

MEETING OF THE BOARD OF TRUSTEES
OF THE EVERGREEN STATE COLLEGE

Wednesday, October 9, 1991
Daniel J. Evans Library
Olympia, Washington

Trustees Attending: Herbert Gelman Absent: Constance W. Rice
 Lila S. Girvin
 Christina A. Meserve
 John N. Terrey
 Carol Vipperman
 Allan M. Weinstein

Representatives John Cushing, Faculty
to the Board Dave Howat, Staff
Present:

Staff Present: Pat Belisle, Director of Annual Fund and Alumni
 Affairs
 Pris Bowerman, Academic Dean
 Romeo Cesar, Member of the Faculty
 Jon Collier, College Architect
 Carolyn Dobbs, Vice President for Student Affairs
 Shannon Ellis, Dean of Student and Academic Support
 Services
 Ermelindo Escobedo, Special Assistant to the President
 for Affirmative Action
 George Freeman, Member of the Faculty
 Sandy Hanson, Director of College Relations
 Lee Hoemann, Executive Assistant to the President
 Jennifer Jaech, Assistant to the President for
 Governmental Relations
 Cheryl King, Member of the Faculty
 Russ Lidman, Vice President and Provost
 Steven Milder, Member of the Faculty
 Les Purce, Interim President
 Jamil Qureshi, Vice President for Finance and
 Administration
 Gary Russell, Chief of Security
 Rita Sevcik, Administrative Assistant to the President
 Nancy Taylor, Member of the Faculty/Presidential
 Search
 Steve Trotter, Budget Officer

Others Attending: Jan Frickelton, Assistant Attorney General
 Cheryl Stephani, President's Staff

WORK SESSION:

The work session was called to order by Chair Vipperman at 9:15 AM. Faculty Representative John Cushing distributed a letter from the Chair of the Faculty

Agenda Committee recommending that Jose Gomez be named to the Presidential Search Committee in place of Bill Arney (in order to have a faculty of color on the committee).

Presidential Contract Terms: Assistant Attorney General Jan Frickelton discussed the history of the presidential contract terms for former Presidents McCann, Evans and Olander. She suggested adding a preamble and outlining a hearing procedure in the contract. Other issues discussed included contract length; salary; an evaluation process; a termination process; and the issue of faculty appointment and sabbatical (upon completion of term of office). Trustees requested comparisons of compensation packages and what can be offered in terms of retirement; insurance; moving expenses; etc. Ms. Sevcik is to request a copy of the survey done by Central Washington University; Dr. Lidman offered to assist Ms. Sevcik in obtaining information on a national level regarding benefits, salary, and what is being offered to presidents.

Ms. Frickelton is to bring draft language and options for a presidential contract for the Board to consider in November, with final decisions made in December.

Operating Budget Reduction Plans: Dr. Purce and budget officer Steve Trotter distributed a budget packet containing information on estimated revenues and appropriations, the College's use of state general funds, and assumptions and principles used by staff in developing draft proposals. They provided an overview of the College's plans to respond to the Office of Financial Management directive to prepare a 2.5% allotment reduction to take effect in December and a second 2.5% reduction proposal assuming a May 1992 implementation. Each of the vice presidents reviewed preliminary plans for reductions required at the 2 1/2% and 5% levels.

Since the reduction plans are due to OFM on October 25, the Board will hold a special meeting on October 18 to approve the reduction plan.

Chair Vipperman expressed appreciation for the clarity of the visual and oral presentation of these complicated budget issues.

Delegation of Authority and Bylaw Amendment. Presentation deferred to the public portion of the meeting under other business.

PUBLIC MEETING

Following a lunch recess, the Board reconvened the meeting at 1:35 PM. Dr. Lidman introduced new faculty in attendance (Romeo Cesar, Steve Milder, George Freeman, and Cheryl King).

CHAIR'S/PRESIDENT'S REPORT

Chair Vipperman acknowledged the September expiration of terms for Trustees Herb Gelman (appointed in 1979) and Allan Weinstein (appointed in 1985) by presentation of photo albums and gifts. She expressed the Board's

appreciation for their many contributions to Evergreen. They will continue to serve until the Governor makes new appointments.

APPOINTMENT TO PRESIDENTIAL SEARCH COMMITTEE - Action

Nancy Taylor reviewed the status of the presidential search and endorsed the faculty recommendation that Jose Gomez serve on the search committee.

Motion In light of the letter addressed to the Board Chair by Tom
10-1-91 Grissom (Chair of the Faculty Agenda Committee), Dr. Terrey moved acceptance of the faculty recommendation that Jose Gomez represent the faculty on the Presidential Search Committee. Seconded by Ms. Girvin and passed.

The Chair expressed appreciation for the process by which the faculty made this decision in a very short period of time.

APPROVAL OF MINUTES - Action

Motion Mr. Gelman moved approval of the minutes of the September 11 and
10-2-91 September 25, 1991 meetings as distributed. Seconded by Ms. Girvin and passed.

APPROVAL OF DEFENSE BY ATTORNEY GENERAL'S OFFICE - Action

Assistant Attorney General Jan Frickelton indicated that she has reviewed the request for conditional defense for Sodie Leeberg and recommended Trustee action. This action is consistent with authorization approved by the Board on July 10, 1991 for James A. Duncan, Rita Cooper, Gary R. Russell, Larry E. Savage, and Robert J. Anderson.

Motion Mr. Gelman moved approval of attached Resolution No. 91-11,
10-3-91 entitled "Resolution of the Board of Trustees of The Evergreen State College Conditionally Recommending Individual Defenses in a Lawsuit." He further moved authorization for the President to sign the agency recommendation form in requesting the Attorney General's office to defend Sodie Y. Leeberg, a former employee of the College, named in complaint No. 90-2-02785-3, Lana Brewster, et al. v. State, et al. This authorization is conditional and based upon information currently available. Seconded by Mr. Weinstein and passed.

This conditional recommendation will be withdrawn if certain allegations in plaintiffs' complaint relating to alleged actions outside the scope of employment with the College are subsequently found to be substantiated.

SELECTION OF DESIGN CONSULTANT FOR LAB ANNEX, PHASE 3 - Action

Dr. Qureshi informed Trustees that Phase 3 of the Lab Annex will cost approximately \$1,356,500 (funded by the 1991 legislature) and is scheduled for completion in June, 1993. This proposal, which will provide about 3,500

square feet of additional space, combines three capital budget requests: the primary project is the Lab Annex addition and remodel of the existing shop. The second request is the addition of a mezzanine above the existing shop for design and small project work. The third request is for expansion of the existing ceramics studio.

Jon Collier, Campus Architect, distributed an addendum to the executive summary regarding selection of a design consultant for this project. He reviewed the process and the selection committee's recommendation of three firms (rank ordered for the Board) and responded to Trustee questions. Trustee Girvin expressed concern about the integrity of the campus planning so that additions are congruent with the existing campus. Mr. Collier outlined the membership on the campus planning committee that will review and approve architectural design.

Motion Dr. Terrey moved approval of the selection of Carlson/Ferrin
10-4-91 Architects as design consultant to prepare design and construction documents for an addition to the Lab Annex Building that will provide project studio space, and remodeling of the existing metal shop that will incorporate the wood shop and add necessary auxiliary services. Seconded by Ms. Girvin and passed.

OTHER BUSINESS AND INFORMATION

Discussion of Visiting and Exchange Faculty Appointments

Dr. Bowerman, Academic Dean, reviewed the following information for the categories of visiting and exchange faculty appointments: how they are selected, how they are assigned in the curriculum, why some people are selected but unplaced, how salaries are determined, and how they are evaluated. She explained that visiting faculty provide an 8% or 9% reduction-in-force cushion for the institution. There are three types of exchange faculty: Kobe University of Commerce Exchange; community college exchanges worked out through the Washington Center; and exchanges initiated by individual faculty.

Enrollment Information Requested at the June, 1991 Meeting

In response to Trustee questions last June regarding retention, Arnaldo Rodriguez distributed a list of recruiting strategies to increase the enrollment of Washington State Residents. Steve Hunter discussed the fall-to-fall retention report (also distributed) which contained information for: composition of entering class (undergraduate degree-seeking); composition of entering class; fall-to-fall retention rates: all new undergraduates; fall-to-fall retention rates for first-time freshmen, two-year transfers, four-year transfers, students of color, Olympia campus, Tacoma campus, students of color by campus, and white students by campus; and 1988-89 fall-to-fall retention: TESC with system-level rates.

Chair Vipperman expressed the desire for Trustees to know about activities in their areas and suggested the College identify ways in which Board members can

be of help. Mr. Rodriguez will provide this calendar of events.

The Chair also indicated an interest in knowing more about graduation rates and retention over a longer period of time. Steve Hunter will provide this information.

She asked about the College's mechanism for evaluating retention. Mr. Hunter indicated that past surveys were not particularly helpful in finding out why students leave. Shannon Ellis reported that the College this fall has undertaken the first longitudinal study with a randomly selected group of about 50 transfer students and 50 first-year students. These groups will meet about twice a quarter with a facilitator to talk about their experience at Evergreen. These students will be followed during their time at Evergreen. This should begin to provide the College with the reasons they leave. Ms. Ellis reviewed other retention efforts--retention is everyone's business at Evergreen.

Mr. Hunter suggested a review of alumni survey comments about what alumni feel is different about Evergreen would help Trustees in their role as external ambassadors. The Chair felt it would be helpful if there is a way to correlate a profile of alumni attributes.

Delegation of Authority Resolution/Board Bylaw Amendments

Lee Hoemann distributed a proposed delegation of authority resolution and proposed bylaw changes. She indicated that the Board minutes have been reviewed to ascertain what the Board has delegated in the past. This proposed resolution reserves certain authority for the Board and provides for a blanket delegation of other powers and duties to the President. Ms. Hoemann indicated the next piece the Board will want to look at is what the Board wants to do in terms of reports, so there will be a mechanism to take back a delegated item. The current bylaws require that notice of intention to propose, repeal or amend (including a draft) be presented at one meeting and acted upon at a second meeting.

Cheryl Stephani reviewed in detail the items contained in the delegation of authority resolution. She indicated that the criteria used for authorities reserved by the Board included things that had an ongoing impact, specifically: (1) if it affected the physical appearance of the campus; (2) if it had an ongoing or long-term impact on the philosophical or programmatic direction of the campus; (3) if there were a long-term commitment of College resources; (4) if the item related to the larger community not just the Evergreen community; (5) if the item was a significant prism for evaluating the mission of the College. The Chair asked that a cover memo be developed that explains (for those not in attendance) the criteria used. Trustee Gelman wondered whether there are certain obligations on the Board which are not delegable by law. Trustee Terrey suggested that instead of a blanket authority, the Board keep all powers except those specifically delegated to the President. Trustee Meserve felt it was easier to define responsibilities which the Board wants to keep rather than trying to define all of the duties of the President.

Trustees requested revision and clarification in a number of the authorities reserved by the Board.

Ms. Stephani then reviewed a list of optional items to be reserved by the Board. Staff will refine and clarify items, taking into account Trustee comments.

Ms. Stephani reviewed also the powers and duties delegated to the President. Trustees were to review the delegated authority and action items on their own. Chair Vipperman suggested that a summary of the trade-offs (issue of delegation of appointing authority) be circulated along with the revised draft.

In order to amend bylaws in November, Lee Hoemann reviewed proposed major changes to eliminate inconsistencies. Since the Assistant Attorney General is to bring proposed presidential contract terms to the Board in November, whatever is decided upon can then be incorporated into Article VII (appointment of the president of TESC) of the bylaws. There was discussion regarding the necessity to approve bylaw changes in November. The Chair suggested that the bylaw change could be deferred to December. Trustee Gelman suggested that the annual review statement (Article VII, section 2) be stricken, and the intent to offer the President a faculty contract should also be stricken.

EXECUTIVE SESSION

The Board recessed into an executive session for approximately 20 minutes.

BOARD FINALIZATION OF PRESIDENTIAL REVIEW - Action

Chair Vipperman stated that the Board had spent two days last month reviewing the input from the community at large, both internal and external, related to the evaluation of Interim President Les Purce. The Board asked that the record reflect that the Board was extremely gratified by the positive and in many cases, very in-depth evaluation of the president. The Board is pleased to have Les Purce here in this important interim role and is pleased that so many members of the community felt the same.

The Board wished to acknowledge that performance by authorizing a salary increase for the Interim President.

Motion **10-5-91**

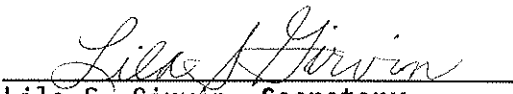
Dr. Terrey moved to acknowledge the extraordinary performance of the Interim President by authorizing a 5.7% percent salary increase. Effective November 1, 1991, Dr. Purce's annual salary would be \$92,000 base salary plus benefits. Effective January 1, 1991, the Interim President's salary would be \$95,312 plus benefits. In addition, he moved to authorize \$600, plus two weeks of paid leave, for the purposes of professional development for the Interim President. Seconded by Ms. Girvin and passed unanimously.*

DATE OF NEXT MEETING AND ADJOURNMENT

A special meeting will be held October 18 for the purpose of approving budget reduction plans. The next regular meeting will be November 13.

The meeting adjourned at approximately 5:45 PM.


Carol Viperman, Chair


Lila S. Girvin, Secretary

* This motion was rescinded at the October 18, 1991 meeting by Motion No. 10-6-91.

Attachments

Resolution of The Board of Trustees
THE EVERGREEN STATE COLLEGE
NO. 91-11

CONDITIONALLY RECOMMENDING INDIVIDUAL DEFENSE IN A LAWSUIT

WHEREAS, Sodie Y. Leeberg, a former employee of The Evergreen State College, has requested an individual defense from the Office of the Attorney General in the lawsuit entitled Brewster, et al. v. State, et al., Thurston County Superior Court No. 90-2-02785-3;

WHEREAS, the above-referenced lawsuit alleges certain wrongful acts or omissions on the part of the above individual which, if true, do not constitute the good faith performance or purported performance of official state duties;

BE IT NOW RESOLVED That pursuant to RCW 28B.10.842, the Board of Trustees of The Evergreen State College conditionally and upon information currently available resolves, finds and determines that the above former employee acted in the good faith performance or purported performance of her official state duties, and recommends to the Office of the Attorney General that the request for individual defense be approved;

BE IT FURTHER RESOLVED That the Board of Trustees specifically reserves the right to withdraw this recommendation upon its determination that the above individual acted other than in the good faith performance or purported performance of her official state duties;

Adopted this 10th day of October 9, 1991

NOTE: The Board via Resolution 91-8 previously approved the request for individual defense for James A. Duncan, Rita Cooper, Gary R. Russell, Larry E. Savage, and Robert J. Anderson, former and current employees named in this lawsuit on July 10, 1991.