

## Johnson County Community College Board of Trustees Meeting

Thursday, May 14, 2020  
5 p.m.

### Transcript of Meeting

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>> Chair Greg Musil: Good afternoon. My name is Greg Musil. I'm the Chair of the Johnson County Community College Board of Trustees. I want to welcome everybody to our May 2020 meeting, our third remote meeting and our second Zoom meeting. We appreciate everybody who is attending. And if you'd help me start with the Pledge of Allegiance as you sit or stand at your place watching the Zoom.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Thank you. I know that's a little uncomfortable when we're not in the same room. So I appreciate helping us show some sign of normalcy in this not particularly normal situation.

After the Pledge of Allegiance, roll call, I see all seven trustees are present on the Zoom meeting. So I will announce the presence of a quorum. We normally announce guests at our meetings when they're in person. We have no guests to announce tonight.

(Indiscernible background talking.)

>> Chair Greg Musil: If somebody could mute their system, that would be great.

The next item on the agenda is the Open Forum session. The Open Forum session is an opportunity for the community to participate in our meetings by making comments. Because of the Zoom nature of this, there was an opportunity to register on our website before today's meeting. Nobody registered. So we will not have an Open Forum time period today. That will be available again if we continue Zoom meetings, which it looks like might happen at least through June. There will be an opportunity to register on our website and make comments via Zoom.

The next item we move into is our board reports, and the first item is from Student Senate. Ankeet Prasai, President of our Student Senate with the Aurora borealis in the background. Ankeet, the floor is yours.

>> Ankeet Prasai: Thank you, Chair. Glad to be here again for one last time. My Student Senate role as president comes to an end at the end of this semester, so this will be my final report to you trustees. Of course I've had a very fun time at Senate as I get -- as I gather most of my senators have had as well. We've come to a point where we've allocated a majority of our funds that were assigned to us for clubs. Due to COVID-19, we weren't able to completely kind of drain our budget, but we've been able to engage a lot of students due to those funds, and the next board that comes in to take over Senate should have a very fun time in taking over the projects that we've started and even coming up with new projects. Due to COVID-19, we've also had kind of a problem with our student elections to elect our new board. So we came up with a new procedure to elect an interim board so we had continuity of our Student Senate representation across campus and their I guess committees. So we had that set before we have to go away from Senate, and so we'll have an interim board sworn in, and they

will run the Senate until the elections when face-to-face classes resume at the college.

So so far, that's the plan for Student Senate. And of course I think everyone is grateful for the help that the administration and everyone else on campus has provided to boost our image as the student body across the campus, and we are very grateful for that. And I just wanted to say I had a fun time working a lot of you guys as well. And thank you for all the opportunities that came my way because of working with you guys.

And, yeah, so that's been Student Senate for two years. We've had a very fun time. And thank you guys so much.

>> Chair Greg Musil: Thank you, Ankeet. Anybody have any questions or comments for Ankeet? If you'd raise your hand. I don't see the raise the hand function on here. But, okay. Trustee Smith-Everett and then Trustee Ingram.

>> Trustee Laura Smith-Everett: Thank you so much. I was just wondering if you could give us a little bit of a summary of your experience transferring to this sort of new online way of finishing out your semester and your degree here at JCCC. You can speak for yourself or maybe someone else's story and just kind of filling us in from a student perspective. That's all I have. Thank you.

>> Ankeet Prasai: For sure. For sure. So we've had multiple meetings with administration kind of discussing this exact aspect of kind of online learning and how students are doing in particular. For myself, at the very start the change was kind of drastic. There was a lot of self-learning that needed to be done due to kind of the nature of how the transition was going and how many professors weren't ready for that transition. But I think a lot of professors have kind of slowly got into the groove of things and really started out pushing their materials fairly well.

So right now I think I'm pretty much caught up on a lot of stuff. A lot of students had trouble kind of getting that learning aspect of it down at the start. But most of the people that I have talked to so far have said, you know, they've managed to catch up in their learning and then get ready kind of in this -- for the finals at this point.

But most of those confusions and the reports that we kind of gave to administration were that, you know, they -- people had technology issues, like getting multiple redundant e-mails. Sometimes they weren't kind of -- like the submissions weren't going through when they had to. So it was basically just mostly technology issues. But I think they're working on kind of resolving those. But I think, yeah, the start was a little bit bumpy, but I think we're in a good groove now.

>> Trustee Laura Smith-Everett: Thank you so much. And congratulations.

>> Ankeet Prasai: Thank you so much.

>> Chair Greg Musil: Trustee Ingram.

>> Trustee Nancy Ingram: The only thing I wanted to share -- are you getting some back --

>> Chair Greg Musil: A little feedback.

>> Trustee Nancy Ingram: Yeah. I'm not sure what that is. I apologize. Oh. Stand away. But anyway, what I wanted to say, Ankeet, is how much we appreciated you on the Presidential Search Committee. You asked great questions. You were always prepared. And you represented the student body well. So thank you very much. And best wishes as well.

>> Chair Greg Musil: Okay. Any other comments? Great point. Okay, Trustee Lawson?

>> Trustee Angeliina Lawson: Thank you so much. I just wanted to say how much I'm grateful for the Student Senate. There's so much work that you guys have done over the last few years, and it's been so good to see you and be able to get those reports, and I look forward to meeting the next president and being able to know about the goals that they have for those coming years. And thank you so much. And congratulations on your graduation.

>> Chair Greg Musil: Thank you, Ankeet. You have a very unique perspective as one of the 2020 graduates who are being forced to graduate virtually or remotely. And we're as sorry about that as you are because we, as trustees I think, and I'm -- I really feel sorry for Trustee Smith-Everett because she hasn't yet had her first graduation to stand on the stage and congratulate a couple thousand students who go across there and get their JCCC medallion. But it's coming. It's coming in the mail. I saw Trustee Cook, I think you raised your hand.

>> Trustee Jerry Cook: Yeah, thank you, Mr. Chair. I would like to echo Trustee Ingram's comments about your involvement on the selection committee, Ankeet. And I'd also like to congratulate you on the legacy you've left for the interest you've created in your fellow students who will be coming officers on the Student Senate going forward. I think you've created a culture of a very professional representation by the students and that was evident with the number of officers that would attend with you. And so I thank you for cultivating tomorrow's leaders in our Student Senate. I wish you the very best as well. Thank you.

>> Chair Greg Musil: Thank you, Ankeet. Best wishes. And please keep in touch. And we hope Johnson County Community College will always be an important part of your history as you do great things.

>> Ankeet Prasai: Thank you.

>> Chair Greg Musil: Next we move on to our college lobbyist. Mr. Carter. Dick Carter.

>> Mr. Dick Carter: Thank you, Mr. Chairman. The System Council of Government Affairs officers for the institutions represented by the Board of Regents continue to meet. We meet on Thursdays. And we've been comparing stories about what is happening on respective campuses, or systems across the state. We had a meeting just this morning that continued to look toward the return of the legislature for sine die. They plan to come back for a one-day session on May 21. We'll cover that in just a moment. The governor announced today that she intends to modify the statewide reopening in Phase 2 portion. That had set to move the numbers in mass gatherings from 10 to 30. That number will stay at 10 for the next two weeks, but it does allow personal services to reopen, such as hair and nail salons, gyms, but no group classes, things like that. There's more to the executive order than just that, but it does -- it does allow some of those operations to begin to ramp back up.

What it does do is push back all of the larger date -- larger numbers for the group gatherings down the calendar. And so for Phase -- what would have happened in Phase 2 will actually occur when Phase 3 kicks in and so on, every -- approximately every two weeks. So that came down today. It will be interesting to see what the individual county health offices suggest in their reopening plans. But that is the statewide order that will be issued today.

The governor's task force for reopening Kansas has presented to the Budget Committees. That group has an executive director that's been named, Cheryl Harrison-Lee, who is on the Board of Regents and a Johnson County resident. And Lyle Butler is serving as the Chair of that group. Their work still has not begun in earnest, but they will be ramping up as well in the near future.

I don't intend to go over the printed portion of the report that I sent to you. But I do want to give you an update on what has been happening in the past several days and what will likely happen next week leading up to the one-day sine die, veto, omnibus session. We've never had to call it all three things before.

The Tax Committee, the Commerce Committee, the Budget Committees, and Judiciary Committees are meeting via Zoom. And it's interesting to watch how people give testimony or how they're admitted to the meeting for that. Everyone is able to watch. There are a lot of issues being discussed, mostly COVID-related. There is some question as to how the work that is occurring in the House committees will be dealt with.

We don't know yet if there will be conference committees. The House does not intend to go on General Orders. That doesn't mean that they won't, but their intent is to not go on General Orders. We think that the Senate will have to go on General Orders because the Senate Majority Leader, Jim Denning, messaged via the State Finance Council just yesterday that the Senate would be coming up with a new plan for a resolution that would dictate what the authority for state looks -- for the state looks like when the legislature is not in session and what those checks and balances look like as we move into the non-session portion of the rest of the year.

There are certain groups that have oversight and authority, one of those is Legislative Coordinating Council, which tends to be mainly administrative in nature. The State Finance Council has some additional authority. And so there was a mistake, and that was what the initial Supreme Court review of the church issue was about. It was not about the constitutional right for attending church or freedom of religion. It had to do with a procedure that everyone seemed to know was -- was not correct when the legislature left town, and that had to do with if the Legislative Coordinating Council could check and review any executive order that the governor issued while the legislature was out of town. So we anticipate, based on Senator Denning's comments, that there will be a new resolution coming forward.

It will be incredibly -- that is moving a large piece, just to do that alone on one day. And so if the House does not go on General Orders, the Senate will have to produce -- produce that resolution, vote on it on General Orders and then send it over to the House for a motion to concur. Such is the case with the committee work that's going on. The Senate and House Tax Committees have been meeting the past couple of days. In fact, the House Tax Committee is still meeting right now. I dropped off of that committee to join here. And they have been talking about the property tax transparency bill, Senate Bill 294, and some of the changes that have been recommended. That bill would remove the tax lid. Keep in mind that JCCC is not currently under the tax lid legislation. But it would remove the tax lid for other municipal entities.

The House Tax Committee will add -- or it is their intent today to add a delay of implementation for almost a year, to January 1, 2022. It would allow for some fixes in the next legislative session that are of concern. It would allow for the normal course of business for the budget cycles. So that would be something that we would be interested in. And there will likely be some additional amendments related to COVID issues offered dealing with no fund warrants, the Kansas Development Finance Authority, and interest rate limitations.

Again, the interesting piece about all of that is, they're holding the hearings and they're working the bills, but if they don't send them back to the House floor to be worked, it remains a little bit unclear what that process looks like moving forward. If the Senate sends something

over that they've worked on, the House can either concur or non-concur. And it's up to leadership to determine whether or not conference committees will be appointed to work out the differences.

So that process can work, but usually we do that over a several-day or more than a week-long period, and that will -- that will likely not -- that's not going to happen in one day. So we'll see how that works.

Yesterday the Senate Tax Committee took that truth in taxation, that property tax transparency bill, even though it's already passed the Senate, they put it into another bill and they added a few other things, one of which would be to delay the property tax payments or collections that were set for May 10<sup>th</sup> to August 10<sup>th</sup> without penalties or interest. And that is something that we're keeping a close eye on. The current legislation and the amendment that was offered does not seem to address the disbursement of moneys from the county. So we're still waiting to see what that looks like as far as the entities that would receive -- receive those moneys that are collected on May 10<sup>th</sup> if that schedule stays in play or if those are also delayed. And that will continue to play out in that end of legislation session discussion.

Finally, the bill that I want to talk about that will likely again generate from the Senate, even though both the Judiciary Committees in the House and the Senate are talking about it, is a COVID liability bill that is being brought forward by the Kansas Chamber. And there's a number of entities that are being included in that bill. The legislation would provide immunity for entities that have modified their operation for something else related to COVID.

So if you think about in terms of how that might apply to community colleges, in a situation where a community college might loan ventilators for their health training programs or their health education programs to hospitals, perhaps housing clusters of COVID patients in residence halls, think more rural areas. I know that doesn't apply to us because we don't have residence units on campus. Perhaps the production of face shields or other products being used in the pandemic currently underway. The bill would provide immunity from anything that might happen as far as a lawsuit is concerned that would be occurring outside the normal scope of practice.

So those issues will be worked through over the next several days. Again, I see that coming from the Senate, and the House concurring. We've heard, again, no -- no intel has given us any idea that the House will be going on General Orders. Once you open it up to General Orders, things just go crazy.

This is an election year for all 165 legislators. And so the 40 senators and the 125 House members want to be out campaigning as soon as they're able. Again, that's going to look different. It remains unclear if the legislature will have to come back for a special session or whether the governor will call them back for a special session. That will all likely revolve around budget issues. Again, the State Finance Council meets throughout the course of the year when the legislature is not in session to make some of those decisions. But there's a lot of unknowns. And so that's kind of where we're at, Mr. Chairman.

>> Chair Greg Musil: Dick, you are frozen. You froze for about the last 20 seconds, if you can remember what you said and try those again.

>> Mr. Dick Carter: Yeah. That was the best part of my report.

>> Chair Greg Musil: We liked it, too.

>> Mr. Dick Carter: Essentially there's a lot of unknowns. We don't know what is going to happen as far as budget decisions and what that looks like during the off session, whether or

not there will be a need for a special session. All of that remains unclear. And that was essentially what I was mentioning. So a lot of unknowns.

>> Chair Greg Musil: I should ask, first of all, did it freeze for everybody else? Or was it my Internet connection? It was just me. Okay. I got an unstable Internet connection coming up. So, Jerry, I saw you raised your hand.

>> Trustee Jerry Cook: Yes. Thank you, Mr. Chair. No, it didn't freeze here. But, Dick, prior to April, you had indicated that the Consensus Revenue Estimating Group predicted a 1.2 billion drop in revenues for this and next fiscal year. And now with April results in down 612 million. Has there been any reconsideration of that amount? Or are they still feeling that the economy will come back so it will only be a 1.2 billion drop?

>> Mr. Dick Carter: No. I think they took those numbers into consideration when they were looking at what that looked like in the current year and in the next fiscal year as well. So that's part of the bigger picture.

>> Trustee Jerry Cook: Well, 612 million in April is a big piece of that. And May is not going to be pretty either.

>> Mr. Dick Carter: Right.

>> Trustee Jerry Cook: Thank you.

>> Chair Greg Musil: I'm looking for hands. Trustee Lawson.

>> Trustee Angeliina Lawson: Hi, Mr. Carter. Thank you so much. I know it's been awhile since we've seen you. I think it was February. Yeah, actually I think January. So it's good to hear an update what's going on. And a couple comments especially around the liability, I think you called it liability immunity. I believe, and I know we have attorneys here who may disagree that many of the Kansas attorneys were opposed. I know that the Missouri trial lawyers were because of the kind of release and hold harmless would allow people to operate a business and if they were put at risk as part of the employment due to inadequate protections, it would be tough for the client. Is this bill structured enough? Or is it set up basically rely -- preventing a lot of people from getting a claim in if a real negligence is happening?

>> Mr. Dick Carter: I think a lot of that conversation is playing out right now. And you are absolutely correct. And I should have mentioned that there are -- the plaintiffs attorneys are very much opposed to this particular piece of legislation, and there are people on both sides of the argument. And I think they're still trying to work out some of the issues related to -- related to the bill. So it remains unknown whether or not it moves forward or whether it has the votes to move forward. But I wanted to make sure that everyone was aware of it.

>> Trustee Angeliina Lawson: Yeah, no, I appreciate that. Does the college have a lobbying position on this specific liability immunity that you're bringing up?

>> Mr. Dick Carter: So the Association of Community College Trustees has been working with the authors of the bill to make sure that community college -- the community college system or community colleges in general would be included in any protection.

>> Trustee Angeliina Lawson: Okay. But Johnson County Community College it sounds like does not have a position on this right now?

>> Mr. Dick Carter: I have not spoken to legislators individually about the issue.

>> Trustee Angeliina Lawson: Okay. And then some other things, so just going back in the legislative reports that we've gotten in the previous months, can I ask, who is authorized to testify on behalf of the college using college letterhead? I had prior been told that it was only

the president, but in one of the legislative reports, that appears to not be the case.

>> Mr. Dick Carter: I suppose I've never been asked that question. The Government Affairs Task Force works through the various legislative issues, and I know that two times this year Kate Allen has provided the testimony in committee on behalf of the community college.

>> Trustee Angeliina Lawson: Uh-huh. Okay. I also see that the JCC lobbied for College Promise. The board so far has not taken that position on College Promise. The last time the board talked about this was during a retreat last year. And it was actually recommended by staff to table the issue. Yet I see, you know, a staff member instead of the president providing testimony in the House and then the Senate. So I'm wondering what informs the nature of our lobbying efforts if the college by vote has only one set opinion that we've tabled the matter?

>> Mr. Dick Carter: I will go back to that there is a set of guiding principles that the Government Affairs Task Force uses. Mr. Chair, if I'm missing anything, please help, step in.

>> Trustee Angeliina Lawson: Can I have a copy of those principles? Because I don't think any of the trustees are on that committee. Do we know who's in that committee?

>> Chair Greg Musil: The principles that we have adopted several years ago, I don't know, but they are available and they've been voted on by the board. We will certainly have those circulated again because I believe they've been circulated since Trustee Lawson and Trustee Snider were elected. I don't know if Trustee Smith-Everett has seen them. She's shaking her head no. So we need to get those out. I know that one of those deals with the, you know, issues of -- of legislation that promotes students. We struggled over the years with how to give specific direction in a legislative session that moves quickly, and although I do believe you are right that we discussed this in a board retreat, it was then presented at a board meeting I believe last September or October, at which time we decided to delay any work locally on a College Promise program that would be JCCC only, partly in my mind at least because of the costs it could impose on our college alone.

>> Trustee Angeliina Lawson: Uh-huh.

>> Chair Greg Musil: We've had several -- we've seen the reports about what was done at the state level when the state -- or leadership on the House side at least endorsed a College Promise program, and I believe that any testimony in support of that would have been completely consistent with the board's discussion when we looked at our own program.

>> Trustee Angeliina Lawson: Okay. I think those guiding principles will be helpful just to refresh. And then the last question, Mr. Carter, when do we get the chance to set up the next session for the legislative agenda, and I think you're using the word principles, so maybe it's the legislative principles to work on? And how does the board get to be a part of that?

>> Chair Greg Musil: Well, I will take that. We will -- we will set that up. And I think what we need to do is probably think about that for our September board meeting, is to look at the -- look at the items that are on the agenda now. And it might be a wise thing to run those through each of the committees for the -- in time for the September meeting. And that way, because some of them deal with -- they deal with various issues. And I would recommend we put that on everybody's agenda, each of the committee meeting for September, and then review them at the September board meeting given that we'll know more then and we'll still be far enough ahead of the legislative session to make them relevant.

>> Trustee Angeliina Lawson: Yeah. And I think that's a good opportunity. Thank you, Mr. Chair, and also help to formulate the guiding principles and what that can look like to know

that JCC might be having testimony and kind of get a heads-up on that. I think that would be helpful. Thank you so much.

>> Chair Greg Musil: Trustee Cook?

>> Trustee Jerry Cook: Thank you, Mr. Chair. I would just say that each Fall we discuss those legislative principles and we have historically distributed them to the Johnson County delegation when we've had our breakfast sessions. We didn't hold those this year. I do believe, and Kate Allen has been a part of that. I do believe we discussed those either in a retreat, but we've tried to review those annually. But I don't recall what month we reviewed them this Fall when we canceled our legislative breakfast for Johnson County delegation.

>> Chair Greg Musil: I see no other --

>> Trustee Jerry Cook: I would say one more thing. And Trustee Lawson raises a good point. I think if a trustee is interested in lobbying on behalf of the college, that discussion should go through the president's office and through our -- our lobbyist and Kate Allen. So I know in the past, a trustee testified on the conceal carry case. But that was all through the administrative office. So I think that's how I would prefer, as an individual trustee, for that to be coordinated that a trustee should visit with the president and our legislative team to determine when and how a trustee should present to the board on behalf of the college.

>> Chair Greg Musil: I think Trustee Lawson was looking more for general college positions that the trustees would have input to. And I think we'll make sure that gets done this September.

Trustee Ingram?

>> Trustee Nancy Ingram: Yes, thank you, Trustee Musil. I'm getting this feedback that is driving me nuts. Are you all getting that?

>> Chair Greg Musil: We are not. Have you tried -- well, we're getting it from your voice I guess.

>> Trustee Nancy Ingram: Okay. All right. I apologize.

>> Chair Greg Musil: Can you turn the microphone down a little bit? I don't know if our web master can help us on this.

>> Trustee Nancy Ingram: Okay. I just wanted to take a moment to thank Dick Carter for his partnership with KACCT. Our new executive director, Heather Morgan, has mentioned several times how important that has been for her to work with you. And you provided that segue for that, so I wanted to thank you for that partnership.

>> Chair Greg Musil: Okay. I don't see any other hands. Dick, the one question I had, I think it's maybe a little bit moot now, but the effort to move the second half of property tax payments from May 10<sup>th</sup> to July 10<sup>th</sup> and there would be no interest or penalties for anybody, I assume that most people paid theirs by May 10<sup>th</sup> and anybody that didn't would now wait until July 10<sup>th</sup>. And I'm wondering about the impact that might have on our June ad valorem tax revenues which we'd normally get to the tune of tens of millions of dollars. I think Rachel would know for sure. Was there a fiscal note? Is there a fiscal note associated with that yet, about how much -- how much property tax revenue might be delayed because of extending that date? Or do we think most of it's already been paid because it was already due?

>> Mr. Dick Carter: So, Mr. Chairman, before Rachel chimes in, just very quickly, it simply is an amendment at this point on a piece of legislation that could be part of the sine die session. It has not actually occurred. And I think that the proposed delayed collection date was August 10.

>> Chair Greg Musil: Excuse me, August 10th. You're right.

>> Mr. Dick Carter: Yeah, without penalty and interest. So I just want to make sure that was -- it's not part of the mix right now. Currently, if you didn't pay by May 10, you probably are delinquent. This would be a retroactive application.

>> Chair Greg Musil: I think if it had been enacted before May 10<sup>th</sup>, then virtually everybody that had a second half payment due would have taken advantage of it and our June revenues would have looked different. I'm hoping -- understanding we have property taxpayers with issues, but moving that a couple months would have definitely affected our revenue stream.

So I see no more hands. So, Mr. Carter, you are relieved. Thank you very much for your help. We will now move to the Faculty Association. Dr. Melanie Harvey. Welcome.

>> Dr. Melanie Harvey: Thank you. It's great to be joining all of you. I want to start by saying how thankful I am to work at this fine institution, especially now. Our collective response and our ongoing creativity to solve the problems we're currently facing is really remarkable and I'm very proud of our college and how seriously everyone is working to put the health and well-being of the people associated with this institution first. I'm also grateful that it has been understood this whole time that quality of instruction and integrity in academics are still high priorities. And, you know, while we are forced to compromise in ways that we never imagined, as faculty, as students, as employees, it's been understood that we still maintain our high standards of excellence. And we're helping our students get through this time while continuing to make progress towards their academic and career goals. So it's been -- it's been a great journey and I'm really proud to be part of this institution and all of the people that work here.

So this is my last board address on behalf of the FA. The experience of representing the faculty at Johnson County Community College has truly been the greatest honor of my career to date. I've always been very aware that everything I say on this campus or anywhere I go in this role, that I'm speaking not on behalf of myself, but on behalf of a larger group that are counting on me to represent them and deliver their collective message. And so that's been really hard. And in some ways I'm looking forward to being able to speak on behalf of myself again without that additional load of responsibility. But it's been a great honor. I'm not even sure how I landed in this position, if I'm being honest, but I've learned so much in this role. I've grown as a professional in so many ways, the most obvious to me is my comfort level with public speaking. My first board address, I was terrified. I don't know if you could tell, but I was. I'm sure you could. I'm much more comfortable with standing up in front of large groups of people and speaking and taking questions about things completely unrelated to chemistry now than I was before. Chemistry I can handle; everything else not so much. And I have this experience really to thank for that.

I've realized that unions appeal to me because I have this strong desire for fairness and equity to be experienced as much as possible. And that really is the benefit to our institution of having a union. You know, without a contract, without a union, it is very tempting for large organizations and businesses and institutions to make decisions right now in this pandemic that I'll be honest exploit their most vulnerable people. It's very tempting. And when they're faced with the tremendous challenges and incredible pressure, financially and in every other way, and I can give you so many examples during this pandemic that made me thankful that I am employed by an institution that has a union and a contract and it's full of agreements that we all

made together, over 40 years. We made these together so that we'd have, you know, a set of guidelines that we could count on and use to help us determine what it looks like to be fair, what it looks like to be equitable.

And so it is the reason that this institution will not exploit people, even if we're tempted, even if we feel this pressure to do that, but we'll retain our very best employees because of that while other places are going to lose some of their best people when this is over, if not before.

During my first teaching job, I applied here and wanted this job specifically because there was a union. And I experienced first-hand working there what it was like to have no collective voice and the impact it had on everything at the institution, from the quality of employees that they were able to recruit -- attract and keep, the quality of education that we were then offering, and everything.

And as we continue to work together, we're going to come out of this whole thing changed, but still excellent. And I love that about this place. And I really do feel like the Faculty Association is a big part of contributing to that reality. I'm very sad that we won't have our usual graduation ceremony. You guys know how much I have enjoyed that the last two years. It is such a blast. And that was a real highlight for me. But in light of the fact that the Faculty Association will not be having a party for graduation, we chose to donate the money that we would have spent for our party to the Foundation earmarked for the Student Hardship Grant. And that is something that was started and is managed by our faculty in counseling. Many of us started giving to this through payroll deduction over the past year since we found out about it. But the counselors have been donating to it for years. And so we were thrilled to support this as a Faculty Association, to give money, instead of a party, we're giving it to this fund because it goes directly to students to help them stay in school when they have a crisis. So I just wanted a plug for that, but I also wanted to just say that we're so glad that we work at a place that has funds like that, that has things set up and employees give to it and people in the community give to it.

So I know you're all looking at the budget. And you're going to be discussing things like where to cut, if we need to cut, what to leave for next year, where we can move money around. We all know that an average of 3% pay increases were negotiated for full-time faculty in our last contract, and that's already been established. And common practice has been to extend this to all the employees at the institution, and I believe that is the right thing to do. And in case you're feeling uncomfortable about this 3% during these uncertain times, I just wanted to let you know that my health insurance cost to me for the same plan as before were increased by about the same amount as my roughly 3% raise. So if that helps you in that decision, you should know that the 3% is really allowing many of our employees to simply absorb the large increase of our benefits costs this year. So if that helps you explain it to others or feel better about that, I want you to know that.

So I think doing the right thing by all of our employees is going to help us keep our wonderful people, because we do have really wonderful people, and really everyone across our college is working so much harder than they have ever worked before. And I know a lot of you realize that because you're working harder than you've ever worked before. Everything is just harder. So I just wanted to encourage you to do the right thing and take care of people. I know you will, but I just wanted to say those words of encouragement. I also want to -- I see he's not on here, but I wanted to say thank you to Joe Sopchich for his many years of service to the college. I hope he has a wonderful and very long retirement ahead of him. I also wanted

to acknowledge Dr. McCloud for an excellent interview this week on KCUR's "Up to Date" with Steve Kraske. Our faculty heard it and were very impressed. He -- we wanted to thank you for representing our faculty and our students and our institution so very well, and it was excellent. So thank you from all of us. So I just wanted to share that. We're thrilled. And you did such a good job.

Okay. So, finally, the last thing I want to say is, I've served as vice president for two years. I was on the last negotiations team. And now I've been president for two. And now I'm officially the past-president starting this week. And I'm going to be serving as an officer and helping our new president in any way he needs. So I'm still going to be around, I'm still going to be involved. But I would first like to tell you who our new officers are before I take questions.

So I'll start with our new president, Jim Leiker. He's been a professor of history at Johnson County Community College since 2002. He's been Chair of the Department of History and Political Science since 2015. He has served the FA as my vice president for two years. He served once before as vice president years ago. He was also our UniServ rep when I was vice president. He served with me on the last negotiations team. Here at Johnson County Community College, Jim founded both our College Scholars program and he also founded our Kansas Studies Institute. He's a four-time winner of the Distinguished Service Award. He's won multiple publication awards. He's won the League of Innovation Award. He's authored numerous books and articles, and he's currently under contract to write the first comprehensive history of Kansas in more than 20 years.

And I was delighted -- yes, you're going to get to hear from him for the next year for sure. I was delighted that he served with me and I am thrilled that he has taken on the responsibility of FA president. He's going to do a wonderful job. So I'm so happy to hand it off to him.

Our vice president is the wonderful Diane Davis, professor of English. I don't know if you guys know her. She has chaired our Political Action Committee in recent years, so you may have met her. But I don't have a bio on her, but she's exceptional. And we could not ask for a better faculty member for our team.

Some individuals that have served before, we have Brett Cooper is secretary. He's the director of the Math Resource Center. Our treasurer is Eve Blobaum, she's professor of sociology. And our UniServ rep is Brian Wright, he's a professor of political science. So we have a great team of faculty ready to serve as representatives of the Johnson County Community College faculty.

And so with that, I just want to say thank you. It's been a great experience and I'm not going anywhere, so you're going to see me around again. But -- but that's it. So that concludes my report. If you have questions, I'd love to try to answer them.

>> Chair Greg Musil: Melanie, we will -- we're going to have an eternal flame Bunsen burner going for you in honor of your service. But we're glad you're still going to be around because we know you're a fabulous professor. I think I saw, Dr. Cook. Are you raising your hand?

>> Trustee Jerry Cook: I am. Thank you, Mr. Chair.

>> Chair Greg Musil: I've got Trustee Smith-Everett and Trustee Lawson after that.

>> Trustee Jerry Cook: Melanie, you and I have had this discussion. I want to thank you, as Nancy thanked Ankeet, for being on the Presidential Search Committee. You were superb representing the faculty. I believe that the search committee heard the faculty's concerns

as you represented them so very, very well. You and I discussed a lot the difficulty of being in a leadership role, and in this case president of the Faculty Association. And you've handled it so very well because there's no way that you're going to be able to appease and make everybody happy with their particular issue. And it's just a really difficult position to be in when you're trying to represent the institution, your colleagues, colleagues that might not agree with a situation that the Faculty Association is pushing forward. So I just wanted to thank you and compliment you and appreciate all of your positive comments about the college. But I also appreciate how you represent the college in a very professional manner. So thank you for your service, and I wish you the very best.

>> Chair Greg Musil: All right, Trustee Smith-Everett. Thank you, Jerry.

>> Trustee Laura Smith-Everett: Thank you, Mr. Chair. I just wanted to thank Dr. Harvey for your service and your leadership. I think all of us on this board understand exhausting -- how exhausting leadership can be sometimes, especially when it comes free. And we appreciate how much you've done to show that leadership in service to your colleagues. And I want to thank you for your communication and honesty and when it wasn't easy. I think that more than anything helps move an institution along and helps us have a really important dialogue. So thank you so much. And we're glad that you'll be hanging around. I look forward to the eternal flame Bunsen burner that we will have in the board room as a result. Thank you so much.

>> Chair Greg Musil: Trustee Lawson?

>> Trustee Angeliina Lawson: Dr. Harvey, I just want to thank you so much for the work you've done to contribute to Johnson County Community College. I know your work as an educator, as an advocate, and as a leader, you have gone through a lot of firsts, a lot, a lot, a lot of firsts. I know you put a lot of effort into shared governance, due process, negotiations, and you worked very hard to select us a fabulous new president that's coming in soon. Even tonight, what you're talking about, you are thinking about protecting all faculty, and that is something that I've heard over and over again. It's not just a group of faculty, but you think about all faculty. You kept your cool and protected your members under the impasse, and I'm proud to have met and to know you, and this is a leadership we all need. And you really held your position with purpose. So thank you, Dr. Harvey.

>> Chair Greg Musil: Trustee Cross.

>> Trustee Lee Cross: Yes. Thank you, Mr. Chair. Dr. Harvey, I just want to say congratulations on your service. I am sorry that Dr. Sopcich is not here tonight to thank you himself. But I do note that Dr. Andy Bowne is attending by telephone tonight. You have continued the excellent tradition of professionalism and representation not only of our FA members, but of all of our employees on campus. And I'm sure that the new leadership team will continue that effort in leadership. You have effected, at the direction of the board, the hiring of a new president, the policy of this college, and I'm glad our administration has worked with you and the FA during this uncertain time.

Thanks to your leadership, I'm confident that all of our employees will be protected from any cuts or furloughs so that we can be at full strength to help our large and growing number of unemployed citizens. So I thank you again. As Trustee Lawson did note, you've had an extremely tumultuous and difficult time. You've handled it with grace and class. And you'll be missed. So I just wanted to say those things. And with that, that concludes my comments, Mr. Chair.

>> Chair Greg Musil: Okay. I see no more hands. I should have announced earlier, Dr. Sopchich regrets not being here. He has a personal family medical matter that was of somewhat of an urgent nature that I've been in communication with him throughout the day and he could not be here for tonight's meeting. But it is -- I'm sure he would share some of those sentiments and I'm sure he would agree with you, with the comments, Melanie, that there have been some difficult times, because there are -- when everybody -- when people are representing different constituencies, and frankly for the board when believe we're representing all constituencies, it's never easy, but we appreciated your service and knowing that we could talk to you about different issues, so. We'll never be as nice to you again as we are tonight. And we're going to let Trustee Ingram close this out, I think, because I saw her hand waving. Nancy.

>> Trustee Nancy Ingram: Am I unmuted? I don't have the -- we corrected the situation. So I feel a little more comfortable in talking because I was getting all this back stuff. But, Melanie, thank you. I think Laura really hit it on the head when she said honesty. We appreciate your honesty, I think as much as anything else. So thank you. It goes without saying, you have done an excellent job. I appreciated getting to know you better and particularly through the presidential search. You know, it was a wonderful experience. But anyway, thank you for all you've done. Grateful that you'll around. So thank you.

>> Chair Greg Musil: All right. Melanie, thank you. That's probably a nice way to go out. Every meeting doesn't end that same way. Right? Congratulations.

We'll move on to Johnson County Education Research Triangle report from Trustee Cross.

>> Trustee Lee Cross: Yes. Thank you, Mr. Chair. The Johnson County Education Research Triangle met on April 20<sup>th</sup>, 2020. Among many of the items we discussed was that K-State's actually rolling out, perhaps timely, a certificate in animal health studies for future academic programs and align it strategically and specifically in an effort to align it with strategic initiative of global safety. The new program will help college undergrads, high school kids, and primarily first generation college attendees. I will note, General Myers actually joined us, for all you K-Staters, in our meeting on April 20<sup>th</sup>. Amazingly, despite the problems we have had during this pandemic, the revenues that JCERT received through the first quarter are actually 3.9% above what they were last year, including 1.4 million in April above the 1.3 million in 2019.

I imagine that will be different as we're seeing and struggling with the college. There's a number of different parameters that we'll be dealing with in our own budget conversation and I'm glad Trustee Mr. Chair Musil raised the issue about the issues concerning our ability to collect property tax and revenue.

The next meeting we have will be on Monday, October 26<sup>th</sup>, 2020, at this little start-up called K-State Olathe at 7:30 a.m. I hope it can be in person, although I've become institutionalized with all these Zoom meetings and the time it gives me and all of us with our families. So with that, Mr. Chair, that concludes my report.

>> Chair Greg Musil: Any questions for Trustee Cross on the JCERT? Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: I have waited every meeting since I have been watching or part of this board to ask what exactly the Research Triangle's purpose is.

>> Trustee Lee Cross: Sure. I can take that -- what's that?

>> Trustee Laura Smith-Everett: I don't know the history of it.

>> Chair Greg Musil: I think that what happened was in 1996, I believe, the -- no, I'm sorry. It was 2006 or 2008, the legislature authorized the opportunity for Johnson County to have an election to impose a one-eighth cent sales tax that would be split in three different ways. One way would be to help the KU Medical Center Cancer Institute, Cancer Center, then, with the notion that it would seek NCI designation as a cancer center, which it has received. To also help the KU Edwards Campus to expand its graduate programming, and then to help K-State Olathe, which is a primarily post-graduate education institution, to work with the animal science corridor businesses between Columbia and Manhattan. It passed rather handily in 2008, I think it was, and has been imposed since then. It has helped build a building called the BEST Building on the KU Edwards Campus. It built the building on the K-State Olathe campus. And it has funded facilities and equipment and programs at the KU Cancer Center. So I think -- my understanding is that at the time and still is, it is a very unique effort by a single county to support higher education on a multi-campus, multi-institution basis to help improve our mainly, frankly, post-graduate education, although KU Edwards clearly has baccalaureate degrees as well, and then to help our medical system.

So, Trustee Cross, I didn't mean to steal that from you, but I'm older than you. I remember.

>> Trustee Lee Cross: Without objection. And I thank you for that. I will note that on the website the initiative passed in November of '08. And we contribute over -- we just finished an economic impact study last Fall when I first joined the board after Trustee Lindstrom left. So we have a multi-billion dollar impact on the economy every year, with the specific purpose to be somewhat normative, but it's a very real issue that I think presented itself post-9/11. And as an activist in public policy, we realized our exposure and weaknesses in our economy, specifically we wanted to enhance the quality of life in Johnson County, create new jobs and companies, provide for opportunities for cancer cures and treatments, protect the food supply, an incredible weakness, as we now know, frankly, with this pandemic, that we have in this service-based economy of ours. It expands the knowledge-based economy we have, provides scholarships for triangle programs. I mean just as Trustee Musil says, sustains existing engineering technology and animal health companies throughout the corridor. And so it has helped put up many of the University of Kansas offices and research clinics that we have in Johnson County and frankly was an effort to help the legislature invest in Johnson County. And I didn't want to hear myself talk. I just wanted to add and say that I could do that. But I do appreciate you jumping in there.

>> Chair Greg Musil: I'm glad I went first because you did a great job there, Lee. Thank you. Trustee Lawson?

>> Trustee Angeliina Lawson: Mr. Chair, you know my feelings on how we must balance the needs of the people who are of course suffering, especially under COVID. I hope these reports and our strong bottom line gives us that opportunity, and I know -- is this tax going to continue? Is there an expiration, like a 20-year tax roll-out? I know, you know, KU has a quite large endowment. So I think the purpose of this was probably to initiate. But then at some point is there -- when does this expire? Or is this until it gets voted to end?

>> Chair Greg Musil: There is no expiration date in the legislation or in what the voters adopted. And part of the issue with that would be that there are bonds outstanding on buildings that were built, and so certainly you couldn't stop the tax even if you wanted to until those

bonds have expired, and I suspect they are probably 20-year bonds. I think it would take further legislation to stop the tax.

These funds are used also for ongoing operating expenses and ongoing operating programs for undergraduate and post-graduate degrees I know at KU Edwards. So the short answer is, there is no -- the legislation imposed the tax permanently.

>> Trustee Lee Cross: Mr. Chair, if I may.

>> Chair Greg Musil: You may.

>> Trustee Lee Cross: It's a good question. I'm not aware of any expiration date. And I think it's a wonderful creative and innovative thing that we did, the people of Johnson County did to not only promote KU, but also frankly K-State. Hence the emphasis on protecting the food supply. Many of the state institutions, the University of Missouri, Ohio State, Texas A&M, and K-State are in dramatic competition for different things, like we won the federal contract to have the bio research facility here, in Manhattan. And so we were hoping that many of these things would happen. And the KU endowment is, to my knowledge, like many public university endowments, heavily loaded upon land and other non-liquid assets. So even -- even given the size of the KU Foundation, it has little impact here as we're working to supplement and grow KU, K-State, and then existing public infrastructure, which is why we get a seat, and a number of other entities and the county get a seat to be able to have a governing say as to what goes on. We thought it was so important to have this focus on higher education that we would invest in this. So...

>> Chair Greg Musil: Okay. Thank you, Lee. The next item is Kansas Association of Community College Trustees, and that report will come from Trustee Ingram.

>> Trustee Nancy Ingram: Yes. Thank you, Mr. Chairman. The Kansas Association of Community College Trustees has served as a clearinghouse for the collection of information, both for and from the 19 community colleges in Kansas over the last eight weeks. From the distribution and donation of PPE to providing guidance and support as our college navigates through this pandemic, KACCT has worked hard to assist in meeting the needs of our membership. Ultimately, the goal has been to assist in protecting the health of our respective students, faculty, staff across the state while our colleges carry on with academic programming. As an organization, the executive officers are collaboratively working on the budget, reviewing operational costs, and identifying opportunities to continue to seek efficiencies.

As with our own college, things have been moving fast and furiously the past few weeks. And we continue with our weekly Friday calls that Heather began when the legislature convened in January. This is a good time to thank Dr. Randy Weber and Kate Allen as I know they have both been on those weekly phone calls and have worked with staff to assist in compiling information such as expenses due to COVID-19, revenue lost to COVID-19, and other information that has been requested. And as I mentioned a few moments ago, Heather has expressed many, many times her appreciation for Dick Carter and his partnership.

The uncertainties before us are massive and quite varied, but collectively, the conversations have been reassuring and helpful. Our next meeting will be held in June with a one-hour Zoom meeting to serve as our quarterly meeting. We will have an update from the executive director. There will be a time for just general discussion, because certainly in the next couple weeks things will change and move forward just a little bit differently than they are today, and our budget will be presented. So as such, I will provide a complete update following that meeting. And, Mr. Chairman, that concludes my report.

>> Chair Greg Musil: Questions for Trustee Ingram? I should note that Trustee Ingram is not only our liaison to KACCT, she actually serves as the president of that statewide group, which includes all 19 of the community colleges within the state of Kansas. So thank you, Nancy.

We're ready now to move on to the Foundation report, the community college Foundation, which is also Trustee Ingram.

>> Trustee Nancy Ingram: You are correct. Thank you. The Foundation continues to successfully accomplish important work on behalf of our students and the college during this challenging time. Several examples of important work that has occurred recently include the Foundation quickly responded to partner with the college to create the Foundation's COVID-19 response scholarship. This is an emergency scholarship opportunity that will be available to students who apply for the college's COVID-19 Relief Fund, which is \$2.5 million from the CARES Act, but for a variety of reasons, those students may not be eligible. The Foundation has already made \$75,000 available for this effort and will continue to assist as needed.

The Foundation also has committed \$60,000 for the purchase of new laptops that will be used for a new loaner laptop program being administered by the college's ITS division.

Julie -- Judy Riley, excuse me, the Foundation's Program Director of Development, has been sending out messages of inspiration to Foundation supporters on a frequent basis. The Foundation is sharing heart-warming stories of college faculty, staff, and students making the most of these challenging times. These messages also help Foundation supporters understand ways they can assist at this time.

A final example is that in the last month, the Johnson County Community Foundation has made \$1.5 million available to the college's Financial Aid Department for upcoming fall and spring scholarships.

Next week, on May 19<sup>th</sup>, the Foundation will be holding its first ever virtual annual luncheon with support from the college's video services team. Foundation members will be invited to join us for a unique opportunity to celebrate the Foundation accomplishments over the past year, hear from a current scholarship recipient, and continue to learn how they can help during these challenging times. All Foundation members will receive details on how to access the virtual luncheon.

The Foundation continues to work each day to adapt and plan for upcoming Foundation events such as the annual Lace Up for Learning 5K, Beyond Bounds, and of course Some Enchanted Evening. Our plans are finalized for each of these important events. More information will be shared. We encourage everyone to watch the Foundation website for updates and information on how to support our students during this time. And that also concludes my report.

>> Chair Greg Musil: Thank you. Are there questions about the Foundation? If not, we're going to move into committee reports. The first item is the Audit Committee. The Audit Committee is made up of the Chair and Vice Chair of the board, myself and Vice Chair Paul Snider. We met on May 8<sup>th</sup> at 8:00 a.m. via Zoom webinar. The first item on the agenda was the initial planning meeting for the audit of the college, which is done annually by an outside audit firm, in this case Rubin Brown LLP.

We heard from Chester Moyer, a partner in the firm, and Corey Robinson, who will be the audit manager for the Johnson County Community College audit. They went over the scope of the audit, the time frame of the audit, and the types of things they would be looking at,

including a special emphasis on some of the federal programs because we are responsible to -- for compliance with federal law, particularly in the Student Financial Services area, and also their audit, annual auditing of the Johnson County Community College Foundation. And as you saw in the packet this morning, or for this meeting, I guess it will be in the -- the Audit Committee minutes will be in next month's packet. They were not prepared for this month.

One thing that the audit team does every year is supply to the Board of Trustees their name, e-mail address, and telephone in the -- and ask for anybody to report to them items related to fraud or other issues that they believe -- the trustee believes somebody on the audit team should know. That's been an annual request for the nine years I've been on the board and they made that again at this meeting. And so you will get those -- the name, address, and phone number, e-mail address in the next -- in the minutes in our June meeting. If you want those ahead of that, please contact Rachel Lierz. I'm sure she can get you those. Or contact me and I'll get them to you.

We also followed with audit recommendations. We had heard last year from Sandra Warner in various committees and I think at the board about the continuity plan that the college had been working on for the last year or so with Dr. Sandra Warner in charge. And continuity planning was generally looking at things like tornadoes or fires. We don't worry much about floods since we're up on the hill. We also worried about hacking and attacks on our information systems infrastructure. What we now know is that a pandemic is also a business continuity issue. Sandra brought us up-to-date on what had been done as part of that, what we've learned from it and what we're continuing to do to finish out the plan that had been started by the administration in early 2019.

We had a report on the Johnson County Community College Ethics Report Hotline, which is a report hotline where you can report human resources issues, ethical issues, financial issues, other things on an anonymous basis or on a -- or by giving your name. And those are then worked and investigated by appropriate personnel. We learned -- we looked at and reviewed the annual benchmarking where our Ethics Report Hotline is measured against the hotline reports from other entities, both public education, public governmental, and private with respect to the types -- the types of complaints that are made, the time from the complaint to closure, the amount of number of complaints by percentage that are substantiated, and other benchmarks to see where we fit in that.

It was good to know, once again, that generally Johnson County Community College fares better than the national benchmarks with respect to the number of complaints made. More of our complaints are made with a name of a complaining instead of an anonymous person, which is an indication of some level of trust in the process. And then more of our -- generally more of our claims are resolved in a shorter period of time than the national average.

We had a quarterly report of the Ethics Report Hotline. And then we -- as you saw in the packet, there was a two-page item with respect to how the Ethics Report Hotline works with respect to trustees, complaints about other trustees. And we will be discussing that presumably in a retreat or a public meeting to see about any ideas and any changes that we need to make with respect to our Ethics Report Line on a trustee-to-trustee basis.

That basically concludes my report on the Audit Committee. Trustee Snider, do you have anything to add?

>> Trustee Paul Snider: Nothing to add. Thank you.

>> Chair Greg Musil: Anybody else have questions about the Audit Committee? If not, we'll move into the Management Committee. Trustee Jerry Cook. We have a number of recommendations and action items on the Management Committee.

>> Trustee Jerry Cook: Well, actually, we'll do Learning Quality first. That's on the agenda before management.

>> Chair Greg Musil: I apologize. Trustee Cross, I skipped you. Not intentional.

>> Trustee Jerry Cook: The Learning Quality Committee met on May 4<sup>th</sup>. Trustees Cross and Smith-Everett were in attendance with a plethora of college faculty and staff. Theresa McChesney gave her regular update on learning outcomes, curriculum program additions. All of those program changes are found in the Consent Agenda. There were a couple of new courses that take a little more effort to get approval, and as you are reminded, this whole approval process for a change in curriculum or a new one does take considerable time. But like I say, all of the additions and renewals are found in the Consent Agenda of your packet.

Angie Claussen gave a report on a sabbatical that she was involved with in the Fall of the 2018 semester. Her focus was to design an online nursing information session to deliver a comprehensive set of resources on pathways to becoming a nurse. The online resource with current and accurate information benefits potential students who would like to refer information presented in person or who aren't able to attend an information session. So this online has really given an opportunity for a lot of potential students to have access to the program when they couldn't attend the information service personally.

She explained that the site is a resource for those interested in nursing and that not all who are interested would be qualified applicants. We did talk a little bit about the process it takes to add additional staff to the nursing program. Dr. McCloud gave a very extensive report on that. But in any event, this online program is really helpful to students to learn more about the nursing opportunities we have and the platforms we have at JCCC.

Dr. Nathan Jones gave a report on his sabbatical that he took in the Spring of 2019 semester. The focus of his sabbatical was to develop a composition textbook for use by English 122 students at Johnson County Community College and elsewhere that would encourage primary research to explore and write about practical challenging topics of personal interest through research-based narratives, I-Search.

The assignment he developed as part of the curriculum is for students to utilize I-Search model to write personal, systematic, rigorous and public research that prepares them to do things, plan for things, and hope for things. It really is an emphasis to accelerate writing at the higher ed level. He has written a textbook. He will continue to edit the textbook and upload the final product along with supporting lecture videos to the Internet with free access.

Dr. Gurbhushan Singh gave a report on monitored learning outcomes. There was one new agreement with Midwest Division, RMC Research Medical Center. The site will provide clinical experience for program students. The committee approved that agreement, and that is also found in the Consent Agenda of your board packet. Vince Miller and Ed Lovitt gave a report on our technical support for learning activities, which was really very, very interesting and very timely. The demonstration was a brief explanation of the analytics available to track the engagement progress of students. Dr. Lovitt shared a video detailing the analytics available to faculty for their online courses. Faculty can determine which students have logged in, when, for how long, what information they have accessed and viewed, and analyze quiz results and

assignment completion.

This information provides faculty with the participation snapshot for each student enrolled. The Ed Tech Center is available as a resource for faculty as they navigate online course delivery, and faculty are encouraged to complete the I-tech -- the I-Teach, excuse me, modules.

This was a very interesting report. I think all of us have interest about, well, how does this online technology really work. And both Dr. Miller and Dr. Lovitt really I think assured at least Trustees Cross and Smith-Everett and myself that there's -- there are many ways to check the students that are online, if they're doing their work and how they're getting it accomplished.

Dr. Weber updated the committee regarding ongoing efforts in student life and engagement. The call centers are operating remotely. The laptop loaner program is operational. Tuition refunds are being processed and eligible students are receiving payments from the stimulus package received by JCCC. Strategies to maintain and grow summer and fall enrollments are ongoing.

A special task force charged with formulating a plan to return to normal campus operations has been formed. A phased-in return will be developed in conjunction with observing state and local guidelines. Faculty and staff and students will be made aware of the plan as details are finalized. Karen Martley updated the committee regarding ongoing efforts in continuing education to move programming online, complete necessary in person and testing, credentialing, and provide students and trainers the resources they need to be successful.

The Small Business Development Center continues to experience a high volume of calls and inquiries and is partnering with other state agencies to problem solve and assist clients. They've been very aggressive and active in helping small business get through this difficult time.

Dr. McCloud updated the committees on the branch-wide efforts to complete necessary face-to-face spring 2020 coursework, specifically labs, studio work, etc., in July, to complete it in July. The work will be conducted in smaller groups of no more than nine with a planned seven days a week operation schedule as needed. The divisions are developing a primarily online course delivery schedule for fall of 2020. Only a limited number of courses will be offered utilizing face-to-face delivery, and these courses will follow the social distancing guidelines.

So the -- the technology, the lab work is what gets compromised somewhat in this pandemic situation. So this is an attempt to bring groups of nine in at a time to try and deal with the lab work.

That completes my report. Trustees Smith-Everett, Trustees Cross, if you would like to add to that, please do so.

>> Chair Greg Musil: Trustee Cross or Trustee Everett? Smith-Everett, I'm sorry. Any questions for Trustee Cook or Trustee Smith-Everett or Trustee Cross for the Learning Quality Committee? Trustee Lawson?

>> Trustee Angeliina Lawson: Thank you, Mr. Chair. I'm so glad to see on Page 39 of our -- can you hear me? My mute is off, so I'm sorry if you can't --

>> Chair Greg Musil: Yes. I can hear you.

>> Trustee Angeliina Lawson: Okay. On Page 39 of our board packet, I'm so glad to see the DEI added to our list of new programs that we are offering, especially for K-12 educators. That's fantastic work that the Ed Affairs has done. And I know that committee works very

hard. And I think one of the things we work on in our youth and adults is this self-improvement, and we had that requirement ourselves as trustees. I know that for a program such as this, are there going to be attempts that trustees can be a part of that program to provide the self-improvement for trustees? That might be Dr. McCloud's question I guess or...

>> Was that a question? Okay.

>> Chair Greg Musil: You're talking about the new course EDUC 221?

>> Trustee Angeliina Lawson: Yes.

>> Chair Greg Musil: On Page 39?

>> Trustee Angeliina Lawson: Would trustees also have access to that course? Because that's the first one that I'm seeing roll out and that looks very exciting and I think that's part of our mission as well.

>> Dr. Mickey McCloud: Anybody who is a student of the institution can apply to take the course. It's not a -- it's not a closed loop in any fashion. It is connected to the education program, but you don't necessarily have to be a student in education to sign up and take the course.

>> Trustee Angeliina Lawson: Okay. So I was thinking -- so we can either sign up as a student. But --

>> Chair Greg Musil: Go ahead, Trustee Lawson. Finish your thought and then we'll go to Dr. Cook.

>> Trustee Angeliina Lawson: Okay, sorry. And then, Dr. McCloud, one more thing. If we are closer to figuring out how the SAT and the ACT problems will impact, you know, like the math requirements for the fall, also you mentioned last month the issues of accreditation, that virtual learning is not going to be very sustainable. Do we have any -- a better idea of where this is going?

>> Dr. Mickey McCloud: Yes, we do. In terms of SAT and ACT, we have already worked that out utilizing our testing folks and our connection with student development. So we will be allowing students to enroll and we have the testing mechanisms back up. So if a student does not have those tests available, we will be able to provide them with placement utilizing our standard placement procedures, which have always been in place and have run parallel with SAT and ACT. So those things should not be an issue or a barrier to a student at this time.

We have also kind of beefed up our infrastructure and worked on ways to sustain our digital learning platforms out into the fall, recognizing that we were going to need to utilize them more heavily. And so those pieces of work have already been undertaken and we are solid, on solid footing right now and ready to start moving into our extended planning for the fall.

>> Trustee Angeliina Lawson: And that accreditation and licensing, I know there were some face-to-face hours that we were looking at how to get that done. Is there more direction from these accrediting and licensing bodies that have come down with anything better?

>> Dr. Mickey McCloud: Yes. Yes, there are. And I don't want to pre-empt the president's report because that's -- I was going to give you that piece during the president's report. So I'll hold that. But the answer to that is, yes, we do have direction from all of those extended regional and national accrediting bodies, and so we do have answers for that. And we're actually going to be in pretty solid shape. We have -- we have managed to navigate those waters.

>> Trustee Angeliina Lawson: Fantastic, with your leadership. Thank you so much, Dr. McCloud. That concludes my questions, Mr. Chair.

>> Chair Greg Musil: Trustee Cook, does that conclude your report?

>> Trustee Jerry Cook: That does conclude my report. Thank you. Are you ready for Management report?

>> Chair Greg Musil: Now I will let you go into the -- yes, sir.

>> Trustee Jerry Cook: Thank you. The Management Committee met on Wednesday, May 6<sup>th</sup>. Trustees Snider and Smith-Everett were in attendance again with a plethora of faculty and staff attending the meeting. The Management Committee report can be found on Pages 3-19 of your board packet. We have a number of recommendations to make. Before we get to the recommendations, let me just go through some of the other items that occurred at the meeting.

We began the discussion with Trustee Snider and Smith-Everett leading a discussion on Climate Action Kansas City and how it might align with JCCC initiatives and possible policy considerations for the college. As we discussed through that, we're reminded that the college really is in a -- is a regional leader currently with our sustainability initiatives and the work of Dr. Antle and others. And but it was a good discussion to make sure that we keep at the forefront on how the college can be a leader with Climate Action Kansas City.

Rachel Lierz, Associate Vice President for Financial Services, provided the semiannual update regarding our investments with the Kansas Municipal Investment Pool. That is a very secure pool that we utilize some funds, it's one of several investment programs that we utilize.

She then presented updates on the fiscal '20-'21 management budget that are being recommended by the administration based on their continued analysis of the potential impact of COVID-19. We'll come back and talk about that in our recommendation. In that discussion, she also discussed how the federal stimulus funds from the CARES Act will be allocated.

Janelle Vogler, Associate Vice President of Business Services, presented the Single Source Purchase Report found on Pages 4 and 5, and the contract renewal, which can be found on Page 6. Tom Hall, Associate Vice President of Campus Services, gave the Monthly Updates on Capital Infrastructure Projects, and this report is found on Page 14 of your packet. He also reported on current progress of the construction projects on campus, then reviewed the report on the financial status of Facilities Master Plan projects, and that report is found on Page 15 of your packet. Tom Pagano, Vice President for Information Services and CIO, provided a quarterly update on projects and Information Services. The report on Tech Fund Objectives was made available in the board packet on Pages 16-19.

Randy Weber, Interim Executive Vice President for Finance and Administrative Services, gave an update on the return to campus plan. And that led us -- that leads us to a number of recommendations.

Last month's board meeting included an hour-long budget workshop at which board members and the public heard a detailed presentation of the proposed fiscal year '20-'21 budget. As I mentioned, the administration has continued to carefully analyze the potential impact of the COVID-19 on the college over the three weeks that have passed since that budget workshop. At our Management Committee meeting, Rachel Lierz presented a summary of updates that the administration is now recommending to next year's budget. I think you -- all of the board members received the PowerPoint presentation that she presented at the Management meeting on May 6<sup>th</sup>. You received that on May 6<sup>th</sup>. So hopefully you've had a chance to look through

that. But at this time, I'd like to ask Ms. Lierz to share those updates with the full board and the public prior to the recommendation to approve the budget and answer any questions you may have.

So, Rachel, if you would discuss what you'd like to discuss and maybe perhaps respond to questions. I think the main part of your packet shows a potential decline in revenues of about \$6 million, and likewise the college is proposing cuts of about \$6 million. And, Rachel, why don't you explain the detail of that.

>> Rachel Lierz: Thank you, Dr. Cook. I'll wait here for our slide deck to get loaded.

Okay here we go. Thank you. So as you mentioned, the board packet included a brief report and a recommendation for the board to approve this evening the fiscal year '21 management budget for the college. But before we move forward with a recommendation, I did want to share this slide deck that was presented last week to the Management Committee to detail some recent updates that have been made.

So essentially what we're bringing forward to the board today is to adopt an updated budget from what was presented one month ago during our budget workshop. As we have gathered new information and continue to carefully analyze the potential impact of COVID-19 on the college next fiscal year, we have determined that it was necessary to update some of the General Fund revenue and expense estimates that were originally included in the budget. And so I'll step through those here on the following slides.

I'm sorry, Jason, can you advance the slide to the next? The next page, please. There we go. Got a little bit of a video delay. So these are of course the revenue guidelines that were updated in March and presented at the budget workshop last month. And those include an assessed valuation budgeted increase of 5.25%, property tax levy remaining flat at the current rate of 9.121 mills. Credit hour enrollment decreasing by 1% from this year's budget. No change to tuition cost. And a flat amount of state aid compared to the current year actual amount.

Can you move to the next slide, please. There we go.

So as we discussed last month during the budget workshop, there is still a great deal of uncertainty around all of the college's major revenue sources. Let me go back up. Sorry. We've got a little bit of a delay here.

So specifically with regards to the uncertainty around the revenue sources, with our property tax revenue, we talked about the fact that that may decrease due to the number of delinquencies, appeals, or eventually decreases in valuation.

We talked about our tuition and fee revenue, and the fact that that is of course dependent upon enrollment levels. And, there we go, with regard to summer 2020, we -- sorry. Can we go back to the previous slide.

>> Adrian: Just to let everyone know, we are having problems with Zoom. Rachel, would you like us to just go ahead and -- (Indiscernible).

>> Rachel Lierz: Jason, would it be easier if I shared my screen?

>> Adrian: You would like to shares yours, we can shut that off.

>> Rachel Lierz: There we go. Hopefully everyone can see that and I'll control the screens here from my computer, Jason, if that works. Okay. So let me pick back up with the first bullet here. And, again, I apologize for the -- for the delay.

We had talked about our property tax revenue potentially decreasing due to delinquencies, appeals, and eventually decreases in valuation. Our tuition and fee revenue, depending on

enrollment of course. Relating to the summer 2020 semester, our enrollment initially started out a little bit higher than last year. We started summer enrollment a week later than we did in summer '19. We also allowed folks with past due balances to go ahead and enroll in courses. So we did start out trending a little bit higher than last year, but now we're expecting summer to close at levels that are pretty well flat with last summer. And, again, our fall enrollment, the impact is yet unknown. The enrollment period there will begin on June 15<sup>th</sup>.

As Mr. Carter mentioned earlier during his report, the State Revenue Estimating Group is now estimating about a \$1.2 billion revenue shortfall for the remainder of this fiscal year and next fiscal year. I believe they met the week after our budget workshop was held last month. So that's a little bit of new information that we have taken into account. And then we discussed the fact that our investment income will likely decrease due to lower interest rates on investments that the college is permitted to hold.

So with that said, the following is a summary of recommended updates to the General Fund Revenue Guidelines for next year. We would, based upon that conversation, recommend increasing the delinquent property tax rate from 2% to 4%, doubling the estimated amount of delinquencies in the budget. That would reduce our revenue estimate by about \$2 million in the General Fund.

Rather than moving forward with the budget assuming flat state aid, again, based on those updated revenue estimates, we would modify the budget to reflect a decrease of 15% for our state aid. That's about \$3.6 million. And then, finally, we would recommend to adjust the investment income budgeted amount by about 40%, or \$400,000.

So combined total impact of about \$6 million, which again is lower revenue or a shortfall in the budget compared to what you saw one month ago. So before advancing to the next slide, I guess I would point out one thing that is not on here, and that is an adjustment to our tuition estimates. So we believe that it's appropriate to stick with that original estimate of a 1% decrease in student credit hours. Again, hopefully that will -- that is a conservative estimate and we would certainly expect to see credit hour enrollment start to pick up if the economy does continue to slow down, and other community colleges would of course expect to see the same sort of trend.

So also wanted to point out that a 1% decrease is fairly consistent with where we have been for the spring of 20 semester in that we have refunded a little over 1%, or about \$168,000 of tuition due to withdrawals. And, again, the withdrawal date runs until next Friday, May 22<sup>nd</sup>. So that number could continue to grow. But feeling like a 1% estimated decrease in credit hours for next year is a reasonable estimate to move forward with at this time.

So after updating the delinquency rate estimates in the budget, I did go ahead and modify this analysis of property tax revenue. So you can see in the red column that's labeled May of 2020, that does now include the 4% delinquency rate. So where we started off our preliminary budget in the December of '19 column with about \$114.4 million in estimated tax revenue, the new -- new estimate with the increased valuation but the higher delinquencies now would equate to about \$1.3 million, \$1.4 million less than what we had initially assumed in the budget model.

Over to the right-hand side of the table in the yellow shaded areas again are those mill adjustment factors. So, again, to say there was a tenth mill adjustment, that would decrease tax revenues by about \$1.1 million. And a quarter mill action reduction would decrease revenue by about \$2.8 million.

So moving on into our expense guidelines for the budget for next year, again, these were adopted back in December and these are the guidelines that were presented last month and which we had planned to move forward with prior to adjusting the revenues, as I just described. So, again, these include no increase, the total budgeted number of positions for the college. An average 3% salary increase, again pursuant to the Master Agreement with the Faculty Association, and operating budget requests that were submitted by budget administrators. And those were based on their planning efforts and prior year actual results. We also had requests for capital, including Science Lab renovations and classroom updates. And of course debt service in the form of principal and interest on outstanding bond indebtedness.

So the following are some of the considerations that the administration has taken into account while carefully, again, reviewing the budget to address a potential \$6 million revenue shortfall. So first and foremost, we wanted to minimize the potential impact on our faculty and staff in order to meet the continuous needs of the students and community. So what that means is that we will recommend moving forward with the salaries and benefits that we originally had presented, in addition to some other more recently implemented human resource strategies that I'll talk about here in a few minutes.

We also considered the fact that the college has healthy reserve levels. And that will allow us to continue to make some necessary investments in strategic initiatives and facilities, to keep us aligned with future needs. So specifically here we're talking about continuing with the plan to use reserves to address capital needs such as the Science Lab renovation. We are recommending, however, budget adjustments that do include deferral or modification of some capital projects, as well as some across-the-board sweeps and cuts of what are traditionally under-spent accounts. And, finally, that we will need to continue to monitor the situation and prepare for a multi-year impact. And of course that's because the duration of the virus and the extent on our local and state economy are unknown.

So tonight we are, again, moving forward with a recommendation to adopt a one-year budget, but again, that multi-year impact, continue its monitoring will require us to use our other financial tools, such as our five-year model, our CFI score analysis, analysis of our reserve levels, in order to continue to look at long-term scenarios and potentially adjust in phases over time.

So these are the detailed recommendations, recommended modifications to expenses for next year's budget. And these are in the form of across-the-board sweeps, as well as cuts of what we know, again, are traditionally under-spent discretionary items. And these are things like travel, special events, contracted services, and supplies and materials. So with the amount of sweeps, the amount that we would recommend to sweep there would be to a centralized budget, and that would be held and could possibly be accessible later in the fiscal year, depending on actual results. So depending on the campus operations, you may be able to, with approval, access some of those dollars that are going to be swept into a centralized pot.

In the column on the right, the amount of cuts are just that, those are proposed reductions to the budget for next year. So, for example, just to make sure that I explain this clearly, if I had a \$1,000 travel budget in my department, this would mean that \$250 of that would be swept into a centralized pool and another \$250 would be cut. And that would leave me with a \$500 travel budget to start the fiscal year beginning on July 1.

Of course spending on things like travel and special events next year will depend on current conditions. Folks may not be able to travel. We may not be able to hold special

events. But so at this point, rather than try to guess what will happen, which events, you know, will occur, where people might go, we're recommending moving forward with an across-the-board modification. And just wanted to note that we do believe that the remaining budgets after these sweeps and cuts would still allow all necessary activities to occur during next fiscal year.

You can also see here the list of recommended modifications to capital items. And those include deferral of the locker rooms and rest rooms in the Police Academy, deferral of some of our space management activities, and that's primarily going to be waiting on that first floor GEB student hub space, deferral of some additional active learning classroom renovations. And wanted to point out that, again, this is the amount for FY '21. This does not include cutting or deferring the classroom renovations that were planned for this year. So I believe there are six classrooms that were identified for updates this year. Those will still move forward. Those were already well into the planning phase when all of this -- when all of this started to happen.

And then, finally, that we would modify the timeline slightly for our planned Science Lab renovation, reduce the first year budget allotment from \$6 million down to 4 to, again, spend that time on programming and planning work such that no construction would start in those spaces until July 1st of 2021. So with that, a total budget expenditure impact, again, of just over \$6 million. That's consistent with the estimated impact on revenues.

Related to salaries and benefits, again, we're recommending moving forward with that same number of budgeted positions that we brought forward last month and the 3% compensation increase. However, we have already implemented a couple of policies that I wanted to talk about briefly. The first of those is requiring a president's cabinet level approval of all positions. So any vacant positions that arise will not be posted for hire until after they receive approval of an appropriate cabinet member. So our staff in Human Resources have done some work on this over the past week since the Management Committee met and have identified currently 88 vacant regular positions that will be subject to review before they're posted.

They have also estimated that we could save about \$1.2 million in salary and benefit costs due to the gradual rehiring of vacancies over the next 12 months. So what that means is if those 88 positions, some of them may not be filled, and certainly most all of them would not be filled on July 1st of 2020 and work for the full 12 months of the fiscal year. So there will be some savings that we will realize as a result of this practice.

We also have plans to reallocate part-time staff as needed between departments to cover temporary needs. So an example here in Auxiliary Services would be with our catering staff. Again, if there are no events to cater, those folks could be temporarily reassigned to perhaps the Food Court or another Dining Services venue.

Again, as I mentioned last month during the workshop, we do want to maintain flexibility for staffing in the event enrollment begins to increase and, you know, to plan for the potential impact of continued social distancing on campus and on face-to-face class capacity. So does that social distancing require more staff or more instructors in certain area? We'd like to maintain flexibility around that.

And then, finally, after June 1st, our part-time temporary and student employees will be paid for hours worked. And what that means is, since the campus closed in mid-March, we have continued to pay all of our part-time temporary and student employees for their hours that they were scheduled, regardless of whether or not they were working that full schedule. So we

would continue that through the end of this month, which would be paid to them on their June 15<sup>th</sup> paycheck. But after June 1, it would only be paid for hours worked. So starting with that June 30<sup>th</sup> paycheck, then, they would begin to potentially see the impact of that.

So in summary, here's a look at the updated General Fund budget compared to what was presented during the workshop last month. Again, you can see the change. Again, about a \$6 million decrease in revenue and a \$6 million decrease in expenses. The total net budget is very similar, about a 3.7, 3.8 million dollar planned use of reserves, again, if the budget were to be fully expended next year.

I want to say just a few quick words about a couple of our other funds, particularly the Capital Outlay and the Adult Supplementary Education Funds. Related to the Capital Outlay Fund, you know, realizing that property tax revenue there could be impacted by the current situation, we have elected to defer a planned purchase of censors or stall counters in the Galileo Parking Garage. And that was in this year's budget. That was going to be a \$200,000 expenditure that we are not going to do at this time. And then for next year's budget we are going to defer a half million dollar allotment for solar roof projects. Again, that would be postponed into a future year. So, again, in the Capital Outlay Fund, continuing to prioritize campus maintenance over projects.

And, finally, on the Adult Sup Fund, again, realizing that revenues will likely be lower next year, we have decided to not move forward with a planned expenditure for some video and lighting upgrades for Yardley Hall and Polsky Theatre. So these three items total about \$950,000 of spending that will be deferred as a result of our current situation.

I wanted to talk just a little bit about our federal stimulus funds, and by now everyone is aware that the college did receive a CARES Act allocation of just over \$5 million in April to cover expenses related to COVID-19. 50% of that is required to be expended for direct emergency student aid, so things like books and supplies, technology, child care, things that were directly related to the disruption of our campus operations. And our financial aid staff have done a really terrific job of developing an application process and getting these funds awarded to students. I think as of yesterday they'd already made about 425 awards to the tune of about \$475,000. So they've made some really good progress there.

The other half of the CARES allocation is for institutional costs related to changes to the delivery of instruction, so things like technology, equipment, and training for faculty and staff. Any funds must be expended over the next 12 months and they don't have a General Fund budget impact. So you're not going to see revenues and expenses in the General Fund related to the CARES Act allocation for the college.

And then, finally, my last slide here is one -- one final look at our budget timeline. So, again, this evening we have the recommendation for the board to adopt our management budget. And we need to do that so that we can get it loaded into our accounting system and have a budget in place to begin operation on July 1 in our new fiscal year.

It won't be until August, connected to the August 25<sup>th</sup> statutory deadline that we adopt the legal budget. So we will have our public hearing and adopt the legal budget at that time, and it isn't until then that the mill levy and our statutory spending limits are officially set. So we will have about three months to obtain additional information on economic conditions and campus operations.

And, again, that will certainly be informed, as we discussed earlier in Mr. Carter's report, by the June 5<sup>th</sup> planned tax distribution as well. We should have a little bit better idea even by

then around delinquent tax collections and things of that nature.

So I'll stop talking there. Again, I apologize for the technical issues at the beginning. And we'll see what questions you have.

>> Trustee Jerry Cook: Rachel, thank you. I would say that when we discussed in Management, how to predict some of these pandemic issues is very, very difficult. We spent some time, for the rest of the board members, trying to figure out who will show up in the fall. If you've done some reading, you'll see that some colleges and universities, four-year schools are projecting they could lose enrollment of up to 15%. And yet at the same time, there are those that say if students decide to stay home, they might attend their local community college. So the enrollment projection for community colleges could be a positive and yet it could be down like the others are predicting. So the enrollment is a big question mark.

How quickly the economy will recover is also a big question mark. And you've all read how some major companies that we wouldn't think would be in financial concern are either filing bankruptcy, filing for -- planning to file for bankruptcy, or in some cases are closing the doors permanently. So this whole idea of how we project our source of revenue and our expenses is really a difficult task. And, Rachel, I just wanted to thank you and your entire team for the detailed work you're doing. And each week we find out something new.

I think for clarification for me, then, Rachel, what we would be considering approving in the '20-'21 Management Budget is an expenditure of 162 million. Is that correct?

>> Rachel Lierz: Yes.

>> Trustee Jerry Cook: And so I know there's been discussion if we reduce the mill. If don't reduce the mill, we would be using reserves of \$3.7 million. If reduced it one tenth of a mill, we would add another 1.1 million to that reserve use. And if we did a quarter of a mill, we'd add another almost 3 million. So those are some things I think for the board to consider. So with that, Mr. Chair, I will turn it back to you to ask questions.

>> Chair Greg Musil: Thank you. I think maybe the most important thing with respect to this year's consideration of a Management Budget is that between now and August, when we have to adopt a final budget after a complete full public hearing, is that we expect a lot more information that could change our calculus than we have right now. A normal year, the Management Budget changes minimally between May and August. This year, in talking with Dr. Sopcich and Dr. Weber, and knowing from Rachel that there's going to be more scrutiny, more changes, more information that will help inform our decision in August and help inform the public in August. Rachel, I just want to ask one question. When we adopt a legal budget, we're basically adopting an authority to spend up to that amount; right?

>> Rachel Lierz: Correct.

>> Chair Greg Musil: And we don't have to spend all that, and in fact, we normally do not spend our entire authority?

>> Rachel Lierz: Correct.

>> Chair Greg Musil: And we have the ability to move things within different line items within that budget, the General Fund budget, as items come up during the year; is that right?

>> Rachel Lierz: Yes. And we do report, I'm sure you remember, every six months we do a report to the board of reallocations within the budget.

>> Chair Greg Musil: But we can do more significant allo -- reallocations through the year, understanding there may be disruptions if we do so. But we have the ability to do that especially if, as Dr. Cook mentioned, we sustain a surge in enrollment in the fall, we will get

more revenues than we projected, but we still won't be able to spend any more than we had, than we authorize in the budget; right?

>> Rachel Lierz: Correct.

>> Chair Greg Musil: So I just, I think it's important for the board to know that this is -- this is an important step in the budget process, but it's not the final step, and we have additional -- additional work to do and additional information that will come clear in the next couple months.

The first person I saw raise a hand was Trustee Cross. So I'll go to Lee.

>> Trustee Lee Cross: Thank you, Mr. Chair. And thank you, Vice President Lierz, for your presentation. I appreciate your efforts and all the administration to cut spending and protect jobs for all our employees and people on campus. Back on Page 5, I believe, you list out what the mill might look like if we cut it. What if we looked at what the mill would look like if we went up .1 and .25? I just would like to see all of our options, should we need it, to be prepared for the fall or even next year's budget.

>> Chair Greg Musil: You're talking about, Trustee Cross, increasing the mill levy and what would be the impact of a .1 mill and a .25 mill?

>> Trustee Lee Cross: Yeah. I guess it's --

>> Chair Greg Musil: It's about a million dollars for a tenth of a mill and about 2.5 million -- we get about 10 million for a full mill. A little over now. So a million if we increased the mill levy by 1 mill. And 2.5 million, approximately, if we increase the mill levy by .25. I think Rachel will --

>> Trustee Lee Cross: Maybe at Virginia they did a better job of math, so I appreciate that. So it's about 10 million per mill, to parrot it, and then about a million dollars per tenth of a mill. Right?

>> Chair Greg Musil: Correct.

>> Trustee Jerry Cook: Actually, I think it's closer to 11 million a mill, I think is what -- Rachel, isn't it closer to 11 million for one mill?

>> Rachel Lierz: Yes. Can you see the slide there with the numbers on it?

>> Trustee Lee Cross: Yes, ma'am.

>> Rachel Lierz: So it says reduction. But it really should probably say adjustment, because whether you're moving up or down, the factors still work the same way.

>> Trustee Lee Cross: Thank you very much.

>> Chair Greg Musil: Okay. I'm just going to go down the list to see if anybody has questions and start now with Vice Chair Snider. Paul, do you have questions on the budget presentation?

>> Trustee Paul Snider: Not so much questions. I do want to thank Rachel for all of her work moving this budget in the right direction. I'm satisfied with the budget as it is today and will be happy to support it. That said, in the coming months, particularly in June, as we see how this unfolds, I may be back with a motion to adjust the mill levy. I would be seeking to reduce it down in recognition that there's a lot of families out there that are struggling and small business folks that -- that have revenue impacts and we should try to participate in their struggles and help them where we can.

>> Chair Greg Musil: Okay. Thank you. Trustee -- I'm going to go to Smith-Everett since you were on the Management Committee and you had the benefit of this report as well. Any comments or questions?

>> Trustee Laura Smith-Everett: Yes, I do. So the first -- my first question is about the range of the 88 positions. In terms of it seems like right now what we're going to do is kind of put a gate up where we're -- those would be approved by a cabinet member. At what point in the fiscal year will that kind of a hold be lifted? Or is that a proposal that all positions for the remainder of the year are going to be on hold? Because of course the biggest part of our budget is salary and benefits.

>> Rachel Lierz: Yeah. Feel free, Becky Centlivre, our VP for Human Resources, if you're on here, to chime in. My understanding is that the cabinet level approval would be required for the entire fiscal year next year, FY21.

>> Becky Centlivre: And it would. And actually we reached out to the cabinet members and asked them, just so we could project what we think that might be, is would they be filling them first quarter, second quarter, third quarter, or would they be vacant all year. And so we were just trying to take a look at what they anticipated those would be.

>> Trustee Laura Smith-Everett: Okay. So we don't quite know yet what -- with those 88, just the 88?

>> Becky Centlivre: Right.

>> Trustee Laura Smith-Everett: Okay. So then my follow-up to that is, what is the time span between when you see a large surge in enrollment and the need for more professors or staff and the date of the person being on campus ready to teach? What's the time span of that?

>> Rachel Lierz: So I think we had a similar question at Management, and Dr. McCloud did a good job of explaining how that kind of works. Would you, Dr. McCloud, be able to address this again?

>> Dr. Mickey McCloud: Yes. We always -- we have a constant posting that we utilize for adjunct faculty and we collect throughout any given semester people who are interested in working for us and we're constantly vetting people's both availability and their appropriate degrees under our accreditor. And we actually look, as we open coursework, we have sections that we build and hide that are in waiting, and we will try to hire ahead of time for people to fill those needs, and then if those classes do not make, then we will have to void that individual's contract and we pay what we call a canceled class stipend, which gives the individual \$100, and a little more sometimes, because we did not have the students to meet that demand. But usually we will leave those classes vacant and hold people within the holding pen of our -- of our hiring until we recognize that we have a full class and there are enough students in this next class for us to actually offer it.

So it's a constant ebb and flow. We are always trying to make sure that we have enough instructors to meet the needs of the students that we have in any given semester, and occasionally when we do not have enough qualified individuals in the area, which does happen in some of our areas, particularly in CTE, we run out of adjunct professors very quickly, we will then go into looking at overload opportunities and asking our full-time folks if they would be willing to take on extra. If we cannot do that, then we will look at full-time temporary opportunities for some of our adjunct professors that will allow them to teach enough hours to meet some of that overflow. So there are a number of mechanisms we use to make sure we're never really caught flat-footed and we can always try to make sure that we meet need.

So when you're -- so when you're asking the question of how long it takes, it's constant. We shouldn't -- we never get to a point where there is kind of a dead space where we're sitting still and then we have two to three weeks to get somebody up. We try to never get to that

space, because once a semester starts, the only real opportunity we have then is to start changing the part of term of a class, which would stagger out the ability of us to push a class back two or three weeks in start time. And that then starts to have a negative effect on a student's financial aid, because financial aid is apportioned based on the number of credit hours that they are in, in any given portion of a disbursement. So there's all of these extra moving parts that we have to contend with.

>> Trustee Laura Smith-Everett: Okay. I think that mainly answers it. I will just say I'm expecting the opposite, which is a surge, not a vacancy class, to which you can't really predict the same way you can sort of see it happening at enrollment when a class is not filling. The opposite is kind of what I was trying to get a grasp on. But...

>> Dr. Mickey McCloud: Well, when we have -- if you're asking how we approach the building of courses, we do build out extra hidden sections, and then as classes fill, we attempt to open those sections to make sure that we always have enough seat capacity.

>> Trustee Laura Smith-Everett: That's the part -- yeah, that answers it.

>> Dr. Randy Weber: Can I jump in there, too. One of the other things that we did about three years ago is we added a wait list. And the wait list really helps us know how much interest there is in a course that may be full, and then that's really helped our instructional team be able to identify where interest lies and instructors for that. So there's a little more science to it based on how many students have expressed interest in a class that we don't have an enrollment for.

>> Trustee Laura Smith-Everett: Okay. Thank you. Then my next question is really a process question in terms of the August hearing. What capacity -- I'm assuming this will be some kind of a Zoom type thing. Will there be you go to our website to speak to the board publicly about our August budget? And then since we are sort of giving the authority at this meeting, but we have until August, do we revisit the whole budget in August? This is a new trustee person, a new trustee question.

>> Chair Greg Musil: It's a good question. We have the ability legally to revisit the entire budget at the August public hearing. I think the reason we do this May one is to make sure the administration has a pretty good understanding of where this board wants to land in August so that it can offer contracts to people. It can staff up both faculty and our staff side and do other service contracts and things that we need to function once the fall gets here. So we have the legal ability to do whatever we want in August. We could really disrupt planning and processes if we did a wholesale change.

With respect to the public hearing, we opened today back up to our Open Forum segment and we would open that up again with respect to our public hearing. I think what we'd also want to do for the budget is to give people the opportunity to send in comments by e-mail ahead of time, not just by speaking. And we at least have some information now from what cities are trying to do and counties. Cities and counties have public hearings on a lots of occasions for zoning and special use permits. Really, the only official public hearing we are obligated to have annually is on the budget, even though we allow an open comment period each meeting. So I think as we go forward, more and more people will be comfortable if we're still in a remote setting in August to make comments and be available to make comments, register on our website as we did for this meeting and then make comments with respect to the budget.

I will say that in nine years of budget hearings since I've been on the board, I'm not sure we've ever had a speaker. So this year is the most uncertain and the most unusual budget we've

ever presented. So I would expect that there may be some differing thoughts about what we do come August, and we may have more participation. It's been a frustration of mine when I was on city council for eight years and on this board that we have lots of fusses about lots of things, but when it comes to spending \$168 million, because it's complex I think is part of it, we don't get the -- a lot of public input. But I hope that explains the process and timing.

>> Dr. Randy Weber: I would also add the importance of passing the Management Budget in May is because our fiscal year begins July 1, and so we have to have some spending authority as of July 1 to make payroll, to pay utilities and pay bills that begin July 1. So obviously there's a lot of time for adjustment between that and the end of the fiscal. But it is important to have some form of a budget in place by July 1 so we can make the necessary payments.

>> Chair Greg Musil: I meant to mention that because we've talked a lot about fiscal year '20-'21, but it starts July 1, 2020, and ends June 30<sup>th</sup>, 2021. That's the year we're trying to budget for. And what we've budgeted this year will end -- our authority will end on June 30<sup>th</sup>. So good explanation, Dr. Weber. Thank you. Other questions, Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: I do. I'm sorry.

>> Chair Greg Musil: That's all right, no.

>> Trustee Laura Smith-Everett: The other two questions are, the students that are, currently this semester they were held through, we continued to pay them even though they weren't working the hours. My only question on that is how are they notified that that policy will be ending? Is it just everybody's kind of ends because it's always -- already end of semester? Or is there a way they will get that information? I'm just thinking in particular, I have a neighbor who is quite naive about things like that. So if they're getting a regular paycheck, they think, oh, they're just going to keep getting it. So I want to make sure the student knows that will be ending as the semester ends.

>> Rachel Lierz: I think what we had talked about was Human Resources staff working with their supervisor to start those notifications here, you know, tomorrow and early -- into early next week.

>> Becky Centlivre: And we have --

>> Chair Greg Musil: Becky, did you want to add to that?

>> Dr. Randy Weber: Becky, please speak to that plan you already have in place.

>> Becky Centlivre: Okay. We will be notifying each individual employee about that, and then we'll also be notifying their supervisors so that they know to tell them that. And we will be paying them through the end of this month, so their last paycheck will actually be the middle of June. June 15<sup>th</sup>. So they won't really start feeling that impact until the end of June. But we're also advising them on if -- everyone's situation is different, but if they need to file unemployment, we're giving them the website where to do that and so we'll help them any way we can.

>> Trustee Laura Smith-Everett: Thank you. I appreciate that. My last question I will not hold this up for, it's really about the CARES Act. And if we can just put that for another time on the agenda to get to maybe after we vote for this, just in terms of the money being allocated. I wanted to know how the application process works or how those students are identified to receive that funding, but it doesn't impact our general budget, so that concludes my questions.

>> Chair Greg Musil: Randy or -- we can address that during the president's Lightning

Round I think. We're going to get some updates on the thing COVID-related items. So thank you.

Trustee Ingram, any questions or comments?

>> Trustee Jerry Cook: Unmute your phone. She has to unmute.

>> Chair Greg Musil: She'll get there.

>> Trustee Laura Smith-Everett: You have to move your mouse.

>> Trustee Nancy Ingram: Unmute it. I thought you were -- I'm so sorry. I do have to unmute it. I wanted to reassure Trustee Smith-Everett that, you know, your questions are always good. None of us have ever been through this. And mine have to do with those positions and how we were going to provide that flexibility in our hiring process. So I appreciated that tremendously. I am typically pretty conservative when it comes to the budget. Last year I supported the preliminary budget as it was presented, but I would certainly go ahead with the 5.25% increase this year. So I'm good with that. I do agree with Trustee Snider as well. You know, it would be wonderful if we were able to assist our taxpayers in any way, shape, or form as we move forward with this. But, again, with all the question marks and challenges that we have to face, I just want to continue to look at that. So thank you.

>> Chair Greg Musil: Trustee Lawson, questions or comments?

>> Trustee Angeliina Lawson: Yes. Thank you, Mr. Chair. I do have some other questions on other items in the Management packet. So before we close up the Management Committee report, I just want to come back around to myself. Thank you, Rachel, so much for the Supplement A that you handed to me. That's very informative for the cash disbursements in the Consent Agenda. I appreciate that a lot. The budget, just for clarification on this vote that we are considering, is this committing the college to a levy adjustment or no adjustment?

>> Chair Greg Musil: As proposed, as I understand it -- go ahead, Rachel.

>> Rachel Lierz: No, I was just going to confirm that the administration's recommendation at this time is no levy adjustment.

>> Trustee Angeliina Lawson: No levy, okay. I do have to say I'm glad to hear some of the adjustments made here, which I noticed prioritized people over the construction projects, and I really think about this new environment that we're in. I want to thank Rachel for addressing the part-time employees. That has been a concern of mine from the beginning, and I think she's been very responsive, as Becky has been as well to the questions that are in regards to a lot of the impact that COVID has of payroll on especially part-time employees.

I think at this point, there is so much in the air, I think there's a lot of things that yet to be done. I view this as a skeleton document. I hope that Dr. Bowne has the opportunity to look how to design it and I believe we're all committed to that. It's good to hear other trustees' voice and argument that I've been making for some time. I believe we can have to recognize the economic hardships facing small businesses, as well as other residents in this community. I think we have to be prepared to come back and look at an adjustment. I know I've been looking at a much larger adjustment to return to taxpayers for at least time under crisis especially. But I think we can do what we can do in our county, and there are so many possibilities because of the CARES Act, too, and changes to the federal and state and municipal budgets.

And I would be a yes vote on this budget to give Dr. Bowne a start. But I view this much more as a skeleton. I don't see that language written in. So as it's written, I would be a no vote. But if there's an amendment to this that would give us the grounds to allow Dr. Bowne to

make those adjustments, I'd appreciate that more and be a yes vote.

>> Chair Greg Musil: Okay. Is there any other trustee that I've called on that's spoken to this that would like to speak to it? I can't see everybody raising their hands because of the screen. I think everybody's had a chance to speak to it.

I will add my two cents' worth or \$168 million worth. I think it's important to note that even with the budget that is being proposed today with \$6 million in cuts, and Rachel can correct me if I'm wrong, our overall budget will still be higher than it was for this existing fiscal year. We've been blessed in this county for the last four or five years with large increases in revenues through property taxes. I think that window is over, not because of a normal economic recession, but because of the pandemic recession. So I do share Trustee Lawson's view that this is a budget that leaves us more opportunities, as I mentioned earlier, to have revisions between now and August. I don't think we need an amendment to this. This is -- this is not the final budget. The administration knows that. But it does allow them to spend money becoming -- beginning July 1. We can -- we will look at it in June. We will look at it in July before we publish. And we will look at it again in August.

I too would like -- I don't think anybody on this board has been stronger as an advocate for looking at the mill levy and trying to give back property tax relief over the last number of years. I'd still like to do that. If we are able to do that, I would point out that the only reason we are is because we've been able to build up significant cash reserves in anticipation of a down-turn in the economy. So although we didn't predict the nature of the down-turn, we certainly have been working as a board for five or six years to rebuild our reserves from the 2008-2009 recession that actually lasted until 2012.

So we have healthy reserves, as Rachel mentioned. That gives us an opportunity to think about some property tax relief, knowing that it will make our budget a negative deficit budget. But because we have a rainy day fund and because it's raining today, I think we should consider that when we get through the June, July, and to the August public hearing.

I do want to make a statement that, you know, when we talk about Science Labs and capital costs for those, those are bricks, mortar, sinks, chairs, equipment, but those are people things. Not -- just because they're bricks and mortar or equipment doesn't make them non-people. I think Dr. Harvey would agree with me when she -- when I say that those labs need work and we should defer those if we have to, but we should not stop the progress on our Science Lab renovations. And like a number of other capital programs, those capital programs all benefit people on campus, most likely students and faculty. With that --

>> Trustee Jerry Cook: Mr. Chair, I'm ready to make a recommendation for the trustees to consider.

>> Chair Greg Musil: Would you please do so.

>> Trustee Jerry Cook: I will say, Trustee Lawson, to your point, if the board approves an item later in the agenda of the transition team that Chairman Musil talked about last month, I have -- he indicated an interest to have me on that transition team. One of the items is budget information for incoming President Bowne and how he may be able to deal with a budget he inherits and adjustments that he can make. So that will be part of a transition process. And I think we have plenty of time to hear his input and visit with cabinet and faculty and staff as to how those adjustments could be made if he desires. So I appreciate you sharing that.

I am going to recommend -- it is the recommendation of the college administration that the Board of Trustees approve the fiscal year 2020-2021 Management Budget, which includes

expenditures of \$162,052,612 and leaving the mill levy at this point at 9.121, subject to adjustments as required when final beginning balances and assessed valuation amounts have been determined, and I'll make that motion.

>> Trustee Laura Smith-Everett: Second.

>> Chair Greg Musil: It's been moved by Trustee Cook and seconded by Trustee Smith-Everett to approve the recommendation of the administration for the fiscal year 2020-'21 Management Budget. Is there any additional discussion? If -- Trustee Lawson?

>> Trustee Angeliina Lawson: I just wanted to say thank you so much, Trustee Cook, for talking about the authority that could be given in the transition team. I think that is something that could be very worthwhile in discussing for that team. So I appreciate your idea on that.

>> Chair Greg Musil: And before we vote, I will mention, Dr. Bowne I think indicated he's on, he's watching us. He's not just sitting in Indiana. He knows what's going on in the college. He's being shared information. He's been in touch with cabinet members. I talk to him on a weekly basis, and once we get Trustee Cook and Trustee Everett -- Smith-Everett on the transition team, then he is following this and his -- I think part of the reason we liked his résumé is the amount of budget work and, as the Chief Operating Officer of the Indiana system, how well versed he is in this. So with that and not seeing any other hands -- Trustee Cross? I see a hand here.

>> Trustee Lee Cross: I appreciate all the comments and frankly candor about the desire to cut the mill. You know, with 36 million unemployed, I'm entertained by your-all's enthusiasm to cut the mill when we might have an influx of people on campus. So I would be strongly against any kind of cut in the mill if we see a dramatic increase. And moreover, I mean our faculty are at record lows right now. We've already held positions over the last several budget cycles. So I would be opposed to any further cut in the mill.

>> Chair Greg Musil: Anybody else? I can't see Trustee Lawson or Trustee Ingram. But I'm going to go ahead and call for a vote. I'm just going to call for a voice vote and then see if there's anybody opposed. All those in favor of the recommendation and the motion made by Dr. Cook and seconded by Trustee Smith-Everett say aye.

(Ayes)

>> Chair Greg Musil: Any opposed?

We'll consider that a unanimous vote. Members of the board, we have been going for two hours and 20 minutes. Is this a spot where we might take a 5-minute break? Anybody opposed to that? If not, I will -- we will come back at 7:25 p.m. to finish the balance of the agenda starting with Dr. Cook, the rest of the Management Committee.

Don't leave the meeting. Just leave your room and come back. Thank you.

(Break.)

>> Chair Greg Musil: Well, welcome back, viewers of the Johnson County Community College Board of Trustees. We're coming back from a short break. We've been going since 5:00, so I thought a short break was in -- was something we should call on. I do want to -- it might be a good time now to thank Derek and Jason for our tech services and all of our IS department and audiovisual department to help us put on this meeting. We're going to go on for a while, so this is a little bit above and beyond the call of duty. I just want to say thank you on behalf of the board.

The next item on the agenda is still part of the Management Committee, Dr. Cook. You have the Ellucian single source --

>> Trustee Jerry Cook: Thank you, Mr. Chair. We have a number of recommendations to go through. The first are recommendations in single source purchases starting with fiscal year '20-'21, our single source purchases greater than 150,000 will be presented for board approval before proceeding with the purchase. The first single source purchase present for recommendation is for Ellucian for Enterprise Application Support. All of these, by the way, were vetted in management and approved by the Management Committee to move forward for board approval. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the single source justification for the fiscal year '21 estimated amount for Ellucian for a total estimated amount of \$1,256,731, and I'll make that motion.

>> Trustee Paul Snider: Second.

>> Chair Greg Musil: It's been moved by Trustee Cook, seconded by Trustee Snider to approve the Ellucian bid as shown on Page 4 of the board packet. Is there any discussion? If not, all in favor say aye.

(Ayes)

>> Chair Greg Musil: Anyone opposed? That motion carries unanimously.

>> Trustee Jerry Cook: Next we have a recommendation for TouchNet for the payment gateway system, that is also found on Page 4. Is it the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the single source justification for TouchNet for the payment gateway system from October 1, 2020, to September 30, 2021, to include four renewal options through 2025 capped at 4% annual increases for \$817,178, and I'll make that motion.

>> Trustee Laura Smith-Everett: Second.

>> Chair Greg Musil: Moved by Trustee Cook and seconded by Trustee Smith-Everett to approve the TouchNet bid on Page 4 of the packet. Is there any discussion? Any questions? If not, all in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay. That motion carries unanimously.

>> Trustee Jerry Cook: Next recommendation is for Apple purchases. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the single source justification for fiscal year '21 Apple purchases, these are the computers, for a total estimated amount of \$500,000, and I'll make that motion.

>> Trustee Paul Snider: Second.

>> Chair Greg Musil: It's been moved by Trustee Cook and seconded by Trustee Snider to approve the bid by Apple, the single source bid by Apple on Page 5 of the board's packet. Is there any discussion or any questions? Trustee Lawson?

>> Trustee Angeliina Lawson: Yes. So this is probably maybe answered by Tom Pagano and just the Apple and Dell are the same questions. There's an explanation of a co-op. Can you explain a little bit more of that co-op and the ratio of how much we're putting in to what Apple and Dell is.

>> Dr. Randy Weber: Can I ask that Janelle Vogler answer that? That's actually -- the co-op agreements run through Business Services.

>> Trustee Angeliina Lawson: Perfect.

>> Chair Greg Musil: Janelle?

>> Janelle Vogler: Yes, I'm here. Actually I'm going to have to get some more detail about our percentages based to the total. But the particular co-op is a NASPO cooperative contract for Apple, and Dell is purchased through the Kansas Association Community College Technology Refresh Program. But as far as our percentage based on the total, I would have to get that information. I don't have that detail available.

>> Trustee Angeliina Lawson: What is NASPO, if you can explain that?

>> Janelle Vogler: It is a cooperative of different organizations, they get together and NASPO bids it out for us. I'll need to look up what NASPO stands for. I apologize. I don't have that on the tip of my tongue.

>> Trustee Angeliina Lawson: Can we take a pause on this one and go on so I can get some of that information if possible?

>> Chair Greg Musil: Are you comfortable voting on the Dell one? Could we take that while Janelle is looking for NASPO?

>> Trustee Angeliina Lawson: I'd like to know the ratio of how much Dell is putting in, or is the college putting in everything. So that's kind of where I'm just trying to figure out, because those are pretty large sums.

>> Chair Greg Musil: These are buying cooperatives where a group of colleges or otherwise get together and pool their buying power to negotiate with Apple and with Dell, as I understand it. I think NASPO may be the National Association of Student Personnel Officers.

>> Janelle Vogler: It's actually State Procurement Officers. Yes. But, yes, I'm not going to be able to get those ratios in a timely manner if that's something that you're going to need for the vote.

>> Chair Greg Musil: But is there -- there isn't a ratio. I mean these are cooperative -- these are buying cooperatives, are they not? Where --

>> Janelle Vogler: Yes.

>> Chair Greg Musil: Where we, along with all the other Kansas community colleges, get together and go to Apple and say we will buy from you if you give us a bid and a price. So we take advantage of volume purchases. I'm sure we buy more than other colleges because we're so much bigger. But this isn't a cooperative with Dell or a cooperative with Apple. These are buyer cooperatives. Does that help, Trustee Lawson?

>> Trustee Angeliina Lawson: Yes. Thank you so much, Mr. Chair.

>> Trustee Jerry Cook: And those cooperatives allow us to get a better price than if we were to purchase them alone.

>> Janelle Vogler: Correct. Yes, because the total quantity is larger, so we're able to negotiate a better price.

>> Trustee Jerry Cook: So, Mr. Chair, the motion is on the floor for Apple.

>> Chair Greg Musil: It is on the floor, correct. And I might just add that if we're doing it with the KACCT, because we are so much larger and buy so much more equipment, we are benefiting these other smaller colleges who would have no buying power whatsoever, I think, without a cooperative. So it's another part of the effort where I think we really benefit the entire community college system of Kansas, and we ought to -- we may never be recognized for that, but I'd like us to recognize ourselves a little bit.

All in favor of the Apple bid on Page 5, signify by saying aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?

That motion carries unanimously.

>> Trustee Jerry Cook: Also on Page 5 is the Dell purchases. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the single source justification for fiscal year '21 Dell purchases for a total estimated amount of \$1,500,000, and I'll make that motion.

>> Trustee Laura Smith-Everett: Second.

>> Chair Greg Musil: Moved by Trustee Cook and seconded by Trustee Smith-Everett to approve the Dell single source bid on Page 5 of the packet. Any questions or comments? Hearing none -- go ahead, Trustee Smith-Everett.

>> Trustee Laura Smith-Everett: It was a joke. I'm sorry. It's hard to do on Zoom. I recently moved to Apple, so I should have seconded the Apple order. But it's lost in Zoom.

>> Chair Greg Musil: We could use a little humor at 7:35 in the evening. All in favor of the Dell single source bid signify by saying aye.

(Ayes)

>> Trustee Lee Cross: Yes.

>> Chair Greg Musil: Opposed nay?

That also carries unanimously.

>> Trustee Jerry Cook: The next item are a number of RFPs for on-call services, which was presented by Ms. Vogler. All of these are renewals of existing contracts. The on-call arrangements provide staff with the opportunity to move forward on smaller facility improvement projects efficiently and effectively. You can see they are for architectural services, carpentry, civil engineering, code consulting, electrical repairs, landscape design, mechanical, electrical and plumbing engineering services, structural engineering, painting and wall covering, plumbing and roof consulting services. And, Mr. Chair, being these are renewals, I would offer the opportunity to vote them as one, all of them as one offer, or if the board desires, we can take them individually.

>> Chair Greg Musil: Well, given that there are about 15 of them and they are ongoing -- ongoing service providers that we've used, if anybody has any questions about any individual ones, maybe we could address those to Janelle now. But I'd rather they take them as one motion. Does anybody have any specific questions or comments about the various --

>> Trustee Jerry Cook: And I guess we have the motion, Mr. Chair. I apologize. We do have the motion including all of them. So we are doing it in one -- one swoop. There are other motions we have to vote on. But in that block --

>> Chair Greg Musil: Are you making that motion?

>> Trustee Jerry Cook: It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the extension renewal, with no increase or decrease from the previous year, for the annual on-call contracts for a total annual expenditure not to exceed \$1,250,000, and I'll make that motion.

>> Trustee Paul Snider: Second.

>> Trustee Nancy Ingram: Second.

>> Chair Greg Musil: Moved by Trustee Cook, seconded by Trustee Snider to approve the extension renewals for the on-call contracts listed on Pages 7, 8, and 9 of the packet. Any further questions or comments? If not, all in favor say aye.

(Ayes)

>> Trustee Lee Cross: Yes.

>> Chair Greg Musil: Opposed nay?  
That motion carries unanimously.

>> Trustee Jerry Cook: Next item is for banking investment and procurement card services. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the proposal from U.S. Bank for banking services and procurement card services, and Commerce Bank for investment services for fiscal '21 base year and four optional renewal years, and I'll make that motion.

>> Trustee Lee Cross: Second.

>> Chair Greg Musil: It's been moved by Trustee Cook and seconded by Trustee Cross that we approve the Management Committee and administration's recommendation for proposal from U.S. Bank for banking services and procurement card services, and from Commerce Bank for investment services. Are there any questions or is there any discussion? If not, all in favor say -- oh, Trustee Lawson.

>> Trustee Angeliina Lawson: I'm sorry. It's just a statement. I just wanted to point out on Page 11, thank you so much for breaking that down. I think that's very helpful to understand just the table here. So, Janelle, thank you so much for that.

>> Chair Greg Musil: It's a complicated bid package because some are higher in other places, but then they give higher rebates, and it's both a service and a price -- a price feature, and I notice Janelle nodding her head yes. So all those in favor of the motion signify by saying aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?  
That motion carries unanimously.  
We're getting there, Dr. Cook.

>> Trustee Jerry Cook: The next bid is for multi-functional devices straight lease. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the College Administration to approve the new contract award to Summer One for a campus wide multi-functional device equipment five-year lease through 2025 for a total estimated amount of \$458,000 -- \$458,873, and I'll make that motion.

>> Trustee Laura Smith-Everett: Second.

>> Chair Greg Musil: Moved by Dr. Cook and seconded by Trustee Smith-Everett to approve the Management Committee and College Administration recommendation for the new contract award to Summer One for the campuswide multi-function equipment of five-year lease. I'll note I believe that is a -- the low price, the low bid of the various responders to the RFP. Any questions or comments?

>> Trustee Laura Smith-Everett: I would comment that it is what we used to call copy machines. Learned that from the Management Meeting. So just for everyone out there, that's the new name of copy machines.

>> Chair Greg Musil: We scan now, we receive faxes, we do all kinds of things on multi-function devices. But all right. All in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?  
That motion also carries unanimously.

>> Trustee Jerry Cook: Our last bid is for Wolfvision document cameras. It is the recommendation of the Management Committee that the Board of Trustees accept the

recommendation of the College Administration to approve the new contract award to Signal Perfection for the provision of the Wolfvision document camera equipment for a current year estimated amount of \$102,582.55 and an estimated amount of \$128,960.92 for the optional renewal through 2022 for a total estimated two-year amount of \$231,543.47 and I'll make that motion.

>> Trustee Lee Cross: Second.

>> Chair Greg Musil: It's been moved by Trustee Cook and seconded by Trustee Cross to approve the Wolfvision document camera equipment bid on Page 13 of the packet. Any questions or comments? If not, all in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?

That motion carries unanimously.

>> Trustee Jerry Cook: Mr. Chair, that completes the recommendations. And I would go back, Trustee Lawson had some questions about the Management report.

>> Chair Greg Musil: Trustee Lawson?

>> Trustee Angeliina Lawson: Thank you, Mr. Chair. I know on Page 6, as well as 16-19 had a really good description of what the I.T. department is doing, and I know not too often do we praise the other items in the budget. But after looking at the commitment that we're doing to new installations like Wi-Fi 6 and also TeamDynamix, I think that is really important. I feel as though we're working to invest in the technology and the importance of having cutting-edge technology especially as we go into a heavy virtual world that we're going into and the impact of what we spend to have on our students. So thank you so much to Tom Pagano's team and his department, because the completion and the plans that I saw were really impressive. So thank you so much for that.

And then I have another question. So the Climate Action, I had a few questions on the policy considerations that were brought up by the trustees only in that committee. I know when I was reading under different guidelines provided by then Mr. Chairman Cook, that in order to get items on the committee agenda for consideration in a committee, such as that, it was required to go through the main board. Has that changed?

>> Chair Greg Musil: I don't remember if that's the case or not. I mean the -- typically the committee agendas are driven both by administration needs and by if those mesh with trustees. One thing that we didn't have a lot of information on was the discussion with respect to the Climate Action thing. So if we could have that, maybe if either Trustee Cook or Trustee Smith-Everett or Trustee Snider, I guess Smith-Everett and Snider were listed on that.

>> Trustee Angeliina Lawson: So I know -- I'm sorry.

>> Trustee Jerry Cook: I would say, Mr. Chair, that that question really came up in the April Management Meeting as a question by Trustee Smith-Everett and Snider, and there it was put on the Management agenda for May, and it was a matter of them just emphasizing. And they can speak for themselves on it, but it was a matter of them emphasizing where is our college and are we participating in the Climate Action KC strategies.

>> Trustee Angeliina Lawson: So, Mr. Chair, I know we all have a lot of different great causes and efforts that we support when we are here as trustees. I want us to take on policies not influenced by other organizations, but in the best interests for the people as a whole as elected officials by the public. So in light of these two concerns, I have been watching -- or I watched the Management Committee. And there was permission to have these trustees begin

working with staff on this specific project. I believe it would be in proper order to add on the next month's agenda these policies that the Management Committee trustees have interest in so that this board has the opportunity to first look at what this is about before rolling it out to the public. I think it can cause unnecessary confusion, also before we spend any staff hours working on something that we don't know as a board if we're going in that direction. So I wanted the board to be able to have that opportunity.

>> Chair Greg Musil: I don't disagree. I'm not exactly sure what direction was given or what staff would be dedicated to this. I have talked to Dr. Weber about it and about the notion that this particular effort, though I think we all support it, and one of the things that I understand happened was we were going to reissue an invitation that the Climate Action Conference be held on our campus and that we host it again, which I fully support, is that as we review policies, given that we have a strategic plan process coming up in the next year, with Dr. Bowne as our new president, that any specific policy changes might want to -- might and should probably await that strategic plan so that we know they align with those. So I'm not sure exactly what, Paul or Laura, you had in specific mind other than to ensure that we make sure our policies have a sustainability kind of lens in addition to all the other lenses that apply to it, and that we -- we have that in mind and that as we go through a Strategic Planning Process, I think that could be fleshed out not only with this board, but with the entire campus community and entire community off campus as well. But either one of you want to speak to that kind of process?

>> Trustee Paul Snider: Laura can delve into that a little bit. I think I'll just address how it ended up on the Management Committee agenda. I guess I'm not sure the exact procedure for how this -- this should happen, but I'll explain what I -- how I went about it.

In March, when we were having the presidential discussions and had all that layover time at the DoubleTree, I talked to you, Mr. Chairman, about whether it would be okay to try to get that on the Management Committee. And you suggested I talk to Dr. Cook, which I then -- he was my second conversation I had with. He was okay with it. And then I talked to Dr. Weber. Dr. Weber and I chatted over the phone. And then I e-mailed him some clarifications on what we were attempting to do and he looked at our April agenda wasn't appropriate for that. So he placed it at the May agenda. And so that's how we got to where we're at.

>> Chair Greg Musil: Does that kind of -- I don't know if it's a satisfactory explanation, Trustee Lawson, but does it allow you to have us move on?

>> Trustee Angeliina Lawson: No, I just want to make sure that everyone knows I am in favor of the content. I think the process of regular order has been taken up to the board first so that we can decide which direction this board is going so there's not different voices that are -- could potentially confuse the public if we haven't taken a vote on a specific direction that we're going. So I would just request that the Board of Trustees follow regular order.

>> Chair Greg Musil: Well, I think -- I think what I understand from Dr. Weber is that there's an intent now to keep this in mind, but do it in alignment with the strategic planning process, which the board would have input into all the way and would have final approval for. So I'm not sure that we have undertaken anything of any dramatic fashion without -- just because of two committee members. But I see Trustee Cross had his hand up and I saw Trustee Ingram next.

>> Trustee Lee Cross: Yes. Thank you, Mr. Chair. What did we take out of regular

order? I don't understand.

>> Chair Greg Musil: I think the suggestion is that we don't have -- I don't know that we have a regular order for how to get things on a committee agenda. Two out of three committee members of that asked it to be on the agenda, so I'm not -- I don't know if that's another one of the board policies and procedures we're going to need to formalize in order to ensure that everybody feels comfortable with the process. Trustee Ingram?

>> Trustee Nancy Ingram: That was basically my question, too. I don't have a problem with it. But I just didn't understand what the order had been, what we might have done differently. And I think Paul's visiting with you and then visiting with the Chair sounds fine with me. So I had that same question, what was the order that we didn't follow? Thank you.

>> Chair Greg Musil: All right. Trustee Cook, does that finish your Management report or would you like some more air time?

>> Trustee Jerry Cook: That concludes our report unless Trustees Snider and Smith-Everett want to add something to the Management report.

>> Trustee Paul Snider: I guess I would just -- not to belabor this issue, but I think from Laura and I's perspective, we had a discussion, highlighted some potential opportunities where the college could improve on its already stellar reputation and operation, and so that was basically kicked back to Dr. Antle. If he deems that there are some improvements we can make, he'll bring those back to the board, and the whole board will have an opportunity to address those if that's what happens.

>> Trustee Nancy Ingram: Okay. Thank you.

>> Chair Greg Musil: Let's move on to Treasurer's Report. Trustee Cross is our treasurer.

>> Trustee Lee Cross: Yes. Thank you Mr. Chair. The Treasurer's Report can be found in your board packet and it is for the month ended March 31, 2020. Some items of note include Page 1 is the General/Post-Secondary Technical Education Fund Summary. March was the ninth month of the college's 2019-2020 fiscal year. The college's unencumbered cash balance as of March 31st, 2020, in all funds was 105.4 million, which is approximately \$500,000 lower than at this same time last year.

An ad valorem tax distribution from the county of 3.9 million was received in March and recorded as follows. There was about 3.7 million in the General Fund, about \$14,000 for Special Assessment Fund, \$215 -- \$215,003 in Capital Outlay Fund, for a total of about 3.9 million. Also during March, the college made required semiannual payment on the Series 2017 Certificates of Participation.

Expenditures in the Primary Operating Funds are within the approved budgetary limits, Mr. Chair. I thank Vice President Lierz for preparing these remarks. And is it the recommendation, Mr. Chair, of the College Administration that the Board of Trustees approve the Treasurer's Report for the month ended March 31st, 2020, subject to audit, and I so move.

>> Trustee Paul Snider: Second.

>> Chair Greg Musil: It's moved by Trustee Cross and seconded by Trustee Snider to approve the Treasurer's Report for the month ended March 31, 2020, subject to audit. Any questions or discussion? If not, all in favor say aye.

(Ayes)

>> Yes.

>> Chair Greg Musil: Opposed nay?

That passes unanimously.

I did note that since we're talking about the budget and our reserve levels that in -- at the end of December our reserves were 48 million. They jumped to 106 million at the end of January. Down to 98 million at the end of February. Down to 91 million at the end of March, because they go down every month until June when we hopefully get our next ad valorem tax payment from the county. So the fluctuations there are something that we all -- I know we all keep in mind.

The President's Report to the Board, I will emphasize what Joe would emphasize if he were here. The 40-plus pages this month I think accomplishments on campus. And then I know he had planned a Lightning Round, which I will start. I understand we're going to hear from John Clayton and then Randy Weber, Karen Martley, and Mickey McCloud.

So, John Clayton, if you're there and ready to go, start our Lightning Round. Like the rest of this meeting, it will be really fast.

>> John Clayton: I hope so. I'm here ready to go. Can you hear me?

>> Chair Greg Musil: Yes, sir.

>> John Clayton: All right. Just wanted to make sure. Just talk briefly about spring 2020. I'm here to talk about enrollment today. Want to talk a little bit about spring 2020 enrollment. We're currently experiencing a drop rate of about 6.8%, which is about 1,078 students. This is up just a little bit, about 2.5% or so, from what's normal. We normally are somewhere around the 3.8 to 4.2% range. So we are experiencing because of the COVID a higher drop rate, but working to try to minimize that as much as possible. As was mentioned earlier, the last day to drop is May 22<sup>nd</sup>.

Wanted to move on to summer 2020 enrollment. We're currently down 6.1% head count. Credit hours we're down 2.4%. Let's compare this to two weeks ago where we were down 13.1% in head count and 9.8% in credit hours. Okay. So over the last two weeks, we have drastically closed that gap of -- for enrollment. This is primarily due to a couple things, but the biggest thing is primarily it was due to our enrollment started five to seven days later this year than what it did in the comparative two years prior. Over the past week, this gap has roughly closed about a half a percentage point each day. Now, it's starting to slow as we're getting closer and closer to register -- to time for classes to start, but that continues to close. So we are down to only 2.4% as of right now.

I think we could possibly see a small enrollment surge coming over the next week or so as -- as our own drop period closes on the 22<sup>nd</sup>, as well as some of the regional four-year colleges around us close. So as you heard from Rachel, we're expecting our summer enrollment likely to end up to be nearly flat, if it isn't flat. So one of the other reasons that we're struggling here is some of the restrictions put on us with the COVID social distancing requirement. We estimate that we've lost somewhere around 40,000 -- or 4,000 credit hours due to limits on course offerings. This could be labs, career techs, Allied Health type courses. Now, you don't see that total drop because there are other departments across campus that have actually increased their enrollments because they've offered more robust online offerings. So keep that in mind.

How does that compare, that 6.1 and 2.4 percent compare to other Kansas colleges? There is one institution that is basically their summer enrollment is totally online, they're up slightly, about 2%, 3%, I believe. The rest of Kansas, from what we've been able to garner, is down anywhere between 16% and 67%. I didn't stutter there. 67% down. So that is a broad

range. That institution at 67% down has no robust online delivery or registration process. So they're really struggling not being able to meet face-to-face with students. We're fortunate we have that.

How do we compare to the KC metro region? They're very similar to what we are, somewhere in that 8 to 12 percent down range. Okay. So I think we're outperforming them slightly, but we are down a little better off than what they are right now.

That brings me to the fall 2020 enrollment. As Rachel mentioned earlier, registration begins June 15<sup>th</sup>. And it's really way too early for us to really be able to make any predictions. We don't know what's going on there with what the economy is going to do, are we going to be able to meet face-to-face? But we're definitely tracking that. And we'll have more information on that as it comes up.

That concludes my update on enrollment.

>> Chair Greg Musil: Thank you. Dr. Weber, are you next?

>> Dr. Randy Weber: Yeah. I've got two items I was asked to speak about, so I'll try to talk really fast. The first thing I was asked to speak about is the college's return to campus plan. And the return to campus plan is going to come -- be introduced in a four-step process. And you heard Professor Harvey earlier talk about the importance of, you know, getting the information that we're sharing right. So sometimes we don't want to share it rushed. We also heard our lobbyist talk about how today the governor introduced I think they're calling it Phase 1.5 because they don't want to increase groups more than ten. So we are trying to take advantage of the strong remote work environment set-up we've made and make sure that that we don't rush things back to campus so we avoid a second spike in activity.

But our four-step phase I'll speak to briefly is we're in step one now. And that first step is that we're meeting the Kansas Essential Function Framework as it's articulated by the state's executive order. So we have activities going on, on campus that meet essential functions. The next step we'll move into will actually be beginning to transition our workforce back to campus. And so there are some who need to come back to campus earlier than others to prepare for the arrival of students. Others are doing phenomenally at working remotely. So that will be an individual department and kind of a case-by-case scenario. So we don't anticipate bringing employees back until early June. Students will not come back to start doing enrollment or other types of activities outside of the essential framework for more than at least two weeks after that.

So there will be some "not before than" dates associated with the plan as we roll it out. So employees is Step 2. Step 3 is reintroducing students. And then Step 4 would be as we start to create what we call our new normal. And our new normal is going to be different. You know, it may be a period of continuing to exercise social distancing but not having gathering sizes with capacity. So we're watching that grow.

It will -- the intent of the committee, we've got a great committee working on this, is that we will have it out by the end of next week for public. And then prior to rolling out each step, there will be some further detail. But the return to campus plan is scheduled to come out to help people understand what it will look like, what is contained in it, by late next week. But as kind of a spoiler, to let people know what to prepare for, we're looking at employees coming back no earlier than early June and students more than a couple weeks after that.

I'll shift real quick gears to student supports, which kind of came up a little bit earlier during this. So I've got -- I do have some updates on numbers. They're a little bit of what

Rachel referenced on the budget report. But we did -- as of this morning I received a report that we processed 330 tuition appeals related to COVID for tuition refunds of over \$170,000. The laptop loaner program that was actually referenced earlier, we were able to procure 74 laptops, only 22 of those have actually been checked out. A number of students have inquired or been referred to, to inquire about the laptops, but they didn't follow up. That actually is being -- that management process is being run through our Student Basic Needs Program.

And then, lastly, I will touch briefly on the CARES Act, the stimulus fund. You know, each institution is interpreting how they're disbursing those funds quite a bit differently. Our interpretation is really tight to the law as it was rolled out, and we're seeing from the Department of Ed where the expectations are that there's a student function and institutional function. And in the -- excuse me, in the student function, the expectation is that it goes as a form of a direct grant to students who based on their direct impact of the college closing. And so that really starts to narrow the gap. And then added to that later was online-only students wouldn't be eligible and you need to make sure that each of these are students who are FAFSFA eligible. So we have a lot of students who have demonstrated need who didn't meet the eligibility criteria of the program. And we were fortunate that some Foundation and activity funds have been made available to help with some of that.

But just to give a brief update, we received 1,084 applications. Within those, we were able to fund 425 from the CARES Act for -- excuse me, \$476,000. And then through the Foundation and institutional support, we've funded an additional 177, for \$58,000. There were 240 denied. And a lot of that had to do with, though they had difficult circumstances that they faced as a result of COVID, it wasn't directly tied to our campus closure, which is one of the criteria. And so we're -- we're struggling with that. We are seeing things like, if you're paying attention to the news, the state of California community colleges has a lawsuit against the Department of Ed as a result of this saying a number of students are being denied opportunity for these funds. So we're watching that to see if we can span to a greater audience and/or we'll anticipate increasing support to students into the summer and fall semester and even into the spring. What we have is we have a year to expend these funds. I'll leave it at that.

>> Chair Greg Musil: Okay. I'm going to ask for questions for Randy's presentation. Then I'm going to go back and ask if there are questions on John's. I should have taken them one at a time. Then we'll move to Karen and Mickey. Laura, do you have a question for Randy?

>> Trustee Laura Smith-Everett: Can you say that eligibility -- you did go very fast.

>> Dr. Randy Weber: I promised. I tried to go lightning. I can send it to you guys, too.

>> Trustee Laura Smith-Everett: Okay.

>> Dr. Randy Weber: But basically what it is, to be eligible, they had to have been in face-to-face classes and there has to go as a direct grant to them and it has to be as a result of our college closing. So "I lost my job" is a very difficult circumstance, but if they didn't lose their job as a result of our college closing, then the stimulus eligibility wouldn't be that. We do have a very simple application tied to our scholarship, allows us to make sure that we've got the right fund to send the money to. So a lot of them that are getting approved are getting the money the same day if they paid electronically, their tuition, or received refunds through federal IV funds.

>> Trustee Laura Smith-Everett: Thank you for that clarification. That was exactly the part that I lost you. Thank you.

>> Chair Greg Musil: Randy, I have a question. What is the eligibility requirement for the Foundation funds, which are those raised from our community here? Are you applying -- is it a slightly looser eligibility to help students in need?

>> Dr. Randy Weber: Yeah. So a number of them who are denied were students who aren't enrolled or maybe are going to be future students. So they're like, well, I'm going to be a student and I need some money. So that was a number of them. But the ones who were funded then who were outside of the CARES eligibility were the students who had -- would have been funded from our eligibility criteria as far as as a result of the college's closure, but they didn't meet the federal eligibility as far as being FAFSA eligible.

>> Chair Greg Musil: Other questions for Dr. Weber? Trustee Cross?

>> Trustee Lee Cross: Yes. What was the lawsuit in California about, Vice President Weber?

>> Dr. Randy Weber: So they -- first they got questioned about they made some of their other public funds eligible for students who weren't eligible for the program. Not surprisingly, California has a high participation rate of students who are not citizens, so they're DACA eligible, or Dreamers, and so they historically as a state have made state funds available to these students. And so what's happening is they're frustrated that these federal funds aren't eligible for those same students and are suing as a result.

>> Trustee Lee Cross: Thank you.

>> Chair Greg Musil: Questions on Dr. Clayton -- John Clayton's information on enrollment? Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: My question is probably a question for Chris Gray rather than for Mr. Clayton. Just in terms of what are we doing to market ourselves or advertise for people? It's actually kind of interesting on Twitter to see there's a lot of people advocating for students that are still uncertain about returning to a campus where they would have residence halls and be living there, and people are advocating for community colleges in that circle. And I just wondered how we were getting the word out that we're here and that we are a great option for students that have determined they're not going to go back to campus.

>> Chris Gray: Yeah. This is Chris. We are doing quite a bit of one-to-one outreach not only to the current university students, but also our past and then future students. We have a partnership, we work very closely with recruitment and admissions division. So we've continued and we've actually amplified quite a bit of our marketing with their social. We do a lot of digital advertising, and a lot of that digital advertising a lot of us don't see because it is so targeted from that standpoint as we really try to hone in on the varied audiences, not only from a demographic standpoint, but also from a geographic standpoint. So we'll basically draw a fence, a geofence around the university, we actually started this right when this occurred, to try to attract and let people know that we are open, we have courses, there are online options.

And, really, in the past two or three weeks, and Dr. McCloud's talk on KCUR was referenced earlier, is trying to let people understand what our online offerings are, because that's very important. It's not just what people think of online. There's synchronous, there's asynchronous, there's hybrids that we have. So it's really trying to get that education out. But there is quite a bit of one-to-one touch points through e-mail, through follow-up calls, through robo calls, as well as postcards and all the traditional stuff we're doing from this standpoint.

>> Trustee Laura Smith-Everett: Thank you. That's my questions.

>> Chair Greg Musil: I see no one else with questions for John. So -- oh. Trustee Cook

and then Trustee Lawson.

>> Trustee Jerry Cook: I'm sorry. I have no questions.

>> Chair Greg Musil: Oh. You're just waving at me. I saw a hand. Okay, Trustee Lawson.

>> Trustee Angeliina Lawson: I know that last year I had forwarded some of these articles, the colleges that had offered sales on tuition saw increases in enrollment that more than made up for the differences of something similar to what we're talking about here. Has there been any approach to evaluate a sale on tuition compared to some of these marketing strategies? That I think that could be a stronger draw.

>> Dr. Randy Weber: I'll go ahead and answer that and say that right now, particularly looking at summer courses, that would probably be an approach we would look at if we had a hard time filling the seats that we're offering. But right now we are getting close to capacity with our offerings. Where we're struggling with enrollment is an inability to offer courses that have historically had higher enrollments during the summer. A lot of university students like to come home and take those lab courses from our strong instructors during the summer. We have high reputations at the universities, so often they -- times they tell them that we don't offer those classes this summer because of social distancing.

One of the things that we did talk about doing initially, before the stimulus criteria came out, was to use some of that student fund to offer some of those discounts. But typically those are the types of things that are done when you are struggling to get enrollments in what you are offering. And that's really not the barrier we're facing at this time.

>> Trustee Angeliina Lawson: So when we're talking about students that -- I think you may have mentioned a little bit earlier, the students that Laura Smith -- Trustee Smith-Everett was speaking on behalf, that's who I was speaking about. Would that still be applied as just the marketing strategy? Or would the tuition cut be a stronger across-the-bow, so to speak, for attracting new students that are going to other colleges? That's what I was implying.

>> Dr. Randy Weber: I would suspect that given our reputation and our price point, we're not struggling as much against students going to other colleges. I think as we see and as part of what we're projecting for fall is that if they're not going to be able to have the same campus experience at X or Y university, living in the residence halls, their parents are probably going to encourage them to take courses online from Johnson County at a fraction of the cost. So I think our tuition is already discounted comparatively speaking to the other options. We're as low as any other metro community college and we're significantly lower than local or preferred universities. And so I don't know that price point for the people who would have otherwise gone somewhere is an issue. Now, price point will continue to be an issue for students who have minimal means and particularly those who will be Pell eligible. We're going to see an increase of Pell Grants and loans over the next year. You've heard us talk over the last couple years about the efforts we've made to decrease our default rate, to lower our loan expenditures. And you're seeing a low -- you've seen a decrease in Pell. What this will do is all of those will increase as a result of students' abilities to pay.

>> Trustee Angeliina Lawson: I think I'd be curious at some point to track the increasing cost of marketing strategies that I just heard in correlation with if we did a cut in tuition, if that would be the same expense for the same gain.

>> Chris Gray: I guess I may have misspoke or maybe you misheard, I apologize, Trustee Lawson. We have not increased budget. And actually over the past four years, the

Marketing Department's budget has remained flat or decreased. What we have been able to do, though, is increase what we do put out into the marketplace because of the efficiencies that we have, leveraging new strategies, new technology and new advances that we have within the department.

>> Chair Greg Musil: Trustee Cross?

>> Trustee Lee Cross: Thank you, Mr. Chair. I remember 2014-'15 when the legislature, in their infinite wisdom, was telling us to let the market decide in terms of how community colleges should operate and how, you know, essentially who survived in the community college world, it wasn't that great of a governing strategy, but it was, in their wisdom, what they chose. So I'm immensely proud of this board and this administration for the courage they've shown, and I've advocated for it my entire time on the board to keep us at our price point. We make -- in my opinion, whatever we have in being below the market average on tuition and fees we make up for in volume. And then perhaps anecdotally, and I hate to generalize from my experience, but growing up in northeast Kansas, everybody knew Johnson County Community College was the best place to go. It just wasn't even a thought to go anywhere else, because for the money you got such a world-class opportunity. So I'm immensely proud of where we're at. I think tuition is fine. I'm not sure it's a bad idea, however. I'm not trying to knock or disparage anybody to have sales on it occasionally to bring people in. But I just wanted to comment on that. And I think -- I'm immensely proud of where we've been the last seven, eight years.

>> Chair Greg Musil: Any other comments or questions for John Clayton? If not, Karen has been waiting patiently. You're on, Karen.

>> Karen Martley: Thank you. In Continuing Ed, we have -- we've really worked closely with the IRT, and I want to thank them publicly for all their assistance in helping us meet some of those essential workforce needs that have come up related to people needing their license or relicensure to be on those various job sites and do the work, as well as things related to the supply chain.

In addition to that, it's -- there's still the business that's going on day-to-day for us. We have -- we've moved all of our youth programs this summer to an online format. That's 108 different programs that will be offered versus those students being in camps this summer. And those enrollments are coming in. We're very excited to see that. Our contract training is again starting to pick up. We've had our clients postponing that, moving those dates out, as well as new opportunities coming forward to us as well as we follow up and work with those businesses.

Our Johnson County Adult Education, the work that Janice is doing, many of you have been at our GED graduations, and she continues to move forward with planning a virtual graduation for those students and working with still will have our speaker doing a piece of that as well part of that, Mr. Will Shields. So we're very excited about that as well.

And Chris has talked some about what we've done for outreach. Outreach in the community we know is critical. We've had our program directors calling out to our business clients and keeping in touch with them about needs moving forward, as well as Carol Lehman and Debbie Rulo working with our EDCs and Chambers and making calls of course to our current students and even our students over the last 18 to 24 months.

The last thing I just really want to mention that we hear over and over in the community is what's going on with small businesses. And I am extremely proud of the work that that team

has been able to provide since March 15<sup>th</sup>. They have provided 452 counseling hours in COVID-related questions, just for our clients, and another over 50 hours to non-clients and assisting them with that, and in addition to that at the same time providing informational events and webinars, working cooperatively with the 12 centers across the state to answer questions that have had over 765 participants, and in addition to doing our training classes and doing some focus groups as well with clients so we can hear, you know, what are those needs, is that information getting to them.

But I think the real impact comes when you hear a story. So I want to leave you with a story tonight. And that is about Trina Knudsen, who is with the Lane Project. And this was written up in the Kansas City Business Journal this past month about her unique use of the SBA Paycheck Protection Program. And you've probably heard a lot of jargon related with the financing and things that these small businesses are applying for. This would be the PPP that they talk about often. But she was able to apply and get funding, and that has been very useful in keeping those employees in their jobs at her company, those 10 to 14 employees, and doing work and preparing and assessing for how that organization and company can move forward as this situation passes and gets better.

And those are the stories that I think are so important as it comes to economic development, for those small businesses to be able to continue to do the work that they're doing, and in her case that is working with children who need those opportunities to continue a relationship with their parents and working with parents on how they can co-parent to have the skills necessary to, you know, maintain that focus on those children, which is of mutual interest to them.

So I'm very proud of the work that our SBDC and those 12 centers across the state are doing to work with those small businesses and keep them going and get them the resources and the assistance that they need.

>> Chair Greg Musil: Great. Thank you. People sometimes forget all of the stuff we do out in the community that doesn't have to do with credit students on campus and how important that is. Questions for Karen? Okay. Mickey, you get to finish this up.

>> Dr. Mickey McCloud: All right. I'll actually make it fairly quick because we covered a lot of this ground earlier. But I want to make sure to kind of revisit. We are going strong for summer. To go back to Trustee Lawson's question from earlier, to give you a little bit more of a response to that, we have made great headway with our accrediting bodies. We've been given dispensations from all of our nursing accreditors, as well as from our accreditors in cosmetology and EMS, to utilize much more heavily our simulation capabilities to allow us to make up for a lack of opportunities that students will have to get out into clinical sites, as well as being able to bring clientele into our West Park facility. So we have been given a dispensation which will allow us to work more from a simulation, mannequin, checkoff standpoint to satisfy a number of those public-facing opportunities so we can cover a larger portion of those hours that a student would have to have doing public work and simulation, which will allow us to continue to move these students through.

We've also started to build out some opportunities for our other CTE programs to come in and film some of the didactic portions. So we aren't losing traction in things like welding, machining, automotive in the way that we would be by not being able to engage those students at all because we weren't able to get them in, in a physical space. We are now able to explain a number of the machines, a number of the processes, and create lectures via telepresence, which

we've used the folks from Video Services to film and kind of curate almost in the way that you would think of learning to cook via Food Network or -- we've engaged them across a number of our programs and filming some of the didactic portions, which then will allow us to pull students in, in smaller groups to actually have them do checkoffs and actually perform utilizing the machines and we can move into a more competency-based education mode in this way.

We've been working in that same way with our hospitality and culinary folks to look at how we could design food tastings and other hands-on opportunities around smaller groups with more safety precautions, considering that we will be in the need of tasting food and ingesting things. And so there has been just so much work that has been done by so many people to make sure that we can continue to provide a high level of education for our students as we move into the summer. We will be bringing -- most students will be back in July. Our EMS students, our fire students, and our police science students will be back slightly ahead of everyone else as we've run into a need to get those folks certified because we are one of the largest suppliers of firefighters and police officers in and around our county and connected communities. And until we can get back up and running to deliver some of those testings, CPAT testing for firefighters and some of the checkoffs for police officers, people could not be certified to be out on the street serving community, and so we'll be bringing some of those students back in June, with the lion's share of students coming back to complete things in culinary and art and all of those other places coming back as of July 6<sup>th</sup> and finishing those folks out so we can be ready to go for our standard students for fall.

Trustee Musil, I think you're muted.

>> Chair Greg Musil: Something you all wish I did more often. Trustee Lawson has a question.

>> Trustee Angeliina Lawson: No. I just wanted to say thank you so much, Dr. McCloud, for revisiting my question. I appreciate the depth and thought that you put into that answer about the certification process and just being able to highlight how difficult that transition really is and to, you know, pivot a point lab, to be able to make sure that's approved by the Kansas Board of Cosmetology. The nursing program, a lot of these careers I really thought would be held just to flat stop because there's so much that you have to do in person. And to read about how that transformation happened in virtual with different pods of people. And coming back to our nurses and the nursing program donated \$2,000 to AdventHealth, just thank you so much for everything that you were doing to oversee. And I know last month's question I had was how in the world can you do this? And I knew that you could. And I'm just so grateful that you were the one in charge to really kind of look this over and dot the I's and cross the T's, because I'm just so relieved to know that so many more students were able to continue with their careers. And thank you to all the faculty members that I'm sure it was probably pretty painful to be able to think through how in the world to do this, and you guys did it. So thank you, Dr. McCloud, so much for your leadership.

>> Dr. Mickey McCloud: Absolutely. And I have to pass that down. The deans have done the yeoman's work, and the faculty and academic staff have carried a heavy, heavy load over the last couple of months. And so I would not be able to be here tonight with any sort of successes to share with you if not for all of those folks who have done so much work.

>> Trustee Angeliina Lawson: Thank you for your team.

>> Chair Greg Musil: Any other questions for Dr. McCloud, or comments? Trustee Cross?

>> Trustee Lee Cross: Yes. I just wanted to say I think Vice President McCloud wins the award for best head phones tonight. They're awesome. I do thank you. And I thank you for working with faculty and getting their input, Dr. McCloud. This summer, it's possible we could have a higher enrollment if we had the capacity to offer more classes; is that right?

>> Dr. Mickey McCloud: Yes. We've seen -- we've seen the sections that we have been able to offer fill. And that goes back to Trustee Smith-Everett's question earlier about the way in which we manage our ability to open new sections. We have already been forced to open new sections in pretty much everything that we're offering this summer. And so we're trying to keep pace with the desire that folks are having to kind of join us this summer.

>> Trustee Lee Cross: So do we need more money? New hires? To enjoy -- (indiscernible) when you're not briefed to answer that question.

>> Dr. Mickey McCloud: Actually, right now we've been in a pretty good spot. I had extra moneys for the hiring of adjuncts that we did not get to expend because of the classes that we had to suspend that were late starts after Spring Break that we didn't get to open. And so we've been able to roll that into making sure that we have enough to hire for the summer going in to this piece.

And we had also secured -- President Sopchich had also secured for us six new faculty lines. And so I've been very lucky in being able to bring on 12 to 15 new faculty lines over the last two years of hirings. And we had six new ones that we were allowed to continue to go out and hire for. And so those folks are -- have been hired and we're now looking at getting them into our I-Teach training and getting them ready to go.

So right now we are sitting in a very favorable position because we've planned ahead and been lucky enough that our planning has kind of met its opportunity, that place where kind of planning meets the need has occurred for us. And so we're in a great spot. Now, will I say that we will probably need more folks next year? I think so. I think that we're going to continue to see, much like we saw after the great recession in the early part of 2000, I believe that we will eventually see a boom of students that will push us both with the number of people that we can deploy, but also with the amount of space that we have to look into that.

I've gone back and done some historical looks at what the campus had to deal with during that time. And we were up around 23,000 students with no place to put any classes. And so having now worked to create more hybrid type models and more flipped classroom opportunities, as well as more active learning classrooms, which we've poured money into over the last three years since I've been here, I think that we will be in a better position to pivot when that happens.

But will we probably need more folks? Absolutely. I think that we're still feeling the pinch of the loss of all of the individuals who were not qualified under our accreditation standards after the big shift in the Department of Education for HLC. We lost well over 200 adjuncts who were no longer considered qualified based on just their degree as the Department of Ed pushed regional accreditors to get out of the business of looking at other experiences beyond classroom experiences and degrees that people brought. And that has made it very, very thin for us over the last few years and has added a lot more work on us to manage both the workload of our faculty, adjunct and full-time, as well as continuing to keep doors open and going out and trying to hunt for those appropriately qualified folks.

>> Trustee Lee Cross: Mr. Chair, one last thing. I just wanted to say thank you, Dr. McCloud, for that. Thank you for all of really your department's effort over the last three

months. I don't know if anybody said this, but thank you also for applying for the president's job. I know that didn't quite work out for you obviously. But I hadn't said thank you. I hadn't really been able to see you since.

I did also want to say, as a father of two young kids, it has been challenging. So I thank you for what I know has been your consideration and understanding of so many people that have to work from home. I appreciate especially Terri Schlicht bugging me, you know, following up with me on certain things that are needed. And then I also just wanted to add that I think Kelsey Nazar is a myth. So thank you all for your work and everything that you do, and I appreciate you.

>> Chair Greg Musil: All right. I just wanted to call out the JCCC exposure, an article that came out this morning from Chris Gray's department highlighting three of our students who are in essential service internships or apprenticeships basically. I thought that was an excellent piece showing kind of the dedication, the demographic diversity and the strength and perseverance of our students.

Since we're talking about tuition, you guys all saw this in your clips last week. But it gave me -- I got a kick out of it that as the financial strain of the families of college students worsens, there's one measure few colleges considered up to now, and that's freezing tuition. It cited Central Michigan University, which last froze tuition in 1993. Because of the efficiency and I think the effort, bottom line by administration, we've frozen tuition for four out of the last five years. So I think, as Randy pointed out, we are the low price point in the region, in the state, and so we already have that advantage.

I am going to move on to new business. I had mentioned last month having -- I guess we're going to call it an ad hoc committee for the transition to -- transition from Dr. Sopchich, to think about his transition out and honoring and recognizing his service, and the transition in of Dr. Bowne. And I have asked Trustee Cook as the most senior trustee and as the chair of the search committee, and Trustee Smith-Everett as our newest trustee, who has expressed a real interest in transition work through her seminars with ACCT, to be the ad hoc members -- or the members of that ad hoc committee on the presidential transition. Our policies say that the board creates these commissions. So what I'd be looking for is a motion and a second to create an ad hoc committee on presidential transition and to appoint those two members.

>> Trustee Nancy Ingram: So moved.

>> Chair Greg Musil: Do I have a second?

>> Trustee Paul Snider: Second.

>> Chair Greg Musil: Moved by Trustee Ingram and seconded by Trustee Snider to create an ad hoc committee of Jerry Cook and Laura Smith-Everett for the presidential transition. Any discussion? All in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?

Motion carries unanimously.

The second recommendation would be to do a similar thing with an ad hoc committee on a self-assessment for board members. This is a best practice by ACCT. Dr. Cook, to his credit, initiated an effort back in 2016 or '17 to do this. I think the board didn't respond as well as it could have at the time. We do have some other considerations and I don't know if ACCT has taken into account with respect to Kansas Open Records Act requirements. But Trustee Ingram and Trustee Cross have volunteered, or been volunteered to do that, to be members of

this committee. So I'd ask for a motion to create a Board Self-assessment Ad Hoc Committee that would report back to the Board with an idea on a self-assessment proposal or project. If there's a motion and second, we can create that committee and get them going.

>> Trustee Jerry Cook: So moved.

>> Trustee Paul Snider: Second.

>> Chair Greg Musil: Moved by Trustee Cook and seconded by Trustee Snider to create the Board Self-assessment Ad Hoc Committee with Trustee Ingram and Trustee Cross as the members. All in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay?

>> Trustee Lee Cross: No.

>> Chair Greg Musil: Trustee Cross, do you really want to be reflected as a no vote?

>> Trustee Lee Cross: I withdraw my vote.

>> Chair Greg Musil: Okay. That's unanimous as well. Thank you for that.

The next item is Old Business. As I'd indicated to the board previously, before going into Old Business, I'm going to ask for a motion to move into Executive Session. For purposes of the audience, an Executive Session is an item where the board can meet individually by itself outside the public eye. It is allowed only for certain exceptions to the Kansas Open Meetings Act. And we will have a motion and a second. I'm going to ask for 30 minutes for this Executive Session. During the 30 minutes, we will -- the trustees will leave this meeting. Each trustee received a separate invitation to a separate Zoom meeting. We will come back into this Zoom meeting once we have concluded that. So I would entertain a motion to go into Executive Session for the purpose of consultation with legal counsel for the purpose of receiving legal advice regarding the scope, application, and interaction of state law and regulations and college policies which would be deemed privileged in the attorney-client relationship. No action will be taken during the session. The Executive Session will last 30 minutes and begin at -- I'm going to call it 8:35 -- well, I'm going to say 8:40 p.m. to give us all time to make the transition. And we will -- the Open Session will resume, then, at 9:10 p.m. in the regular Zoom webinar. I'd like to invite Dr. Sopchich, Dr. McCloud, Dr. Weber, Becky Centlivre, and Kelsey Nazar to join this Executive Session. Do I have such a motion?

>> Trustee Lee Cross: So moved.

>> Trustee Nancy Ingram: Second.

>> Chair Greg Musil: Trustee Cross moves. Trustee Ingram seconds. Any discussion? If not, all in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed same sign or nay? That motion carries. We will start the Executive Session at 8:40. We will come back to the Open Session at 9:10. Thank you.

(Executive Session.)

>> Chair Greg Musil: Thank you. We are reconvened in Open Session at 9:10 p.m. after an Executive Session of 30 minutes in which no action was taken. I'd now like to entertain a motion to go into Executive Session to consider possible separation of a college employee for the purpose of discussing personnel matters of non-elected personnel in order to protect the privacy interests of the individual to be discussed. No action will be taken during this session. The Executive Session will last 45 minutes. It will begin at 9:15 p.m. The Open Session will resume at 10:00 p.m. in the same Zoom webinar location that you're on now.

We would like to invite Dr. Sopcich, Dr. Mickey McCloud, Dr. Weber, Becky Centlivre, and Kelsey Nazar to join this Executive Session. Do I have a motion?

>> Trustee Paul Snider: So moved.

>> Trustee Jerry Cook: Second.

>> Chair Greg Musil: I think did -- Trustee Snider, did you move?

>> Trustee Paul Snider: I did.

>> Chair Greg Musil: Trustee Cook, I think you seconded.

>> Trustee Jerry Cook: Correct.

>> Chair Greg Musil: Okay. The start time will be 9:15. We'll be back in Open Session at 10:00 p.m. If trustees will go back to log in to the earlier Executive Session Zoom, that would be great. Thanks.

>> Trustee Paul Snider: Aye.

>> Chair Greg Musil: Oh, we need to vote on that. Sorry. All in favor say aye.

(Ayes)

>> Chair Greg Musil: Opposed, nay. Motion carries.

(Executive Session.)

>> Chair Greg Musil: We're back out of Executive Session at 10:00 p.m. No action was taken during the Executive Session. We're waiting for Trustee Lawson to get back into the Zoom, then we'll have our -- the full board.

Okay. We have all seven board members back. As I had mentioned earlier that we are out of Executive Session at 10:00 p.m. No action was taken during the Executive Session. Following that session, I believe that the resolution to this would be to have a motion to approve the administration's recommendation, which is Old Business, Human Resources Separation, Item Roman IX-a on our agenda, and see where the votes are on that. Is anyone prepared to make such a motion?

>> Trustee Paul Snider: So moved.

>> Trustee Lee Cross: Mr. Chair, may I make a substitute motion?

>> Chair Greg Musil: Anybody can make a motion.

>> Trustee Lee Cross: What's that?

>> Chair Greg Musil: Yeah, anybody can make a motion. There's nothing on the floor.

>> Trustee Lee Cross: I'd like to -- I thought you were -- Paul just moved.

>> Trustee Paul Snider: Yeah, I tried to -- I said "so moved." I think Lee and I spoke over each other.

>> Trustee Lee Cross: I apologize.

>> Chair Greg Musil: Is there a second to Mr. Snider's motion?

>> Trustee Angeliina Lawson: Motion to adjourn.

>> Trustee Jerry Cook: Second.

>> Chair Greg Musil: It's been moved and seconded to -- it's been moved and seconded to approve the administrative -- administration's recommendation on Old Business Item A. I know we'll have discussion. So who would like to discuss this?

>> Trustee Lee Cross: If I may, Mr. Chair.

>> Chair Greg Musil: Absolutely.

>> Trustee Lee Cross: I can make a substitute motion now to waive the years of service pursuant to 72-2260b. We may do that at any time, waiving the years of service requirement.

>> Chair Greg Musil: Well, I don't know that you can make a substitute motion. I might

look to Kelsey on that. You can -- you could amend the motion. I'm not sure you can do a straight substitute. Paul and I've talked about this. As Vice Chair, he's our Parliamentarian, which puts him in a bad spot. Kelsey, substitute motion in order?

>> Kelsey Nazar: Chair Musil, I agree with your analysis regarding -- the initial motion was the primary motion made.

>> Chair Greg Musil: So do you want to try this one first, Lee, and then go to yours? Or... or you want to move to amend his motion?

>> Trustee Lee Cross: We did a substitute motion to cut the mill last May, is ringing a bell. We did one in December of '17 on another contract. Pretty sure it's right.

>> Chair Greg Musil: I don't remember any substitute motions. We had a motion different than the recommendation of the administration, but only the board members can make a motion. So why don't we just have discussion first, and then we'll see where that goes.

>> Trustee Angeliina Lawson: Mr. Chair? Can you hear me, Mr. Chair?

>> Chair Greg Musil: Yeah. Trustee Lawson.

>> Trustee Angeliina Lawson: Okay. I motioned to adjourn and someone seconded it, so I just want to know if there's some confusion if maybe people didn't hear that. But I know, per Robert's Rules, a motion to adjourn is always in order.

>> Chair Greg Musil: I did not hear a second. I did not hear a second.

>> Trustee Angeliina Lawson: Okay. So I can I guess do it again. Motion to adjourn.

>> Chair Greg Musil: We have a motion on the floor. I don't know if a motion to adjourn absolutely takes precedent or not. What would be the purpose of adjournment?

>> Trustee Angeliina Lawson: To adjourn.

>> Chair Greg Musil: It's probably nondebatable, so I -- is there a second to a motion to adjourn? Or would we like to resolve this tonight?

>> Trustee Jerry Cook: We need to resolve --

>> Chair Greg Musil: We'll go back to the motion by Mr. Snider, seconded by Mr. Trustee Cook, and it's open for discussion.

>> Trustee Lee Cross: I think I made a proper substitute motion that we waive the years of service and send this to an arbitrator. I don't hear a second, so I'll probably lose. I don't know that it is appropriate pursuant to the case law and statutes that we've discussed in Executive Session that we discuss this any further. I really think all we can do is take a vote, or vote to waive the years of service. So --

>> Trustee Angeliina Lawson: I second Trustee Cross.

>> Trustee Lee Cross: I don't support the decision to terminate.

>> Chair Greg Musil: All right. Well, here's -- here' my thinking as Chair. I'm not a Robert's Rules expert. I would like to have -- we can have discussion on all different options, but then I would plan to call for a vote on Trustee Snider's motion. That would be the ruling of the Chair. And if someone wants to overrule -- move to overrule the ruling of the Chair and entertain the substitute motion instead, someone can do that at any time on a Parliamentary procedure. So that's -- that would be my ruling is it will proceed to discuss motion, which I assume will include discussion and debate on alternatives.

>> Trustee Lee Cross: Well, I'll mention my aforementioned comments. And as -- I'm not the brightest lawyer, as I think Ms. Nazar has pointed out, but I'm a street smart one, as soon as we're done with this motion we're going to adjourn. So I made a substitute motion. Trustee Lawson seconded it. At this point, I'm going to move to overrule the Chair.

>> Trustee Angeliina Lawson: Second.

>> Chair Greg Musil: It's been moved and seconded to overrule the Chair with respect to the precedent of these motions. I do not know if that's debatable or not. But in the interest of our normally open discussion, does anybody have any discussion with respect to that? Which I guess, Lee, would have the effect then of putting your motion before the board as opposed to Trustee Snider's motion. That's the effect you're looking for, right?

>> Trustee Lee Cross: Yeah. I don't really mean any disrespect. I know it's a technical position you're in.

>> Chair Greg Musil: Hey, none taken. The Chair is subject to four votes all the time. I'll vote against it. And I think the first motion should be the one made by the -- by Trustee Snider and we see where the votes are, because those votes I don't think are going to change on other issues. They might. So I'm going to -- I've made the best ruling I think I can. And if four of you decide otherwise, then we'll go with the majority.

>> Trustee Angeliina Lawson: So, Mr. Chair, I'm confused because a motion to amend is, per Robert's Rules with proper second, supposed to take precedent. So if Trustee Cross and I seconded the overruling of the Chair, so wouldn't that be the first thing that we're looking at, at this point?

>> Chair Greg Musil: Yes. We're looking at whether or not to overrule the Chair.

>> Trustee Angeliina Lawson: Okay.

>> Chair Greg Musil: That's what we're discussing right now. That will be the next vote no matter what, is whether to overrule the Chair. My ruling was that Trustee Snider's motion, seconded by Trustee Cook, should be debated and voted. Trustee Cross -- Trustee Cross's substitute motion, seconded by Trustee Lawson, is the other thing that would be on the table if my ruling is overruled. So I'm always subject to four people.

>> Trustee Laura Smith-Everett: I support overruling the Chair.

>> Trustee Jerry Cook: Call the question on the vote of the overruling the Chair.

>> Chair Greg Musil: We're going to call this by roll call. Those in favor of overruling the Chair signify by saying yes. If you don't want to overrule the Chair, say no. I'll go in the order of officers and seniority. Trustee Snider?

>> Trustee Paul Snider: No.

>> Chair Greg Musil: Trustee Cross?

>> Trustee Lee Cross: Aye.

>> Chair Greg Musil: Trustee Ingram? Sorry, you're muted.

>> Trustee Jerry Cook: You're muted.

>> Chair Greg Musil: Trustee Ingram?

>> Trustee Laura Smith-Everett: Still muted.

>> Chair Greg Musil: Looks unmuted to me.

>> Trustee Jerry Cook: Talk, Nancy.

>> Trustee Nancy Ingram: No.

>> Chair Greg Musil: No?

Trustee -- let's see. I'm trying to -- trying to make sure I know the order. Trustee Cook?

>> Trustee Jerry Cook: No.

>> Chair Greg Musil: Trustee Lawson?

>> Trustee Angeliina Lawson: Yes.

>> Chair Greg Musil: Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: Yes.

>> Chair Greg Musil: Trustee Musil? Chair, votes no. So it's by 4-3 we're back to Trustee Snider's motion. It is open for debate. I'm going to go ahead and start. We all know why we're here and even though there is typically confidentiality of personnel matters, we all know there's only one item on this agenda. We have a statute that we are required to abide by that deals with when a faculty member obtains due process rights and when a faculty member is in a probationary period where the college has the discretion whether or not to renew that contract.

We also have policies on this campus that have been in place, unchallenged for at least nine years that I've been here, that state that full-time faculty members in a due process situation who have obtained their fourth contract have due process rights under the Kansas statutes, that other full-time employees of the college have appeal rights pursuant to the college's employment policies, and that probationary employees and temporary employees and part-time employees do not have appeal rights. We have adopted those policies and we have followed them, in my estimation, in the last nine years I've been on the board.

There are questions raised about a particular employee in this case who is finishing her third year of probationary employee and if she got a fourth contract would be a due process employee. We have received information on that, that paints a picture, and we have been asked to make a decision on this without any countering evidence because that is confidential personnel information that should not be shared with the Board of Trustees, ever, because we are not an adjudicating body on employment issues, particularly those that would be acted on outside of our own employment policies.

We have heard about the policies and how they were applied. If there is a dispute about those, that's one thing. If that dispute is to lead us to ignore and abandon our own adopted employment policies and to try to do something outside of the state statute, I believe that would be a serious mistake by this board. Because it would be contrary to those policies, it would elevate an employee who was a probationary employee to a status higher than that of a full-time faculty member with due process rights. It would elevate a probationary employee to a status that's higher than any other part-time probationary or temporary employee. And it would eliminate much of the opportunity of the administration to manage employees through a Human Resources Department, through a hierarchy from a supervisor to a director, to a dean, to a vice president, to the president. If this board decides that it wants to be the arbiter of every time an employee is separated and is unhappy with the process, then we should by all means put that in our policies. But to do it on an ad hoc basis is not only bad policy, I believe it is violative of the law, and it certainly is contrary to our policies and good human resources perspectives. Any employee on probation has to know, as a matter of common sense, that his or her performance evaluation is going to determine whether they get off probation. And the notion that we have to say on every performance review or every performance plan, hey, by the way, you are a probationary employee and if you don't perform adequately under this performance plan or according to the standards of this college you will not continue in employment and become a full-time, due process eligible faculty member, I think that's would be unfortunate.

I think need to support the administration's decision here. I think we have both good reasons from a policy standpoint and an explanation standpoint to do so. So I will be voting yes on the motion.

Who else would like to speak? Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: So I think separations are a normal part of our business on the board, and I think in most cases a dual understanding was come to by both the employer and the employee, and we pass those because we believe everything was done to make sure that that was a fair process and it simply is not a good fit for that employee. I think this case has been brought to us by people who advocate for faculty and staff, and we don't often hear from them in these kinds of circumstances, which says to me that there -- there are some things they understood on the faculty and staff side that were not followed by the Johnson County Community College administration or supervisor, whoever it may be.

I think in this case I am not going to support the separation of this. I would not vote in favor of it because I don't think we followed our own internal policies in this case.

When -- when a person is probationary and their contract continues to be renewed year after year, they are led to believe that they are doing what they're supposed to and, therefore, that's why their employment has continued. That is what I believe has happened in the case of this employee. And I generally disagree that the -- that, in any way, that we have -- I just lost my complete train of thought. There was something I was going to disagree with you, Mr. Chair. I apologize.

But I do think that this case was egregious enough from the Faculty Association's side that they believed that we should hear it. I also agree with you that I don't think we should be the arbitrator and I don't think it's for us to judge and I would support the substitute motion that Trustee Cross made supporting that this person who has, well, technically three years, I think they've been employed here much longer, that they have the ability to go to an independent body for that decision to be made, because it shouldn't be made by us. That concludes my comments.

>> Chair Greg Musil: Thank you, Laura. Anybody else? Trustee Cross?

>> Trustee Lee Cross: Yeah. I do support this administration. It's possible to hold more than one thought in one's head. It also defies logic that we are seen, technically and legally, as the employer. That's why these decisions have to be brought to us. I still don't understand why we're terminating her. I agree and concur with Trustee Smith-Everett that I simply don't agree. I'll make the motion again when we're done here that I think at this point we probably need to arbitrate it because of what has been discussed, and I think that, you know, assuming the fact the administration's correct, then go lay it out to an arbiter. I don't understand, you know, we have to make these decisions, but please just rubber stamp them all. I don't agree with that. And so consequently I'll be voting against supporting this motion.

>> Chair Greg Musil: Thank you, Lee. Who else? Okay. Trustee Lawson.

>> Trustee Angeliina Lawson: There's a lot of troublingness about this that I'm not happy with that I spoke about in the Executive Session. I don't like the lack of information. If the administration knew that this was something that needed to be addressed, I think there should have been more information given to us. And I'm just looking over my notes here to make sure I stay in compliance with the Executive Session. I think it's always sad to know that another person who has committed time into this college will find themselves right now facing a job uncertainty, as you noted. It is also clear who we are talking about. They are going to seek a job in a hostile economy with everyone knowing what happened here. And I think there was another point that I wanted to make.

When you came back from Executive Session and you laid out your case, I -- it sounded like you had framed this as though we have an obligation. This sadly of course is only telling

one part of the story. Sorry, my cat is now coming in. It lacks the thoughtfulness of a discussion that we've had tonight. It reduces it down to don't blame us, we couldn't do anything about this, we couldn't do anything else, and I disagree with that. I would not be in favor of this. And I think the presentation of this feels that there's something else going on here, and I don't like that feeling. I don't like to be put in a situation where I'm making decisions blind, and I don't think that's fair. I don't think that's the -- the purpose of when we hire somebody to have them work so hard and for so long, and I think specifically things need to be said. And if those things aren't laid out, then those are the items that we have to follow our own policy in making sure that things are specifically put together. So I don't like the idea of a future message of, you know, no review ever possible. I don't like that. There's a lot of things I don't like with, but I think the fact is I would vote no on this. This is very disturbing.

>> Chair Greg Musil: Anybody else?

>> Trustee Nancy Ingram: Well, I'll go ahead and speak up because I agree with Trustee Lawson, I think it's extremely disturbing. And I just believe it's an HR issue. I think by virtue of the fact that it's even come to us certainly raises a number of questions. But I think we had a couple of good conversations in the Executive Session. I think one of the things that still comes back to me is just creating the inconsistent appeal rights outside of our policies as they are right now, and a state statute. So I'll be voting yes, sadly. Thank you.

>> Chair Greg Musil: Trustee Cook?

>> Trustee Jerry Cook: Well, I'm disappointed as well that it has come to us, but I'm going to support in favor of the motion because I believe we need to support state statute and support our policy. If we need to change policies in the future based upon this, then that's another discussion. But it's very unfortunate that it's come to us. We should not be the arbitrator in this case and I support the steps the administration has taken to -- to evaluate this person. Thank you.

>> Chair Greg Musil: Trustee Snider, do you have any comments?

>> Trustee Paul Snider: No, I do not.

>> Chair Greg Musil: Okay. We'll get ready for the vote. I -- this is -- this is a tough issue for all of us and I think we all feel strongly about it. Trustee Smith-Everett made some good points, but I guess what we're going to see in the future is anytime we don't reach a dual consensus, that faculty member can come directly to the board, and it doesn't have to be -- even if the FA doesn't support him or her, they can now come directly to the board because we have a precedent. And if we treat that employee differently and don't go through a process, then we will have treated them differently than we treated this employee. And so in my mind, what we're doing is opening a potential direct board appeal to anybody anytime somebody thinks the situation is egregious or thinks the policies haven't been followed, because we don't -- we don't know because we can't legally see all of the information about this employee. But that lack of information in an HR decision, in a personnel decision, is always true. We don't -- we aren't the final determining body for anybody that appeals. If it's a faculty member appealing, they go through an arbitrator and the district court. If it's a full-time employee, non-faculty appealing, they go to a hearing officer. So what we're being asked to do here is because it's been brought to us, it must be serious. We give credence to the one side that we can hear, knowing that we can't hear the other side, and we create an expectation by other probationary employees that they can also reach out directly to the board.

I -- if we want to establish an appeal process for probationary employees, we should

discuss that. We don't have that, and I think it would be a mistake to create it tonight in this -- in this vote.

Okay. Are we ready, ready for the vote? Again, the motion is to support the administration recommendation for the separation as indicated -- sorry?

>> Trustee Lee Cross: Mr. Chair, one last thing. In seven years, I've never had the Faculty Association or anybody do this, you know. I guess I understand your concern about a precedent. I just, you know, realize what you're saying, you know, as an employer, some of these other employees in your employ and the union, they don't want to risk their own lives and their own careers coming forward. So lots of people have put themselves on the line for this situation, which is odd. So it's just a false choice or a false strawman that's set up to say that this is going to happen every time. There's lots of pitches that have gone by. There's lots of pitches in people that they haven't stood up for. They stood up for this one. That's it.

>> Trustee Angeliina Lawson: Mr. Chair, the other thing I just want to note, and then I will give the rest of the time, is I think there's been many times that this board has not followed precedent.

>> Chair Greg Musil: Okay.

>> Trustee Jerry Cook: Call the question, Mr. Chair.

>> Chair Greg Musil: Okay. Hang on. So if you're in favor of the separation as recommended by the administration, you will say yes. If you are opposed to it, you will vote no.

Trust Snider?

>> Trustee Paul Snider: Yes.

>> Chair Greg Musil: Trustee Cross?

>> Trustee Lee Cross: No.

>> Chair Greg Musil: Trustee Ingram?

>> Trustee Nancy Ingram: Yes.

>> Chair Greg Musil: Trustee Cook?

>> Trustee Jerry Cook: Yes.

>> Chair Greg Musil: Trustee Lawson?

>> Trustee Angeliina Lawson: Hell no.

>> Chair Greg Musil: And Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: Absolutely not.

>> Chair Greg Musil: The chair votes aye because of the reasons I stated earlier. The recommendation has been approved. Is there any other motion that would be in order?

>> Trustee Lee Cross: I would make a motion, Mr. Chair. Same as my substitute motion but brand-new here, that we waive, pursuant, you know, to the statute the legislature passed, legally and possibly for us, to pursuant to KSA 72-2260b, that any board may waive at any time the years of employment requirements and subsection for any teacher employed by it. This is a check and a balance in the democratic process. I understand what the policies are. In this moment, with this opportunity, I disagree and I'm voting and making the motion now that we operate pursuant to KSA 72-2260, waive the years of service and lay this out in front of an arbitrator. We're not --

>> Trustee Angeliina Lawson: Second.

>> Trustee Lee Cross: We're not the decision maker.

>> Chair Greg Musil: Motion by Trustee Cross and second by Trustee Lawson to waive

the years of service. And I just want to make sure Kelsey Nazar, who is our -- we should have identified you earlier as our legal counsel for the college, our attorney. That essentially has the effect of saying when you received your third contract, you became a due process eligible employee and we're waiving the third year. Is that the legal effect we're doing here?

>> Kelsey Nazar: You're waiving -- yes. Well, it's not the third year. But you're waiving the fourth contract, the requirement that there be a fourth contract. You're waiving the years of service that the employee would have been entitled to if she'd been there for three or more years and received a fourth contract.

>> Trustee Paul Snider: Mr. Chairman, the way that I understood Trustee Cross's motion, I don't know whether he intended it this way, but the way I understand it is that this would apply going forward to any employee, their third years would count as their fourth. For him to apply it to this particular employee, we would need to undo the vote that we just took. And I don't -- this isn't the proper way to do that. You would need to -- I don't remember what the term is, but basically have a vote to undo that action.

>> Trustee Lee Cross: Good luck.

>> Chair Greg Musil: To undo the action, you need a motion to reconsider.

>> No. No.

>> Trustee Paul Snider: I think my point is, without doing that, Trustee Cross's motion just applies blanketly to anyone going forward, but not the employee in question.

>> Trustee Lee Cross: I mean did you come up with that on your own?

>> Trustee Paul Snider: Yeah, that's how I interpret it.

>> Chair Greg Musil: The employee has by a 4-3 vote been separated. So now the question is whether we can waive the -- waive the years of service, the first, second, and third years of probation, to make her a full-time due process eligible employee. Do you agree that's the question, Lee?

>> Trustee Lee Cross: You know, it's 10:30 at night. I -- I don't know what the question is, frankly.

>> Chair Greg Musil: Well, I would rather not resolve this on a Parliamentary procedure. I think -- I think Trustee Snider is right.

>> Trustee Lee Cross: Then I'll withdraw the motion and move to reconsider, subject to sending this particular employment decision in a one-off process to an arbitrator, waiving the years of service requirement pursuant to the statute KSA 72-2260b.

>> Chair Greg Musil: 2260, yeah. Well, you're going to -- I do know -- I do know the rule on reconsideration because I've studied it for a client. It has to be somebody on the prevailing side to move to reconsider. That's why I don't know if it's -- if there's a Parliamentary procedure that's particularly right on your second motion. But if we vote on that motion and the result becomes the same, then we are done. If the vote is different --

>> Trustee Lee Cross: You can just adjourn. Whatever you want to do. So --

>> Chair Greg Musil: Well, I am -- I'm trying to figure out a way to get it right from a Parliamentary procedure, and I -- I think Trustee Snider is correct. But if somebody's going to go away miffed because it's a Parliamentary procedure as opposed to a vote, I would entertain a vote or a consensus on whether or not your motion is going to be supported. I would oppose it for the same reasons, because it sets up the same exact precedent of creating an appeal process where instead of even -- instead of appealing it, she gets full due process rights with a due process hearing. So --

>> Trustee Laura Smith-Everett: Can the motion be amended to be only for this employee?

>> Trustee Lee Cross: No, because we have to reconsider and somebody on the prevailing side has to concur with us. That's the Robert's Rules procedure. Right, Mr. Chair?

>> Chair Greg Musil: I believe that. That rule I do know.

>> Trustee Angeliina Lawson: Point of order, Mr. Chair. We keep -- or you keep mentioning "she." Has that employee been dotted out? Because I think --

>> Chair Greg Musil: Well, Trustee Lawson, you pointed out yourself that it's all been made public because it was on the agenda. So I'm afraid that the public -- the private nature of normal personnel decisions has been eliminated by our actions last meeting and our actions tonight. So I don't know any way to undo that, because it was done last meeting when we continued this.

>> Trustee Jerry Cook: Call the question.

>> Chair Greg Musil: Well, the question is whether we have a question, because I don't -- I don't think it's an appropriate motion.

>> Trustee Jerry Cook: Well, he withdrew it I think. But then I think -- I don't know where we are. But we're going nowhere --

>> Trustee Laura Smith-Everett: There's no second for that.

>> Trustee Angeliina Lawson: Yes, there was. I seconded his motion, Trustee Cross's motion.

>> Trustee Laura Smith-Everett: No, second to withdraw. Do you have to have a second to withdraw? Or does it --

>> Chair Greg Musil: I don't know. The motion maker can withdraw on his own.

>> Trustee Angeliina Lawson: I would have to withdraw my second.

>> Chair Greg Musil: No. The motion maker can withdraw on his own.

Tell you what, let's -- can we go to the Consent Agenda and then come back and maybe think this through, but get that part out of the way?

>> Trustee Paul Snider: I move we approve the Consent Agenda as approved -- as shown.

>> Chair Greg Musil: Is there a second to approve the Consent Agenda? Lee, we're not going away from this. We're just going to get the last business out of the way. Is there a second to approve the Consent Agenda?

>> Trustee Laura Smith-Everett: Second.

>> Chair Greg Musil: The Consent Agenda is a portion of our agenda that contains normal and routine matters that have been proposed by the administration and/or vetted by one of the standing committees of the board. It's typically handled in a single vote. Any member of the board can pull off any individual item if they so choose. We have a motion and a second to approve the Consent Agenda. Is there any item anybody would like to have reviewed separately? If not, all in favor say aye.

(Ayes)

>> Chair Greg Musil: All opposed nay. That motion carries unanimously.

I'm going to -- based on where we are, I'm going to rule that -- you withdrew your motion, Lee?

>> Trustee Lee Cross: I think you overruled it. No, I didn't -- I didn't -- I withdrew the first motion because Trustee Snider thought that it was general, and then I made it specific to the person at issue in this item. And I think it's still there and you just have chosen to move

past it because I'm out of order. That's my understanding.

>> Chair Greg Musil: Well, I don't --

>> Trustee Jerry Cook: Let's vote on the motion. Let's vote on the motion.

>> Chair Greg Musil: I think the safest way to do it is to vote on Trustee Cross's motion that would waive the years of service, grant this particular employee a due process rights as if he/she had received a fourth contract and, therefore, would be entitled to due process under the statute, making it the same effect as if the employee had received the fourth contract. I've already stated my position. I will vote no on that. I think it puts us in the same boat as entertaining appeals on HR items that we have already delegated to the administration and raises due process -- or probationary employees above other employees.

Any other discussion on the motion? I'll restate it before we vote.

Motion by Trustee Cross and seconded by Trustee Lawson is that we waive the years of service -- I guess I'm going to say waive one year of service, Lee, so that by receipt of her third contract, or his third contract, if we want to try to do that, that person became a full-time employee subject to due process rights, and, therefore, any separation would be subject to those rights and the appeals under the statutes in Chapter 72. Everybody understand the motion?

>> Trustee Angeliina Lawson: Would it matter if it's one year versus years?

>> Chair Greg Musil: I don't think it really does. I just -- I don't know that we want to grant full due process rights after one year as opposed to after two. It seems like it makes it a little cleaner. But it's Lee's motion. So, Lee, did I state it fairly?

>> Trustee Lee Cross: I think you stated it fairly. And I think -- I'm not trying to grant or back-door any broader general policy, and I've known this pro union, and at 10:40 at night, like I'm not trying to hide that or be coy in this. I do think in this instance under these facts, yes, sir, I think I'd like to waive this year of service to get her to an arbiter. I appreciate the board's consideration here. I think that on some level is good. And I appreciate your consideration of this motion.

>> Trustee Nancy Ingram: Will you just clarify that, how that affects the vote we just took on the separation.

>> Trustee Lee Cross: The opposite.

>> Chair Greg Musil: Well, I think --

>> Trustee Nancy Ingram: Clarify that.

>> Chair Greg Musil: I think as a matter of Parliamentary procedure this motion is out of order. What I'm trying to do as Chair is to allow everybody to have their vote.

>> Trustee Nancy Ingram: Okay.

>> Chair Greg Musil: If this motion fails 3-4, as the other motions have, then I think we're done and we move to adjournment. If it passes 4-3, then I think -- or by any other margin -- then I think we have to figure out whether it was a proper motion by reviewing Robert's Rules, because it's not covered by our specific board policies. And then we'll have to have a determination at that time whether it was proper or improper. That's --

>> Trustee Lee Cross: Let me just state one last thing. I think you're being exceedingly fair allowing this motion. I do. And I think that in fairness to everyone, I still don't understand, whether it's right or it's wrong, we've been told that I can't understand and know the facts. I said, okay, fine. So I appreciate your measure here being fair beyond probably that should be allowed by the Robert's Rules. But, yes, I will vote yes for this motion.

>> Chair Greg Musil: Is that -- Laura?

>> Trustee Laura Smith-Everett: I want to say that if we -- if the administration knew this was coming before the board, they had ample opportunity to reach out to that employee, get her permission to bring that to us so that we could have a well-rounded picture. They chose not to. They didn't. We did not follow our own policies, if you ask me, in this circumstance. And I will support this vote because this employee deserves to go to an independent body and have all of the evidence put out there so that her employment and livelihood can be decided by somebody other than us.

>> Chair Greg Musil: Anybody else?

>> Trustee Angeliina Lawson: I just want to find out, because I know earlier in the meeting the college received PPP money for employment. Has this employee, you know, is -- are we going to have to return the PPP money because the federal government gave us money specifically to keep people employed. So that is one thing that I have not heard information about.

>> Chair Greg Musil: The CARES Act money that went to colleges was not the same as the PPP money that was tied to continued employment. That's my understanding. Kelsey or Randy can probably expound on that. But the CARES Act money that went to higher education was split specifically for extra costs that the college incurred because of COVID or extra needs of students because of COVID. And I don't know of any way under this -- under that -- that policy guideline that this would fall.

>> Dr. Randy Weber: I would just echo that and say that is correct. All stimulus money is to -- to support needs based on COVID-related items and I don't know that that's in play on this decision.

>> Trustee Angeliina Lawson: So will the money be returned, then, with this specific employee?

>> Dr. Randy Weber: No, because the -- the -- the COVID moneys -- or, excuse me, the stimulus money states that it is -- that it is the expectation that employees would keep -- or employers would keep employees paid and -- and not to be riffing or furloughing as a result of COVID. And I don't know that that's -- my understanding of this is that it's directly related to COVID. It's related to other issues. So we're not responsible to keep everybody employed because we received the money. We're just not allowed to cut people -- we're not expected to cut people because of COVID.

>> Trustee Angeliina Lawson: Okay. Thank you.

>> Chair Greg Musil: And, Trustee Smith-Everett, my only response is, again, and without being too much of a lawyer, if we go to an employee and say you must -- we want you to waive your confidentiality rights and show all of your information to the Board of Trustees who normally would never have access to it in order that they can make a determination, that in and of itself could be an unfair employment practice. And so I think the administration made the right decision by not putting the employee in the position of duress to have to disclose the employee's confidential personnel information. My whole point in this is that we are not the people that have been charged by statute, by policy, or otherwise to make this call.

This call is based on our employees -- our employment policies that we have consistently followed, and the notion that probationary employees might be more worried now because they didn't receive full-time employment, that has been true of every employee, I'll just say for nine years, and I suspect for longer than that, that is probationary, and the statute has been in place since I think 1974 on due process rights, and it has always had three years of probationary

status. So I think the new ground we would be plowing here would be to give a remedy and an appeal right where none has ever existed before.

>> Trustee Laura Smith-Everett: And I would just say that I have other information that this person was proactive enough to go and say they were willing to sign to allow all of the information out there. They were told it was not needed. And now we are being told that we can't do it because it would bring about legal ramifications. So I have a problem that we're getting mixed information here. And I feel very strongly we're elected to oversee the administration, and if we don't think that they're following our own policies that we voted for, that's what our job is as elected officials. And in this case I feel very strongly that we weren't following our own policies.

You don't string an employee along for three years and then say we can't renew. That's not the -- JCCC is famous for how it treats its people. We should do better by this person. If we did not think that they were meeting it by year one or year two, we should have been having that discussion then. Instead, we strung them along and now at the very last line we're saying too bad. And I simply will not support that.

>> Chair Greg Musil: I disagree with that recitation of facts. And that's the issue that an adjudicator decides, which is a role I don't think we have. So are we ready to vote on Lee's -- I guess I'll call it a follow-on motion that I'm going to allow the vote on, although I don't believe it's Parliamentary procedure. So I'm going to go in the same order I've been going in. A yes vote on this one would waive the years of service for the employee and allow that employee to become an employee with due process rights and pursue the statutory due process appeals. And it's limited to this employee only, under Trustee Cross's motion. So a yes vote would be to allow that. A no vote would be to uphold the prior motion, essentially.

Trustee Snider?

>> Trustee Paul Snider: No.

>> Chair Greg Musil: Trustee Cross?

>> Trustee Lee Cross: Yes.

>> Chair Greg Musil: Trustee Ingram?

>> Trustee Nancy Ingram: No.

>> Chair Greg Musil: Trustee Cook?

>> Trustee Jerry Cook: No.

>> Chair Greg Musil: Trustee Lawson?

>> Trustee Angeliina Lawson: Mr. Chair, I love this college, but we have to be able to look at ourselves critically. I am a yes vote on this. And I just don't think it was specifically spoken about.

>> Chair Greg Musil: And Trustee Smith-Everett?

>> Trustee Laura Smith-Everett: Yes.

>> Chair Greg Musil: The Chair votes no.

>> Trustee Lee Cross: Motion to adjourn.

>> Chair Greg Musil: It's been moved --

>> Trustee Jerry Cook: Second.

>> Chair Greg Musil: -- we adjourn by Trustee Cross. Seconded by whom?

>> Trustee Jerry Cook: Jerry Cook.

>> Chair Greg Musil: Seconded by Trustee Cook. That, by grace of God, is a nondebatable motion. All those in favor of adjourning say aye.

(Ayes)

>> Chair Greg Musil: Opposed nay.

That motion carries unanimously.

>> Aye.

>> Chair Greg Musil: We set a record tonight, I believe, on some very important issues and I thank everybody for their diligence and civility in a tough situation. We are adjourned.