

2-4-2005

Board of Trustees Minutes, February 4, 2005

Eastern Washington University

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**EASTERN WASHINGTON UNIVERSITY
BOARD OF TRUSTEES**

**February 4, 2005
Open Public Session at 9:00 a.m. (TAW 215)
Executive Session at 12:00 p.m. (PUB 261)**

MINUTES

Trustees Present:

Mr. Gordon Budke, Chair
Ms. Jo Ann Kauffman
Mr. Neil McReynolds
Ms. Kris Mikkelsen, Vice Chair
Ms. Katie Moffitt
Ms. Bertha Ortega
Mr. Paul Tanaka
Ms. Ines Zozaya-Geist

Call to Order and Quorum, I. and II.

Chair Budke called the February 4, 2005, meeting of the Eastern Washington University Board of Trustees to order at 9:15 a.m. He noted that a quorum was present.

Reports, III.

University President's Report, III.A.

Dr. Stephen Jordan began with statement regarding two speakers who have been invited to campus (statement is attached to the official minutes). Chair Budke set aside 30 minutes for public input and comments on this matter, to be followed by comments from the Board. He asked that those speaking during the 30 minutes be brief and not repetitive. The Board members agreed to this process.

Comments were heard from:

- Anthony Marler, EWU student in social work program.
- Keven Shipman read a statement by Ward Churchill.
- Nancy Nelson Fletcher—disappointed with both decisions; is concerned about future speakers.
- Penny Lancaster, graduate alumni—cancellation over safety issues for Ward Churchill is a good reason to cancel Ron Jeremy. Read a letter distributed to the trustees and appealed to cancel Ron Jeremy because of safety.
- Marta Tulle, student, agreed with Ms. Lancaster.
- Scott Wheat, adjunct faculty, concerned about the message we are sending to our students—that death threats can stop a speaker's engagement—have any threats been received here? This type of speech should be encouraged.
- Michael Finley, grad student in History, re: Ward Churchill—disagrees with Dr .Jordan's statement. He had a rude awakening his first quarter here upon hearing two faculty members talking about a board member. We have a small voice, but Ward Churchill has a big voice.

- Deidre Almeida, Director of American Indian programs, thanked the board for hearing this debate and allowing open discussion. She said she made the arrangements to bring Ward Churchill to campus, and uses his materials in her classes. She requested reconsideration to allow Professor Churchill to come to campus.
- Amelia Moses, anthropology major, Indian studies minor, asked how many at the meeting knew anything about Ward Churchill. The majority did not know who he was, and this is a college campus. Mr. Churchill's talk was cancelled in New York because of threats, but this is not New York. She stated her disdain and disappointment for the statements made by Dr. Jordan, who is a very good man.
- Lesley D., a student, commented on Ron Jeremy, said she took a couple classes dealing with pornography, and it is male-dominated and female-degrading industry. She asked the Board if security is the issue, or the funding of the securing is an issue. She asked that they please find the money and not stifle the learning experience for lack of funding.

Chair Budke thanked everyone for their comments. He said President Jordan has made some decisions, and he asked the trustees to give their comments to Dr. Jordan regarding these matters.

- Katie Moffitt said she didn't know who Ward Churchill was, and while she understands the scholastic benefit of having him here, she supports the administration's decision to cancel his appearance based on safety issues. Regarding Ron Jeremy, she noted he may not have been the best decision from the student group. She strongly encouraged faculty to become more involved with that group.
- Jo Ann Kauffman thanked the speakers, and noted the themes of freedom of speech and the responsibility of institutions of higher education to protect freedom of speech. She placed her trust in President Jordan that in fact there are clear threats to the university, and asked that he please provide them in executive session. She said it appears the cancellation is related to media hype, and if so we are shirking our responsibility to academic freedom. We are a nation divided, and media fans the flames on issues. Regarding Ron Jeremy, she said he wouldn't have been her choice for violence awareness week, but is grateful something has been pulled together to counter-balance his presentation.
- Neil McReynolds said diversity of opinion at a university is great—Ron Jeremy might not be the best choice, but he defends and supports Dr. Jordan's position on it. Regarding Ward Churchill, he depends on Dr. Jordan to evaluate the safety of the campus, and appreciates the viewpoints presented by the audience. He thanked the speakers, and noted that the Board did receive copies of letters that were sent to them through the President's Office.
- Bertha Ortega said there are difficult issues for people who oversee universities. Ron Jeremy was a student initiative, and demonstrates freedom of choice for the students. With Ward Churchill's visit it is Dr. Jordan's position/responsibility to protect the institution. She supports freedom of speech and diversity, as indicated by the Board's diversity initiative, but has to support Dr. Jordan in keeping safety as the highest priority. She said she appreciated the points brought up by the speakers.
- Paul Tanaka thanked the speakers, and noted he has similar responsibilities at his job in Seattle. He said he knows that President Jordan's decision was not made lightly, and that it was made in the overall interest of the institution—this is his primary job, not the Board's. The board's job is to set policy. Canceling Mr. Churchill's appearance was a difficult

decision, but in the final analysis we have to trust and believe in the authority and discretion of the president.

- Ines Zozaya-Geist said Dr. Jordan received much open input today, and in the future perhaps we need better communication when booking speakers. The Board is not here to approve or disapprove the speakers, but to make sure the appropriate policies are in place. Dr Jordan will take into consideration all the comments for future situations.
- Kris Mikkelsen said this was a difficult decision for President Jordan, and she supports his decision—it is the right balance between assuring the safety of the campus and assuring freedom of speech. She thanked everyone for their points of view.
- Gordon Budke thanked everyone, noting that it is not easy for any of us to address these issues. He said the Board is not making any decision; they're leaving that up to President Jordan.

President Jordan said this was an interesting intersection of two speakers coming up at the same time. It is not his intent not to prohibit the delivery of Ward Churchill's thoughts—if there are other means for his thoughts to be delivered to campus without his physical presence that would be considered.

Chair Budke announced that the Board would then proceed with the published agenda, and added an item regarding delegation of authority to the President for personnel items.

President Jordan gave a legislative update. There are four elements of this session that are beginning to unfold that are critical for the university.

- 1) the budget initially presented by Locke--book 1 is a no harm/no foul budget except it funds classified staff agreements and provides for similar salary increases for faculty and exempt (3.4% + 1.6%), and book 2 is based upon \$500 million in additional "sin" taxes to fund access to higher education, including more additional enrollment for EWU (683 FTE over the biennium) than for the others;
- 2) the capital budget has a prioritized list from all six institutions, premised upon the Evans Gardner work a year ago. We did well, considering that the Governor put \$300 million in capital instead of \$500 million. Governor Gregoire will come out with her own budget the week of March 20, probably premised on no new taxes, but she wants to know what effects that will have and then make a final decision;
- 3) Jarrett, Priest and Cox have put together a bill regarding the size and shape of the post-secondary system, however they are members of the minority party so it will be difficult to accomplish. The COP will support this;
- 4) Performance contracts are being considered. We put together a proposal last year, and some individual leaders are showing their support, including Governor Gregoire, Senator Brown and the Speaker. Provost Levin-Stankevich and Patricia Chantrill are in Olympia presenting to the Senate Education Committee on performance contracts, and specifically Eastern's proposal. The Governor has come out with a comprehensive education funding study that would look at Pre-K, K-12 and higher education. Last week Dr. Jordan and Jeff Gombosky spoke privately with Governor Gregoire about the shaping question of higher education and its importance of to our long-term future. He was very encouraged by that conversation; she

took a lot of notes, and he is hopeful she will make the higher ed question a bi-partisan issue.

President Jordan introduced the new Faculty Fellows: Galina Sinekopova (service learning), Susan Stearns (academic integrity), and Sue Wright (general education). He said this process has energized the change agendas that we have here at Eastern. He is very pleased by the Provost's efforts.

Dr. Jordan announced that the ACE Board of Directors has invited him to serve as a member of the Commission on International Education. This commission serves as an advisory and strategic planning body for the Council on international and global education and helps to develop plans for policy discussions with federal officials and develops statements on policy and good practice to help colleges and universities become more internationalized. This appointment begins on July 1 and ends June 30, 2008.

Chair Budke called for a 5 minute break (10:35 – 10:40 a.m.)

Trustees' Reports, B.

Academic Affairs Committee, B.1.

Ms. Ortega reported that the committee met last night. They heard a strategic plan general education update, which included that Sue Wright is conducting research into general education models. They heard that the Provost's assessment and accountability committee is addressing university-wide assessment in light of the university's strategic plan, the OFM strategic plan and accreditation requirements. The committee is reviewing the assessment plans of other universities, particularly the areas of overlap and components that could be used at Eastern. The other strategic initiatives are underway: redesign of the R2R pilot project, the Inland Northwest Women in Higher Education Roundtable mentoring, and the potential to re-invigorate the NY Times reading project. The Provost's website is a vehicle for enhanced communication throughout the university. An Academic Innovation series with speaker Sylvia Hurtado will be on campus March 4 to discuss civic engagement and student learning; Carolyn Jarman will be on campus April 29 to discuss the R2R pilot project; and there is a Spokane East Central Community Initiative to research strategies for fighting poverty. The final version of the phase 3 strategic plan is projected for Board consideration in June 2005, and it will contain a mixture of general and specific recommendations, all with performance indicators. The diversity position was discussed at length. Dr. Jordan and Provost Levin-Stankevich will review the position description to clarify job responsibilities and expectations to reinforce the importance of diversity and diversity-related initiatives throughout the areas of the university. Numbers in the International Development programs plummeted from 33% to 50% over a 10-year period, but we had a successful Pakistan teacher training program in 2004, and EWU is pursuing similar avenues of international teacher training with Armenian and Iraqi educators. Trustee Moffitt thanked Deans Dalla and Soltero on their recent efforts to make academic policies more accessible to students.

Advancement Committee, B.2.

Trustee Mikkelsen said the committee's focus continues to be around planning and development to enhance and invigorate the fundraising activities at the university—there is a lot of excitement

building. They discussed the naming policies, heard a presentation from Barb Richey regarding communications around the fundraising strategy and the timetable around fundraising communications. Eastern is embarking on a new era around fundraising.

Business and Finance Committee, B.3.

Trustee Tanaka reported that the committee reviewed the second quarter financial statements and second quarter capital projects. Things are going well in both of those areas. They heard Rebecca Greene's audit plans. A University debt policy will be coming to the full board. The committee had a lengthy discussion on the recreation center proposal—the committee was very interested but had a lot of questions. There is more work to be done by Rick and his staff for the next committee meeting. The committee began an initial discussion about the effects of the Sarbanes-Oxley act. Sessions with the state auditor and LeMaster and Daniel's, along with a presentation, will be presented later in the Board meeting.

Student Affairs Committee, B.4.

Trustee Zozaya-Geist noted that this committee met yesterday afternoon. They heard an update on the recreation center, and the timeline was discussed. They learned that there was a good voter turnout with over 70% voting in favor of the center, and that the student fee will be lower than other universities. There was discussion about adding the new student fee and also what the actual cost of building the center would be, as well as the yearly operating and maintenance cost. They discussed how this center fits into the mission, vision and strategic plan of the university, and it was clear that the homework was done. The committee also heard an update on the parents' advancement campaign—where that is going and the continued effort to grow that fund. Bruce DeFrates gave an update on federal financial aid impacts to the university, and they looked at the Pell Grant and federal work study program. Approximately 50 students have been affected by changes in the Pell grant system, and there could be more changes. The federal work study program has been losing money, however student interest is increasing while funding is decreasing. The biggest impact is to the middle-income students. Ms. Zozaya-Geist reminded the Board that our students continue to have a higher debt when they graduate (the average is \$17,000 for Eastern seniors). This should serve as a reminder to us to continue our attempts to make this an affordable university. Scott Barnes gave an update on student athletes—55 were recognized in the Big Sky Conference all-academic team (3.2 gpa); congratulations to those students as well as the faculty and staff for the support that makes this possible.

At the joint Student Affairs & Academic Affairs meeting they reviewed the campus climate survey assessment (part 1). Due to the extensiveness of the data it was decided to do this in two parts. Hopefully that will allow the trustees to have some planning steps in place by the June meeting. Theresa Martin and Patty Chantrill gave an overview of the survey information and demographics. Part 2 will look at fees and diversity issues. The qualitative data was very interesting and enlightening.

Joint Governing Board, B.5.

Neil McReynolds' working group met with the leadership of the Washington Roundtable, whose interests and concerns are: performance contracts, tuition-setting flexibility by individual campuses, increased state support of research, and articulation between K-12 and higher education. He

provided a handout of their Dec. 7 notes, which is attached to the official minutes. The joint governing boards meeting will be held in Olympia on February 15, during Higher Ed day. There will be a meeting in the morning and lunch with the Governor, and then trustees will contact legislators in the afternoon. There is also another joint meeting planned for Friday, May 13.

Presidents' Reports, C.

Faculty Organization, C.1.

Dr. Sally Winkle, vice president of the faculty organization, attended in place of Patty Chantrill. She highlighted the written report that was included in the agenda: formalizing the relationship between Faculty Organization and strategic planning; Sue Wright spoke to the Senate about general education and how the fellows and Senate will work actively together. The University Transfer policy is still under discussion. Upcoming issues include: the government affairs coordinating council's recommendation that faculty organization resolve to provide ongoing faculty representation in Olympia. EWU is at a significant disadvantage, compared to the other four-year institutions, because we do not have a specific faculty representative to spend time in Olympia during the session like the other 4-year institutions do. They have discussed the practical advantage of possible coordination with the UFE to find solutions to this problem. The violence against women changing campus climate grant—Golie Jansen is organizing the training of 23 first-responders. She commended all those involved. Faculty are actively engaged across campus in a variety of initiatives: the phase 3 strategic planning, participation in the democracy project, the performance contract draft, and the service fest, and UFE interface on bargaining issues.

Classified Staff Union, C.2.

Mr. Michael Nelson said they are waiting to see what the legislature does with the negotiated contracts. They don't know if they're going to be looked at individually or as a group.

Associated Students, C.3.

Mr. Travis Nichols reported that the ASEWU election on January 20 was traditionally the time frame for student elections but they moved that to spring so did the recreation center ballot on the 20th instead. They had 17% participation, which is the highest ever. Voting was 78% in favor of the facility. Kirk Emerson and Darin Demerit were great assistants on this project, as well as Rick Romero and Jason Clerget. Ashley Allen has been working with Alicia Kenney and Travis to monitor the progress of bills and issues. Higher Ed Day on February 15 had the largest showing of EWU students in Olympia to date. ASEWU is working through its finance process, and is faced with the problem of cutting a substantial amount of money from the requests. They are trying to allocate more money to students in the forms of clubs and organizations. They're also trying to allocate money to make sure the STA Ridership program is included in the base budget. They are also dealing with the salary increases for students and staff.

Trustee Moffitt noted that the \$600,000 figure between available dollars and requests is the same amount she had to deal with as finance vice president the past two years.

Special Reports, D

History and Naming of Tawanka Commons, D.1.a.

Dr. Charles Mutschler, University Archivist, explained that the name Tawanka Commons fits into the long-standing history of our university as a leader looking into strong role models for women. Tawanka is the name of a women's organization and this building. The Tawanka service club was organized in 1926. The name was selected because it is an Indian word which translates into "willing to do". In 1916 they began looking for a strong female role model since most of the students were women (who wanted to be teachers). They selected Sacajawea to be that role model. The class of 1916 bought a statute (currently on display in the Showalter Hall lobby). He said local tribes do not recognize the word tawanka as being part of their language, so he looked in the American Indian Dictionaries and found it in the Dakota language dictionary. It was probably chosen by Cecil Dryden or Ceylon Samuel Kingston. President Patterson in the 1960's named the building Tawanka Commons to honor the women's service group. Angela Brown noted that the alumni group for Tawanka is still active, and has a fund balance of over \$45,000 that goes to scholarships for students here. She distributed a history of their organization. President Jordan agreed with the suggestion to put a plaque on each building explaining its name. He expressed his appreciation to Dr. Mutschler and Jay Rey for all their work. Trustee Kauffman also thanked them, saying the information answered her questions with regard to where the name came from.

Present and Proposed Naming Policies, D.1.b.

Phil Akers, Vice President for University Advancement, said he is in the process of looking at the current naming policy to revise and refine it to meet future needs. The naming of university facilities is under the sole purview of the Board of Trustees, and the existing policy has been in effect since 1989. Traditionally facilities are named to honor or recognize service, although there is no standard regarding length or time of service. To date, no facilities have been named to recognize outstanding philanthropy, with the possible exception of Cheney Hall, named for our founder. Mr. Akers would like to provide the Board with specific guidelines where naming of a facility could be considered in recognition of outstanding philanthropic support. Following the advice and support of the Foundation Board of Directors, a proposed policy will be reviewed and refined by campus constituencies and brought forward for adoption before the end of this academic year. The proposed policy would expand, and not replace, the existing policy, and will provide specific guidelines to be met as minimum qualifications for naming buildings, areas and rooms. He plans to bring the proposal forward to the Board before the end of the academic year.

2004 University Audit, D.2.

Trustee Tanaka said the Business and Finance Committee heard this report this morning, and that one feature of the Sarbanes/Oxley act was implemented in that they did ask all of the staff to leave during the report. Debbie Pennick from the State Auditor's Office reported that they completed the audit for FY 2004 in early January. She met with staff in mid- and late January for exit conferences. Letters with comments have been submitted to management and the Board, with only minor comments noted for a university of this size. Control processes and procedures that are in place are operating efficiently; attempts to improve receiving controls were made but not to the level that needs to be met. The involvement of university management from the President's Office down is considerable in the audit process, and they take it very seriously. Chair Budke thanked Ms. Pennick for the review, and gave his compliments to Mary and her staff for all they've done.

2004 Auxiliary Funds Audits, D.3.

Dan Frickle of LeMaster and Daniels reported that they audited five auxiliary enterprise funds: ASEWU, housing and food service, the bookstore, Pence Union Building and intercollegiate athletics. The fieldwork was completed in October, had an exit phone conference, delivered the financial statements in January, and had a brief meeting with each of the fund managers as well as with Toni Habegger and her staff. Each audit was conducted independent of the others, and each received an unqualified, or clean, opinion. With the exception of intercollegiate athletics, all of the funds had a substantial operating income for the year which reflected positively in the financial statements. Intercollegiate activities had a slight excess of expenditures over revenues. They obtained reasonable assurance about the financial statements. They did not identify any significant or unusual transactions, and proposed no adjusting journal entries. In conclusion, the information obtained from staff and management regarding attitudes and opportunities regarding fraud, and all pointed very strongly to the high level of ethics and regard for proper financial reporting, proper internal controls, adequate internal controls from top management/top administration on through the levels that were examined in the audits.

President Jordan commented that while the audit report for intercollegiate athletics reflects that for the year expenditures were greater than revenues, they do have a positive fund balance, and we monitor the financial performance of athletics very closely. Scott Barnes, Toni Habegger, the business manager for athletics and two other staff have periodic meetings specifically for the purposes of monitoring the revenues and expenses of athletics throughout the year. The total budget is about \$5 million. The athletic budget is based on guaranteed revenue games, so we look at those in the context of multiple years rather than by single years.

Chair Budke recommended that the audit guests be excused from presenting at executive session as everyone but Trustee Kauffman heard the details at the Business and Finance committee meeting. Everyone agreed to this proposal.

Strategic Plan Update, D.4.

M J Brukardt reported that they would be holding a retreat on February 24, at which the workgroups (made up of 40 faculty and staff) will present their ideas to the advisory council. The workgroups are on target for the preliminary report to the Board in May, with a final report in June.

Action Items, IV.

Consent Action Items, IV.A.

Minutes of the December 3, 2004 Board of Trustees' Meeting, IV.A.1.

University Debt Policy, IV.A.2.

Motion 02-01-05: "I move that the Board of Trustees approve the consent action items."

Motion by Trustee Ortega; seconded by Trustee Mikkelsen. The motion carried.

Old Business/New Business, V.

Delegation of Authority, V.A.

Chair Budke announced that between now and May we would need to delegate authority for personnel actions. He read the proposed resolution: “The Board of Trustees delegates to the President the authority to act on its behalf to approve employment contracts and to take personnel actions specified in EWU policy 570-040-040 until the Board meeting scheduled on May 20, 2005.”

Motion 02-02-05: *“I move that the Board adopt the resolution as presented.”*

Motion by Trustee Mikkelsen; seconded by Trustee Ortega. The motion carried.

University Recreation Center Proposal, V.A.

Rick Romero, Associate Vice President for Business Services, thanked the board for their patience around the discussions that have occurred on this issue and said he appreciated their diligence. He is proud of the students and the level of support for this project, and impressed with the student leadership. He and Jason Clerget then conducted a PowerPoint presentation showing the location, amenities and cost of the facility.

Mr. Romero then explained the purpose, noting that we were motivated because it will help with our competitive advantage for recruitment and retention. He said the student sentiment is very positive regarding the center. A student vote on the issue set a university record of 16.67% turnout, with an overwhelming majority voting in favor of the building.

He then discussed financing options (private financing vs. revenue bond), design and construction options (alternative construction vs. traditional options); opportunities (partnership opportunities, flexibility and value engineering); and challenges (time for design review and cost management).

He said the timeline would be predicated on the alternative financing and construction models. If those are not acceptable approaches we will have to adjust the timeline. He built this on the best-case scenario. He said the administration is not asking for any action from the Board at this point. He will come back in May with real costs and real risks and ask for Board approval. The students have the expectation of having this facility available in 2007. He asked for board support to examine the financing, design and construction options, with some kind of updates prior to the May meeting.

It was decided to bring this item to the committee of the whole on May 20 for further in-depth examination. Discussion of RFPs and the need for more information on the pros and cons of the paths available. Questions were asked regarding access for faculty/staff, how this will affect other facilities on campus, and what happens if we do or do not do the project. Rick said all operational and debt costs would be covered by non-state dollars, other than the contribution by the university. Faculty, staff and community would be charged a fee (higher than student fee) to use the facility. Trustee Tanaka asked if the RFP has to be mutually exclusive to design build, and Rick said he can't see the two processes going down two different paths—he can see them moving parallel down the same path. Neil McReynolds asked how the university contribution of \$350,000 would play out

with the capital request, and Mary Voves responded that these are operating dollars, not capital. The final plan for what will be included in the center will be based on the student survey and vote. Not everyone will be satisfied, but the majority will.

The Committee of the Whole on May 20 will address design build, operating costs, and all the questions that have been brought up at today's meetings. President Jordan noted that 1) this is a combined effort of many programs. We don't have sufficient facilities to handle our student population and will attempt to prioritize the highest needs that we have; 2) In the legislature there is discussion around the shaping question regarding will happen with the branch campuses and the community colleges that might grow into something else. We are working very hard to compete for those students; 3) the center will provide a bit of a competition with the Cheney housing that is exploding—competing for our residential campus. He said the center is not a question of if, but how soon. We need to determine what the financially and managerially best construction solution is for us to move forward on. He asked Rick to put together, with the help of the General Administration, a briefing paper that raises the pros and cons of the two construction process, and maybe the benefits and detriments of their experiences. We can do the same with the design/build processes we have done, along with the costs and risks. Rick should put these together and send to the Board for their information so they get a better feel for why we might choose one path over the other. Rick agreed that it is more important to do it right than to do it quick. The January date is creating some angst; so we need to slow down and take all the steps in order to meet everyone's needs. Chair Budke said it is not if but when and how. Updates should be included in the Friday Board mailings. We will hold a Committee of the Whole the morning of May 20, with the Board meeting in the afternoon.

Executive Session, VI.

At 12:45 p.m. Chair Budke announced that the Board would adjourn into executive session for purposes authorized in RCW 42.30.110: to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee; and to discuss with legal counsel representing the agency matters relating to agency enforcement actions, litigation or potential. He noted the executive session would last for approximately one hour, with the board reconvening at 1:45 p.m.

The Board reconvened into open session at 2:10 p.m. A quorum was present.

Personnel Actions, VII.

Motion 02-03-05: *"I move that the Board approve all personnel actions as presented."*

Motion by Trustee Kauffman; seconded by Trustee Ortega. The motion carried.

Adjournment, VIII.

The meeting adjourned at 2:12.

Gordon Budke, Chair

Stephen M. Jordan, Secretary