

**TRUSTEES OF MESA STATE COLLEGE
MINUTES OF REGULAR BOARD MEETING**

September 15, 2004
Mesa State College
Grand Junction, Colorado

CALL TO ORDER

Chair Elliott called the meeting to order at 9:36 AM.

Trustees Present

Trustee Hamilton, Trustee Kaesemeyer, Trustee Meyer, Trustee Monfort, Trustee North, Trustee Wist, Faculty Trustee Slauson, Student Trustee Dukes, Chair Elliott

Trustees Excused

Trustee Nesland
Trustee Wexels

APPROVAL OF MINUTES

Trustee North moved to accept the minutes of the August 18-19, 2004 meeting; Trustee Wist seconded. The motion passed unanimously.

PUBLIC COMMENT

None

INTRODUCTION

The Chair recognized Jim Jacobs from CCHE.

REPORTS

President: President Foster reported to the Board on record high enrollment on main campus, at UTEC, and in extended service areas; the fairly aggressive movement toward putting courses on line; the possibility of a wintermester; general education credits offered in a compressed time frame; and plans for growth needs in facilities and housing considering lack of funds.

Faculty Trustee: Faculty Trustee Slauson reported on the acceptance of a research paper into the Decision Science Institute, which was accomplished in conjunction with a colleague and will be presented in Boston in November.

Student Trustee: Student Trustee Dukes reported on the ASG ice cream social September 1; a proposed once-per-week letter to recognize student special achievement; fall elections; and debates with candidates of House Districts 54, 55 on the library proposal and amendments 34, 36, 37 on October 12, 21, 26, 27.

Board Chair: Chair Elliott reported on meetings with Daily Sentinel on campus expansion program; meetings with the Foundation Executive Committee on a memorandum of understanding; a meeting of the Board chairs on September 27 with CCHE; and a performance contract meeting in October with President Foster, Chair Elliott and CCHE.

DISCUSSION/ACTION ITEM

MSC Professional Personnel Employment Handbook – Bechtel/Futhey

Vice President Futhey provided background on previous handbook drafts, discussions, and feedback. Attorney Bechtel explained the current draft in relation to her September 10 summary of revisions distributed to Trustees prior to the meeting. Clarification was made that revisions in bold in the summary had been included in the September 1 draft and those not bolded had not.

Motion on Approval of Handbook

Trustee Wist moved that the Personnel Employment Handbook as revised, dated September 1, 2004 be accepted; Trustee North seconded. Discussion began with review of recommendations on individual sections.

Discussion Sections I and II

Motion/Vote

Trustee Kaesemeyer moved that in Section II.4.e language from first sentence “based on protected status” be removed so that it would read “violence and threats of violence constitute prohibited harassment and will result in discipline and discharge.” Trustee North seconded. The motion passed unanimously.

Discussion

Section II clarification on the definition of student subordinates in relation to the definitions of various classifications of student employees.

Motion/Vote

Trustee Wist moved to amend II.A.4.a.1 to read “amorous, romantic or sexual relationships between professional personnel and students enrolled in their classes or whom they are assigned to advise, or between professional personnel and employees whom they supervise, or subordinate students, can create claims of sexual harassment” and to define subordinate students in the glossary section to include work study students, student employees, interns, and student assistants. Trustee Kaesemeyer seconded. The motion was severed, part one from part two at “...and to define subordinate students in the glossary section...” A roll call vote was taken on part one. The motion was defeated with Trustees Hamilton, Meyer, Monfort and Elliott voting against, and Trustees Kaesemeyer, North and Wist voting in favor. Trustee Wist withdrew severed part two of the motion.

Discussion Section III

Language with regard to termination of faculty and the definitions of temporary, at-will, probationary, and tenure-track.

Motion/Vote

Trustee Meyer moved to revise Section III.J to provide that tenure-track faculty would require cause or reduction-in-force to be terminated during the contract year; Trustee Wist seconded. Discussion was held regarding former handbook language, recruitment of faculty, and the Glossary definition of temporary faculty. Attorney Bechtel committed to providing appropriate wording throughout the handbook to make it consistent with this revision, should the motion pass. It was pointed out that the subject of the Glossary definition of “temporary faculty” was

scheduled to be addressed later in this agenda section. Clarification was made on the motion's intent to provide that tenure-track faculty will not be terminated in mid-contract year, except for cause or reduction-in-force, during years one through five of the tenure track. A roll call vote was taken. The motion passed with Trustees Hamilton, Kaesemeyer, Meyer, Monfort, North, and Wist voting in favor and Elliott voting against. Trustee Monfort asked that the record show that the revision is a benefit for faculty.

Chair Elliott recessed at 10:57 AM and reconvened in open session at 11:07 AM.

Discussion

Section III.E.1 and the definition of the term "adjunct."

A motion made by Trustee Kaesemeyer to amend Section III.C.2.b to provide that the search committee "shall" be formed, rather than "may", failed due to lack of second.

Discussion Section IV

Pros and cons of including specific descriptions of benefits versus generic descriptions; State Attorney General's recommendations with regard to no guarantee of continued employment under transitional retirement contracts and references to workers' compensation.

Discussion Section V

Clarification with regard to sick leave, long-term disability, and Family and Medical Leave Act.

Motion/Vote

Trustee Wist moved that the language "and all amendments thereto" be added to Section V.G.1, Statutory Rights Only; Trustee North seconded. The motion passed unanimously.

Discussion

Section V jury duty.

Discussion Section VI

Section VI.A.6.a.5 retaining the language "balanced manner" with regard to delivery of course material.

Motion/Vote

Trustee Dukes moved to remove the change to Section VI.A.6.a.5 and amend it to say "and presenting course material in a balanced manner consistent with the standard of academic discipline." Trustee Wist seconded the motion. Further discussion was held. The vote passed unanimously.

Discussion

Section VI.B.3 regarding the composition of tenure and promotion committees.

Recess

Chair Elliott recessed to lunch at 12:01 PM and reconvened in open session at 1:12 PM.

ASG President Wright's report was distributed, along with a Recreation Program handout and the 2003-04 NCAA report.

Discussion

Section VI.B.4.e regarding committee members abstaining from voting on tenure applications.

Motion/Vote

Trustee Wist moved to delete the first two sentences of Section VI.B.4.e; Trustee Monfort seconded. After discussion, the motion passed unanimously.

Discussion

Section VI.A.9.b.4 recommended change with regard to inconsistent language on promotion in academic rank.

Motion/Vote

Trustee North moved to amend VI.A.9.b.4 to delete "and promotion in academic rank are"; Trustee Kaesemeyer seconded. The motion passed unanimously.

Discussion

Section VI.a.12.a.3 VPAA recommended change for the sake of consistency.

Motion/Vote

Trustee Meyer moved to adopt the VPAA recommended change to VI.A.12.a.3; Trustee Monfort seconded. The motion passed unanimously.

Motion/Vote

Trustee North moved to make the same change to VI.A.12.a.1 for the sake of consistency; Trustee Elliott seconded. The motion passed unanimously.

Discussion

Section VI.B.2.d and VI.B.5 regarding the faculty/trustee recommendation on tenure and the 5th and 6th years of faculty contracts.

Discussion

Section VI.A.8.a.4 regarding the language "generally, normally, alone" on full-time faculty annual review. Motion and second made and withdrawn.

Discussion

Section VI.B.6 regarding the offer of tenure to the VPAA and other administrators. A motion and second to remove paragraph a. were withdrawn.

Motion/Vote

Trustee Meyer moved to remove the words "the VPAA" in Section VI.B.6.a; Trustee Kaesemeyer seconded. A role call vote was taken with Trustees Hamilton, Kaesemeyer, Meyer and Elliott in favor and Monfort, North, and Wist opposed. The motion passed.

Motion/Vote

Trustee North moved to accept the Staff/Attorney Bechtel recommendations on Section VI.C.2.a and b regarding promotion procedure and department head poll requirements. Trustee Kaesemeyer seconded. A roll call vote was taken and the motion passed with Trustees Hamilton, Kaesemeyer, Monfort, North, Wist, and Elliott in favor; Monfort abstained.

Discussion Section VII

Section VII.F.3 and 4 faculty/staff recommendation to change the definition of “proficient” and “below standard” to be consistent with way they are defined for faculty.

Motion/Vote

Trustee Kaesemeyer moved to make the recommended change to VII.F.3 and 4; Trustee North seconded. The motion passed unanimously.

Discussion Section X

AG recommendations on disciplinary procedures with regard to tenured versus non-tenured faculty appeal rights and references to Administrative Procedures Act.

Discussion Section XI

Section XI.A.2.b.2)c) regarding the faculty recommended change on reduction in force and the AG recommendation on Campus Hearing Committee review.

Discussion Section XII

Regarding the addition of sections from the Trustees’ Policy Manual on prohibited drug use and directions regarding electronic mail.

Motion/Vote

Trustee Kaesemeyer moved to add the sections from the Trustees’ Policy Manual on prohibited drug use and directions regarding electronic mail into this handbook; Trustee North seconded. The motion passed unanimously.

Discussion Glossary

Regarding faculty/trustee recommended change on definition of temporary faculty to differentiate from tenure-track, Attorney Bechtel reminded the Board that she would be making a change in the Glossary to reflect the earlier vote to revise the at-will status of tenure-track during a contract year, which would take care of the “temporary faculty” definition.

Discussion Section VIII

Section VIII.B.4.b regarding guarantee of increase to base salary upon promotion.

Vote on Handbook as Revised

A roll call vote was held on the motion to accept the Personnel Employment Handbook as revised. The motion passed unanimously with Trustees Hamilton, Kaesemeyer, Meyer, Monfort, North, Wist, and Elliott in favor; none opposed. Attorney Bechtel agreed to provide written documentation on revisions. At the Board’s request, the following Web link to the final handbook is provided: <http://www.mesastate.edu/academicaffairs/handbook.htm>.

Recess

Chair Elliott recessed at 2:44 PM and reconvened in open session at 2:51 PM.

INFORMATION ITEM

Strategic Planning Committee

Committee members introduced included Joanna Little, Karen Madsen, Knute Knudson, Tim Hatten, Phil Kavanagh, Jenn Hensel, Pat Doyle, Carol Futhey, Andy Breckel, and Kerry Youngblood. President Foster provided background on committee meetings and distributed materials on a vision for the future of the institution. Discussion included options for what the institution might look like in the future (5-10 years), limitations on facilities, issues faced by previous Boards and committees, the underserved community, what services should be provided, and how MSC is an integral part of the economic development of the area. Professor Hatten shared a visual representation of how the establishment of a western slope community college would fit as a conceptual “division” of Mesa State College in its role as regional education provider.

DISCUSSION/ACTION ITEMS

Financials – Doyle

Vice President Doyle reported on the 2005 budget, financial reports through August 2004, and income statements. Clarification was made on timing issues as a result of the late start of classes, travel expenses, official functions, and exploration of alternatives for managing investment funds and rate of return.

Motion/Vote

Trustee North moved to approve the revised FY2005 operating budget; Trustee Monfort seconded. The motion passed unanimously.

Salary Increase – Doyle

Vice President Doyle explained the recommendation to provide a 1.0% non-base building salary increase to help cover the increased health care co-pay cost for faculty and non-classified staff. Discussion included workman’s compensation cost issues, CHEIBA, and how much enrollment increase would be required to cover a 1.0% increase in base.

Motion/Vote

Trustee Hamilton moved to approve a 1.0% non-base building, one-time pay adjustment for faculty and non-classified staff to assist employees in meeting their co-pay share of forthcoming health care premium increases. Trustee North seconded the motion. Clarification was made on insurance costs, reserve, and long-term disability insurance. The motion passed unanimously.

Personnel Items – Futhey

Motion/Vote

Trustee Kaesemeyer moved to approve personnel action items; Trustee Hamilton seconded. The responsibilities of the Senior Woman Administrator were explained. The motion passed unanimously.

OTHER

Clarification was made on perceptions with regard to Mesa's proposal to change tuition fee structure and its pending discussion in this year's legislative session.

Trustee Hamilton thanked Trustee Monfort for his sponsorship of the Alumni Association Rockies night and associated fund-raising efforts.

ADJOURNMENT

Trustee Monfort moved to adjourn; Trustee Meyer seconded. Meeting adjourned at 4:13 PM.