of Johnson County Community College was called to order by the Chair on September 16, 2010, at 5:00 p.m. in the Hugh W. Speer Board Room, 137 General Education Building, on the JCCC campus, 12345 College Boulevard, Overland Park, Kansas.

Trustees Present: Don Weiss, Chair
Jon Stewart, Vice-Chair
Bob Drummond, Treasurer
Jerry Cook, Trustee
Lynn Mitchelson, Trustee
Stephanie Sharp, Trustee

Absent: Melody Rayl, Secretary

Staff

Terry Calaway, President
Mark Ferguson, College Counsel

Jeff Anderson, Counselor
Tsgaab Asseta, TV Camera Operator
Mitch Borchers, Executive Director, Procurement Services
Sarah Boyle, Associate Professor, History
Becky Centlivre-Meinke, Director, Human Resources
Dennis Day, Vice President, Student Services
Csilla Duneczky, Dean, Sciences
Dana Grove, Executive Vice President, Educational Planning &
Development and Chief Operating Officer
Julie Haas, Associate Vice President, Marketing Communications
Dain Hartwell, TV Camera Operator
Rex Hays, Executive Director, Campus Services
Judy Korb, Executive Vice President, Human Resources,
Workforce & Staff Development
Jason Kovac, Executive Director, Academic Initiatives
Keith Krieger, Technical Training Coordinator
Karen Martley, Executive Director, Comm., SOD/Wrkfrce
Justin McDaid, Manager, Internal Audit
Christy McWard, Director, Marketing & Event Management
Rick Moehring, Dean, Learner Engagement
Denise Moore, Vice President, Information Services/CIO

Alisa Pacer, Emergency Preparedness Manager
Lester Page, Senior Multimedia Eng. & Event Specialist
Corey Paris, Student Senate President
Don Perkins, Executive Director, Budget & Auxiliary Services
Bob Prater, Associate Vice President, Financial Services
Marilyn Rhinehart, Executive Vice President, Academic
Affairs/CAO
Joe Sopcich, Interim Executive Vice President, Administrative
Services
Terri Schlicht, Executive Assistant to the President and Board
Pam Vassar, Assistant Dean, Student Life/Leadership Dev.
Janelle Vogler, Director, Internal Auditing Services
Jerry Wolfskill, Associate Vice President, Public Safety

Guests:

Ann Arnott, League of Women Voters
Lynn Baxter
Milton Brod
Kathy Brown
Tammy Clem
Earl F. Glynn
Rich Ralston

QUORUM

Mr. Weiss announced the presence of a quorum, with six board members present.

PLEDGE OF ALLEGIANCE

Mr. Weiss led the Board of Trustees and other meeting participants in the reciting of the Pledge of Allegiance.

MODIFICATION TO
September 16, 2010
AGENDA

Upon motion by Mr. Mitchelson, seconded by Mr. Stewart, which motion unanimously carried, the Board of Trustees approved the modification of the agenda for the September 16, 2010, Board of Trustees meeting.

Recognition of Mr. Al Dimmitt

Dr. Calaway recognized Mr. Al Dimmitt of Metropolitan Community College for his fine work with students and as a good friend to JCCC. On behalf of JCCC, Dr. Calaway extended best wishes to Mr. Dimmitt as he recovers from the stabbing

incident at Penn Valley Community College earlier in the week.

In Honor of Mr. Norman
Polsky

Dr. Sopcich honored college benefactor Norman Polsky, who passed away September 2. Mr. Polsky had supported the business, culinary and interior design programs; the JCCC Foundation; and the Polsky Practical Personal Enrichment Series at JCCC, among others. Polsky Theatre is named for him and his wife, Elaine.

PETITIONS AND
COMMUNICATIONS

Mr. Weiss asked if anyone in the audience would like to address the board. There was no response.

OLD BUSINESS

In response to Ms. Brown's complaints, an independent investigator was appointed last spring, in accordance with college policy, to review her allegations. The investigator, Ann Molloy, who is an attorney, conducted a comprehensive investigation of all the facts and circumstances surrounding Ms. Brown's allegations and issued a detailed report summarizing her independent investigation. The report substantiates that no violation of Ms. Brown's First Amendment rights occurred.

The board of trustees then offered to have Ms. Brown's appeal heard by an independent hearing officer, which is the final step in the college's complaint process. Ms. Brown accepted the offer, and the hearing was conducted in August by Richard Ralston, a former judge. The hearing officer submitted his 32 page written report, which also substantiates that no violation of Ms. Brown's First Amendment rights occurred and that Ms. Brown has been afforded due process.

Mr. Ferguson introduced Mr. Ralston, who at Kathy Brown's request presented his report; the trustees accepted the independent hearing officer's report and then voted to deny and reject Ms. Brown's claims and stated that the process was closed.

EXECUTIVE SESSION

At 5:35 p.m., upon motion by Dr. Cook, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees agreed to recess to executive session to discuss personnel matters of nonelected personnel, in order to

protect the privacy interests of the individual(s) to be discussed and for the purpose of consultation with an attorney which would be deemed privileged in the attorney-client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters, and also to matters relating to actions adversely or favorably affecting a person as a student, except that any such person shall have the right to a public hearing if he or she so requests, protecting the privacy interests of the individual to be discussed to return in 20 minutes. Invited to participate were Terry Calaway, Dana Grove, Judy Korb, Marilyn Rhinehart, Joe Sopcich, Terri Schlicht, Richard Ralston and Mark Ferguson.

At 5:37 p.m., after further discussion the motion was amended. Upon motion by Dr. Cook, seconded by Mr. Mitchelson, which motion carried with a vote of 5-1, with Mr. Stewart voting no, the Board of Trustees agreed to recess to executive session to discuss personnel matters of nonelected personnel, in order to protect the privacy interests of the individual(s) to be discussed and for the purpose of consultation with an attorney which would be deemed privileged in the attorney-client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters, and also to matters relating to actions adversely or favorably affecting a person as a student, except that any such person shall have the right to a public hearing if he or she so requests, protecting the privacy interests of the individual to be discussed to return in 10 minutes. Invited to participate were Terry Calaway, Dana Grove, Judy Korb, Marilyn Rhinehart, Joe Sopcich, Terri Schlicht, Richard Ralston and Mark Ferguson.

At 5:50 p.m. the meeting reconvened and the chairman announced that no action had taken place during executive session.

RESOLUTION
RELATING TO THE

Upon motion by Dr. Cook, seconded by Mr. Mitchelson, which motion carried with a vote of 5-1, with Ms. Sharp

BOARD OF TRUSTEES'
REVIEW OF
COMPLAINTS OF
KATHY BROWN

voting no, the Board of Trustees adopted the Resolution Relating to the Board of Trustees' Review of Complaints of Kathy G. Brown as shown on Attachment A, which hereby become a part of these minutes.

COLLEGE LOBBYIST
REPORT

In Mr. Carter's absence, Dr. Calaway reviewed the legislative update report with the Board of Trustees.

COMMITTEE REPORTS
AND
RECOMMENDATIONS

Management Committee

Dr. Drummond reviewed items from the September 14, 2010, Management Committee meeting.

Following discussion, upon motion by Dr. Drummond, seconded by Mr. Stewart, which motion unanimously carried, the Board of Trustees approved the low bid of \$546,817.00, plus an additional \$50,000.00 to allow for contingencies for possible unforeseen costs, for a total expenditure not to exceed \$596,817.00 from Industrial Roofing, Inc., for the Carlsen Center partial roof replacement.

Following discussion, upon motion by Dr. Drummond, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees approved the low bids of \$175,000.00 from Jorban-Riscoe Associates, plus an additional \$17,500.00 to allow for contingencies for possible unforeseen costs, and \$149,224.00 from Kansas City Mechanical, Inc., plus \$14,900.00 for possible unforeseen costs, for a total expenditure not to exceed \$356,624.00 for HVAC Upgrades.

Following discussion, upon motion by Dr. Drummond, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees approved the low bid from McAnany Oil Company, Inc., for the establishment of an annual price contract for the purchase of bulk fuel in an

amount not to exceed \$60,000.00.

Following discussion, upon motion by Mr. Stewart, seconded by Dr. Drummond, which motion unanimously carried, the Board of Trustees approved the lowest acceptable bid of \$59,173.00 from PC Mall Gov for Hewlett Packard printers.

Following discussion, upon motion by Dr. Drummond, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees approved the annual contract for maintenance of the Nortel telephone switch to Allegiant Networks at a total annual expenditure not to exceed \$63,504.00.

Following discussion, upon motion by Dr. Drummond, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees approved Sponsorship of \$1,000 for the Johnson County Library Foundation Pinnacle Awards.

Learning Quality
Committee

Ms. Sharp reviewed items from the September 13, 2010, Learning Quality Committee meeting. Minutes from this meeting will be included in the October 14, 2010 board packet.

Human Resources
Committee

Dr. Cook reviewed items from the September 7, 2010, Human Resources Committee meeting.

**PRESIDENT'S
RECOMMENDATIONS
FOR ACTION**

Treasurer's Report

Following discussion, upon motion by Dr. Drummond, seconded by Dr. Cook, which motion unanimously carried, the Board of Trustees accepted the recommendation of the college administration to approve the Treasurer's Report for the month of July, 2010, subject to audit, as shown on Attachment B, which hereby becomes a part of these minutes.

President's Monthly

Dr. Calaway shared information from his Monthly Report with

Report to the Board

the Board. Items highlighted included:

- The math division's two initiatives with Achieving the Dream have begun.
- Heather Seitz, assistant professor, biology, was one of 23 exemplary biologists chosen to participate in the 2010 American Society for Microbiology (ASM)/NSF Biology Scholars Program Research Residency.
- Allison Smith, Chair of the Art History Department, will start "Noon at the Nerman" again this fall. The program will run every Friday this academic year.
- The Center for Business and Technology has contracted with the Coleman Company for five Leadership Training classes for their distribution employees from Gardner, Wichita, Texas and Minnesota.

Clinical Affiliate
Agreements

Upon motion by Dr. Cook, seconded by Mr. Mitchelson, which motion unanimously carried, the Board of Trustees authorized the college to enter into agreements with agencies, as shown on Attachment C, which hereby becomes a part of these minutes, for the period September 16, 2010 through June 30, 2011, subject to review of the agreements by college counsel.

NEW BUSINESS

Dr. Grove reviewed where JCCC stands in the accreditation process with the AQIP Quality Program Summary. The Quality Program Summary triggers the accreditation process; a team will review the summary and make the accreditation recommendation to the Higher Learning Commission Board.

The AQIP document summarizes the infrastructure of JCCC's quality movement, which focuses around the Quality Systems Council (QSC). It also reviews the current and past action projects. The nine QSC teams are currently updating the Systems Portfolio.

Dr. Grove concluded by stating that the mechanisms are in place to assure that the Continuous Quality Improvement (CQI) movement continues. One project that will help expand the CQI

movement is Strategic Planning Council Team 4's project of creating a CQI training program that will eventually be put into Staff Development.

REPORTS FROM BOARD LIAISONS

Student Senate Report

Corey Paris reported that the Student Senate has been fast at work with new business items as listed below:

- Welcomed new advisor, Mindy Kinnaman;
- Held elections and 16 senators have been seated;
- Developed a "Summit" organization for all Kansas and Missouri community college presidents and executive student government boards;
- Planned a "brown bag" luncheon for all JCCC student clubs and organizations.

Corey shared that the students he serves are happy, engaged and excited about school. He commended the Board for their work and service to the students of JCCC.

KACCT

Mr. Mitchelson reported that he and Dr. Sopcich attended the KACCT meeting in Hutchinson, Kansas on September 9-10, 2010. A presentation by Speaker Mike O'Neal of the Kansas legislature included information regarding funding distribution between technical and community colleges and prospective changes for distribution of that funding. Mr. Mitchelson stated that there is a consensus among the 19 community colleges that a more equitable approach to funding needs to be developed and recommended to the State Board of Regents. A tiered funding approach that recognizes and supports cost differentials in providing high-demand and high-tech training is being examined.

Mr. Mitchelson reported that the next KACCT meeting is scheduled to occur on December 5-6, 2010 in Parsons, Kansas.

JCERT Authority

Mr. Mitchelson reported that the next meeting of JCERT is scheduled to occur at 8:00 a.m. on September 21 at the KU Edwards campus. The principal agenda item is the auditing firm engagement letter.

Foundation

Ms. Sharp reported that the Foundation Executive Board met on September 14 and had a preliminary preview of the Foundation's financial report for FY10. The entire report will be presented at the Foundation Directors' Meeting on Wednesday, September 22 and the College Management Meeting on October 12.

Over 400 students who received Foundation Scholarships have been invited to attend the annual Scholarship RecognitionFest at noon, on Tuesday, September 21, in the Capitol Federal Conference Room.

The next Polsky Series is scheduled to occur on Wednesday, October 6, in the Polsky Theatre and will feature Fredric Goodman, president of The Fredric E. Goodman Company and Financial Diversified Services.

Kate Allen, the new Executive Director of the JCCC Foundation will begin employment on Monday, September 27.

Collegial Steering

Dr. Calaway reported that the Collegial Steering committee did not meet in September.

Faculty Association

Mr. Anderson thanked Judy Guzzy, librarian and chair of the joint task force on benefits for her work on the committee. Mr. Anderson stated that the task force is comprised of a cross representation of faculty, administration and non-faculty/non-administrative members. The task force is working outside of Institutional Research to conduct phone surveys to gather benefit information from other schools.

Mr. Anderson reported that the joint workload committee plans to meet on September 20.

The Faculty Association met on September 13; the implementation of the new smoking cessation policy was discussed. For transition purposes, it was suggested that the new policy become effective at the start of summer classes on June 1, 2011 instead of July 1, 2011.

Mr. Anderson reported that Dr. Ellen Mulcahy, associate professor, science, escaped a fire that destroyed her house last week. A fund drive has been launched and donations are being accepted through the science department.

PETITIONS AND
COMMUNICATIONS

Mr. Weiss asked if anyone in the audience would like to address the board.

Former student Kathy Brown, who has addressed the board the last five months, spoke again, expressing her concerns about freedom of speech on campus and the implementation of college policies.

Former employee Tammy Clem also addressed the board about her concerns with college processes regarding her termination.

CONSENT AGENDA

Following discussion upon motion by Ms. Sharp, seconded by Mr. Stewart, which motion unanimously carried, the Board of Trustees approved the consent agenda, including the Human Resources Addendum, as shown on Attachment D, which hereby becomes a part of these minutes. The consent agenda items included the following:

Curriculum

Changes to the curriculum, as shown on Attachment E, which hereby becomes a part of these minutes.

Minutes

Minutes from the August 19, 2010, Board of Trustees meeting.

Cash Disbursement
Report

Ratified the total cash disbursements, as shown on Attachment F, which hereby becomes a part of these minutes, for the total amount of \$13,663,252.85.

Award of Bids

Theatre Equipment

Approved the lowest acceptable bids of \$20,996.68 from BMI Supply and \$8,525.26 from Production Resource Group, LLC, for a total expenditure of \$29,521.94 for theater equipment.

Sun Equipment Maintenance Approved the the bid of \$38,443.00 from Datalink Corporation for Sun equipment maintenance.

Gifts, Grants, Contracts and Awards The acceptance of grants, as shown on Attachment G, which hereby becomes a part of these minutes, and the authorization to expend funds in accordance with the terms of the grants.

Human Resources

Retirements Retirements as follows:

JAMES BENNETT, Professor, HVAC, Technology Division, Academic Affairs Branch, effective September 14, 2011.

BECKY BOYD, Director, Accelerated Programs, Academic Support Division, Academic Affairs Branch, effective October 31, 2010.

Resignations Resignations as follows:

KRISHNA CHADA, Assistant Data Base Administrator, Information Services Division, Educational Planning & Development Branch, effective September 17, 2010.

COURTNEY HADDOCK, Lead Groundskeeper, Campus Services Division, Educational Planning & Development Branch, effective September 9, 2010.

BRYANT PIERCE, Senior Network Analyst, Information Services Division, Educational Planning & Development Branch, effective September 17, 2010.

DAVID WEGER, Greenhouse Coordinator, Science Division, Academic Affairs Branch, effective September 10, 2010.

Employment – Regular Regular employment in classifications indicated, as shown on Attachment H, which hereby becomes a part of these minutes.

Employment - Temporary Temporary employment in classifications indicated, as shown on Attachment I, which hereby becomes a part of these minutes.

Changes to the
FY2010-2011
Staffing Authorization
Table for Full-time
Regular Staff

Changes to the FY2010-2011 Staffing Authorization Table for
Full-time Regular Staff as follows:

FROM:	Vacant – Morris	Asst. Professor, Welding –12-month contract
TO:	Vacant – Morris	Counselor, 12-month contract
FROM:	Vacant - Stayton	Student Life Coordinator, AMS 16
TO:	Vacant - Stayton	Manager, Student Life & Leadership - AMS 17
FROM:	Robert Bevan	Lead Custodian - MS12
TO:	Robert Bevan	Custodian - MS11
FROM:	Keith Krieger	Coordinator, Technical Training – AMT18
TO:	Keith Krieger	Program Director, Technical Training - AMT20
FROM:	Vacant - New	Associate Museum Coordinator – AMS17
TO:	Vacant - New	Environmental Data Research Analyst - AMS18
FROM:	Vacant - Martin	Maintenance Mechanic - MS15
TO:	Vacant - Martin	Curriculum Coordinator, Sustainability - AMS16
FROM:	Debbie Rulo	Program Director, Computer Applications/IT - AMT20
TO:	Debbie Rulo	Director, Community Services & Computer Applications - AMS22
FROM:	Randy Winchester	Prog. Coordinator, Computer Applications/IT - AMT17
TO:	Randy Winchester	Prog. Director, Corporate Outreach & Strategic Partnerships - AMS18

Changes to the FY2010-2011 Staffing Authorization Table for Part-time Regular Staff	FROM: Vacant - Grinter	Administrative Assistant, CBT – OT13
	TO: Vacant - Grinter	Business Solutions Consultant – OT20

EXECUTIVE SESSION

At 7:05 p.m., upon motion by Mr. Mitchelson, seconded by Dr. Cook, which motion unanimously carried, the Board of Trustees agreed to recess to executive session to discuss personnel matters of nonelected personnel, in order to protect the privacy interests of the individual(s) to be discussed and for the purpose of consultation with an attorney which would be deemed privileged in the attorney-client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters, to return in 60 minutes. Invited to participate were Terry Calaway, Terri Schlicht, Mark Ferguson, Dana Grove, Marilyn Rhinehart, and Judy Korb.

At 7:55 p.m. the meeting reconvened and the chairman announced that no action had taken place during executive session.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Don Weiss
Chair

Jon Stewart
Vice Chair