

BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE
December 1, 2017
Vallecito Room, Student Union
Fort Lewis College

Vol. 17-132

Call to Order

Chair Steve Short convened the regular meeting of the Board of Trustees for Fort Lewis College at 9:10 a.m.

Trustees Present:

Steve Short, Chair; Alan Hill; Nora Jacquez; Ernest House; Dick Kaufman; Dianne Van Voorhees; John Wells; Michael Valdez, Faculty Representative; and Dustin Fink, Student Representative

Staff Present:

Dene Thomas, President; Barbara Morris, Provost & Vice President for Academic Affairs; Steve Schwartz, Deputy Treasurer & Vice President for Finance and Administration; Glenna Witt Sexton, Vice President for Student Affairs; Mark Jastorff, Vice President for Institutional Advancement; Lauren Becker, Legal Counsel; Peggy Sharp, Deputy Secretary; and Mike Larson, Audio Consultant.

Guests Present: David Blake, Faculty Senate President; and Keith Newbold, Chair, Fort Lewis College Foundation

PUBLIC COMMENT

Weston Brock, a Fort Lewis College student, expressed his appreciation for being at the College and for the changes being considered.

The following individuals spoke to the Board in support of Dr. Andrew Gulliford:

Dr. Thomas Eckenrode, Professor of History Emeritus

Dr. Andrew Gulliford, Professor of History

Stephanie Moran, Adult Education Director

Dr. Helen Ruth Aspaas,

Dr. Dugald Owen, Professor of Philosophy

Dr. Peter R. Decker, author & former Trustee at Fort Lewis College

ACTION AGENDA – CONSENT:

Approval of Minutes of October 12, 2017 Meeting of the Business Affairs Committee

Approval of Minutes if October 12m 2017 Meeting of the Governance Committee

Approval of Minutes of October 12, 2017 Special Meeting of the Board of Trustees for Fort Lewis College

Approval of Minutes of October 13, 2017 Regular Meeting of the Board of Trustees for Fort Lewis College

Approval of Minutes of October 30, 2017 Meeting of the Investment Advisory Committee

Approval of Degree Candidates for Fall Term, 2017

Approval of Recommendation for Sabbatical Leaves 2018-19

Trustee Jacquez moved to approve the items on the Consent Agenda, with a second by Trustee Kaufman. Motion passed unanimously.

CHAIR'S REPORT/ANNOUNCEMENTS

Chair Short noted no changes on the Planning Calendar. He reported on several events that he participated in during the last few weeks, including the Benefactors Brunch, the Village Aid Project, and the Faculty Achievement Showcase. He stated all were very impressive and demonstrated the dedication of donors, the impact of students' work in other countries, and the extraordinary faculty research projects. He specifically expressed the hope that next year's Faculty Achievement Showcase could be held in conjunction with a Board meeting so that all Trustees could attend.

In addition, he reported on his attempts to contact Michelle Lucero from Metropolitan State University to follow-up on her request to join that institution in issuing a statement in support of the Deferred Action for Childhood Arrivals (DACA) program. Trustee Jacquez has also been trying to reach Ms. Lucero. Neither have had a response. ASFLC is also working on an initiative to support DACA.

Committee Reports

Academic & Student Affairs

Trustee Jacquez stated the committee endorsed Board approval of the degree candidates for Fall Term, 2017 and the recommendations for Sabbatical Leaves 2018-19. They also endorsed the following action items for Board approval: the indemnification language for KDUR Radio's participation in the Colorado Broadcasters Association Alternative Broadcast Inspection Program; the approval of the policy implementing Colorado Revised Statutes 13-5-145 (2017); and the New Degree; Master of Arts in Education" Culturally and Linguistically Diverse. Provost Morris provided a follow-up report on the program reviews from May 2017. The reports from faculty who were on sabbaticals in 2016-17 were reviewed. Trustee Jacquez stated that the Board unanimously commended the faculty for their research and experiences during their sabbaticals.

Business Affairs Committee

Trustee Hill stated the committee heard a presentation by Tim Greene, the College's retirement plan consultant, and endorsed the ORP (Optional Retirement Plan) Report for

approval by the Board. Jeremiah Stancampiano, Internal Auditor, reported on six audits completed over the course of the last year. The audit reports now include information regarding the frequency of the audit, when the last audit was completed, and the risk assessment for the program or department. Discussion ensued concerning the Center of Southwest Studies' high-risk rating due to the value of the collections. Trustee Hill asked that at the next meeting or two, a follow-up report be given on the status of the recommendations made in the audit. The committee also considered the request to authorize use of the Board Restricted Quasi-Endowment in the amount of \$1.65 million generated by the sale of the Horse Gulch land. These funds were originally designated to be used for strategic initiatives. The committee endorsed the concept but requested further discussion by the full Board to determine how to move forward with allocation of the funds.

Investment Advisory Committee

Trustee House reported the committee had their annual face-to-face meeting on Monday, October 30, 2017. The value of the portfolio as of 9/30/17 was \$6.8 million and the return rate from inception to date is 8.46%. He stated the committee is pleased with PFM and is very appreciative of the input and contribution from the three community professionals, Gary Ratliff, Chris Long and Gavin Lyons. Ms. Peterson gave an update on the portfolio, stating it is now valued at \$6.99 million and rate of return year to date is 10.49%.

Governance Committee

Trustees Wells stated the proposed slate of officer for 2018 is: Steve Short, Chair; Ernest House, Vice Chair; and Alan Hill, Secretary/Treasurer.

Presidential Search Committee

Trustee Kaufman reported that Witt/Kieffer has 29 candidates who have applied and 28 potential candidates. Twenty-seven individuals have been nominated and Witt/Kieffer is contacting other individuals on their list. The next meeting of the committee will be held on Wednesday, February 14, 2018. The Denver interviews will be held on March 1 & 2. Following campus visits by the finalists, the Board will make their decision at the April 6th meeting.

Standing Reports

Faculty Representative Report

Dr. Valdez stated that as a follow-up to the public comment session, he wanted the Board to understand the faculty's concern for the lack of due process and the perception that best practices were not followed. He also stated a concern about how these actions will affect faculty recruitment and perhaps the presidential search. Dr. Blake stated there are policies in the Policy Library that trump the policies in the Faculty Handbook. A lengthy discussion ensued concerning the various issues surrounding the discrepancies between the handbook and policies in the Policy Library, as well as the need to revise Section 17 of the Faculty Handbook. Ms. Becker offered to develop a memo that would help clarify the inconsistencies. Trustee Short stated the Governance Committee could be involved in this process. Discussion ensued concerning the presidential evaluation process and metrics as stated in Dr. Valdez's written report. President Thomas provided the background on how the metrics were developed and then used in evaluation process.

Chair Short suggested that Witt/Kieffer may have information concerning presidential evaluations that would be helpful in devising an improved process. He further stated that after the first of the year, the Governance Committee, along with the Presidential Search Committee, could review the process. Trustee Hill recommended that Dr. Valdez should continue to be a participant in this effort.

Student Representative Report

Mr. Fink reported on a new position on ASFLC for a student appointment to ASFLC who would be a voice for first time students. The requirement of 12 hours of credit earned before serving in student government will not be required for this position. It is hoped that this will help recruit student who are new to campus. In addition, Mr. Fink stated that Brenner Parriott has composed a statement on DACA that has been given to the Legislative Affairs Committee of ASFLC for further action. The student body is being surveyed regarding the creation of a program to eliminate incidents of drunk driving. Local bars and restaurants would be asked to provide free soft drinks and appetizers to a student who volunteers to be a designated driver. Legislative Affairs Committee is also creating an informational flyer with facts about the tuition waiver. ASFLC would like to host another “speed dating” event with the Trustees at the February Board meeting. He will work with Ms. Sharp on the details. .

Fort Lewis College Foundation/Foundation Liaison

Keith Newbold, Chair of the FLC Foundation, reported on the efforts to increase contacts with potential donors. He further reported on the changes in the membership of the Foundation Board. He stated that he will serve a second term as chair, with Moni Grushkin as Vice Chair, Gene Bradley as immediate past chair, Mel Owen as Treasurer and Darrin Church, secretary.

Office of Institutional Advancement

Vice President Jastorff reported on the Faculty Research Showcase and stated that planning for next year includes scheduling the event in conjunction with a Trustee meeting. This quarter the Foundation has received nearly \$1.3 million in pledges, gifts, and commitments to scholarships and programs like Hawk Tank. The name change for the College is a big topic of conversation, and the data should be collected by late February or early March. He reported that about 25 individuals are enrolled in the senior auditing program. Trustee House expressed appreciation for the outreach to tribal nations concerning the name change.

ACTION AGENDA – NON-CONSENT

Election of 2018 Board Officers

Trustee Wells announced the slate of officers who have been recommended by the Governance Committee:

Chair: Steve Short

Vice Chair: Ernest House

Secretary/Treasurer: Alan Hill

Trustee Jacquez moved for approval, with a second by Trustee Kaufman. Motion passed unanimously.

Approval of Indemnification Language for KDUR Radio’s Participation in the Colorado Broadcasters Association Alternative Broadcast Inspection Program

Vice Presidents Sexton and Schwartz summarized the requirement by the Federal Communications Commission for an inspection to be conducted every three years within the FCC guidelines. This contract enables the Colorado Broadcasters Association to conduct this inspection but the contract contains an indemnification clause. The College and legal counsel has found there to be very little risk associated with this contract. Trustee Wells moved that the Board of Trustees for Fort Lewis College determine that participation in the Colorado Broadcasters Association Alternative Broadcast Inspection Program (“Alternative Inspection”) serves the public purposes of Fort Lewis College and KDUR and that the risks to the College associated with the indemnification and hold harmless provision of the Alternative Inspection agreement are sufficiently limited, and are outweighed by the benefits of the Alternative Inspection that the Board, therefore, approve the Alternative Inspection and that the President or her designee be authorized to execute the Alternative inspection agreement on behalf of the Board. Trustee House seconded. Motion passed unanimously.

Endorse the Findings of the Optional Retirement Plan (ORP) Report and the Actions Being Taken to Manage the Retirement Plan

Vice President Schwartz provided a brief overview of the report given by Tim Greene, the College’s ORP consultant. There are four steps in HB 04-1007 that the Board must adhere to assure their fiduciary oversight of the Plan. The report confirms that the Board and the College are in full compliance with these steps. Trustee Van Voorhees moved that the Board endorse the findings of the Optional Retirement Plan (ORP Report and the actions being taking to manage the Retirement Plan. Trustee Hill seconded. Motion carried unanimously.

Approval of Policy Implementing Colorado Revised Statutes 13-5-145 (2017)

Provost Morris stated that the statutes obligate the Board to have a policy in place and publicized to award academic credit for college-level learning acquired while in the military and assign appropriate prior learning assessment credit to the degree programs. Trustee Wells moved that the Board of Trustees for Fort Lewis College, pursuant to Colorado Revised Statutes 23-5-145 (2017), approves the policy “Award of Credit for Military Education and Training” that specifies how Fort Lewis College will assist veterans in timely completion of their certificates and degrees, and directs the President or designee to develop, administer and maintain appropriate procedures to comply with statutory requirements. Trustee Kaufman seconded. Motion passed unanimously.

Carry In Item: Approval of New Degree: Master of Arts in Education: Culturally and Linguistically Diverse

Provost Morris stated that this degree program has gone through all the required review procedures and has undergone a feasibility study. It is being brought to the Board now so students can enroll by the Fall of 2018. It will also need to be approved by the Colorado Department of Education. She explained the purpose of the degree and stated it will provide a service for this region and for New Mexico. The department has done its due diligence in assessing the need for this program and will monitor the development and enrollment in the program. Trustee Hill moved that the Board of Trustees approve offering a Master of Arts degree in Education: Culturally and Linguistically Diverse. Trustee Jacquez seconded and motion passed unanimously.

REPORT/DISCUSSION AGENDA

Report: Sabbatical Leaves Completed in Academic Year 2016-17

Provost Morris reported that eight faculty members took sabbaticals during AY 2016-17 and executive summaries of their sabbatical reports are included in the Board's agenda. Trustee Jacquez reiterated the Board's endorsement of the excellent work done by these faculty during their sabbaticals

Office of Sponsored Research and Federal Relations

Director Angie Rochat provided a chart that indicates the grant activity by area from FY 2-13-FY 2-17. She stated that research grants have increased 116% over this time period due to growth mainly in the STEM programs. She reported that the growth in external research funding has resulted in faculty interest in obtaining patents, often with their students. She summarized other types of grant activity such as institutional grants (Title III and TRIO grants), capital funding, student support and scholarships. The entire grant award portfolio averages about \$17.2 million a year.

Ms. Rochat gave a brief update regarding the efforts in Washington to gain Federal funding for the Native American tuition waiver. The Higher Education Act (HEA) is expected to be introduced in the House prior to Christmas break. She also reported that the University of Minnesota, Morris has become more active in the efforts to gain Federal funding. Tribal communities remain strongly supportive of the tuition waiver endeavor.

LUNCH BREAK

ACTION AGENDA – NON-CONSENT (continued)

Authorize Use of Board Restricted Quasi-Endowment for Strategic Initiatives as Identified in the Summit Strategic Planning Process

Vice President Schwartz provided the background information on how this fund was established and was designated to be used for strategic initiatives with Board approval. The College is seeking to use all or part of the \$1.65 million to fund strategic initiatives identified in Summit Process. He stated that the administration needs to ascertain what the Board is comfortable with in regard to the amount of funds that can be spent and what reporting mechanism is needed. A lengthy discussion ensued regarding what would be considered the appropriate oversight; what amount should be committed; developing a mechanism for monitoring and reporting; and the option of using a portion of the money as a revolving loan fund. Proposals that were more likely to be in place prior to Fall, 2018, such as the pre-orientation program, were discussed. The suggestion was made to hear the President's Report on the Summit Project prior to making any decision. The Board concurred.

PRESIDENT'S REPORT

Enrollment Update

President Thomas reported that 77% of the 2017 freshman class have registered for Spring, 2018. It is too early in the process to have data for Fall, 2018, but there should be more information available by the February meeting.

Budget Update

Vice President Schwartz stated although it is early in the budget process, we are looking at a variety of scenarios if further budget reductions are needed. The Governor's budget contains a 9.5% increase to higher education. Using the current performance model, Fort Lewis would realize an increase in funding of a little over 5%. On December 19th, President Thomas and Mr. Schwartz will attend the Capital Development Committee meeting. The Joint Budget Committee hearings are scheduled for January 3, 2018. He invited any of the Denver Trustees to attend these meetings.

Update on Summit

President Thomas reported that the Summit Council has recommended four certificate programs, three Bachelor's degrees, one Master's of Arts degree, and two co-curricular programs for further prioritization. She proceeded to provide a description of the recommended programs.

However, due to time constraints and the need to act on the above request to authorize use of the quasi-endowment funds, Trustee Hill moved that the Board of Trustees for Fort Lewis College approve the use of up to \$1.65M from the Board's restricted quasi-endowment to fund start-up costs for initiatives identified in the Summit Project. Authorization is limited to up to \$100,000, the majority of which should be used for the Pre-orientation Program. Additional amounts may be expended no sooner than February 2018. Trustee Van Voorhees seconded. Motion passed with one negative vote.

Registry

President Thomas explained how the registry works and the cost to the institution when using a retired upper-level administrator to fill a position for a period of a year or so. She indicated she would like to use this service to fill the Associate Vice President for Enrollment Management position vacated by Dr. Carol Smith. President Thomas stated that she felt the enrollment is too important at this critical point to leave the position vacant until a new president arrives. Discussion ensued regarding the feeling among some faculty and staff that this was not necessarily needed and that it could be an opportunity to rethink the administrative structure. Following further discussion, the Board supported President Thomas to move ahead with the registry.

Metrics

A change was noted in the Student Loan Default Rate which is 8.7%, which is up slightly.

OTHER BUSINESS

Mr. Fink reported that currently there is no provision for allowing a student senator's scholarship to continue if they resign their position or if they move to another position in student government. He stated that it is the student's responsibility to know their scholarship would be in jeopardy if they resigned or moved between positions. His point being, an individual is accountable for their actions and for being aware of any consequences. He prefaced this example by stating that students look to the behavior and treatment of professors as a learning experience.

Trustee Short moved that the Board go into executive session, pursuant to section 24-6-402(3)(a)(II) of the Colorado Revised Statutes, to receive legal advice on specific legal questions

pertaining to personnel matters and that the following individuals be invited to join the voting Board members in executive session to participate in the discussion: Laurent Jaye Becker, Legal Counsel; Peggy Sharp, Deputy Secretary to the Board. Trustee Hill seconded the motion. Motion passed unanimously. Executive Session convened at 2:45 p.m.

Public session reconvened at 3:30 p.m. Chair Short stated that he would entertain a motion to authorize Ms. Becker to provide a public statement on behalf of the Board regarding the public comment session and written communications at today's meeting. Trustee Jacquez so moved, with a second from Trustee Kaufman. Motion passed unanimously.

MEETING ADJORNED at 3:33 p.m.