

**BUTLER COMMUNITY COLLEGE
BOARD OF TRUSTEES
MINUTES OF THE REGULAR BOARD MEETING
4:30 p.m., June 13, 2023 – Dankert Board Room**

Meeting Recording can be viewed at <https://www.youtube.com/watch?v=6ZYSk0iYWic>

STAFF ATTENDANCE

Lisa Bolin	Dr. Tom Nevill
Tom Borrego	Dr. Jessica Ohman
Christina Byram	Bill Rinkenbaugh
Jenna Gannon	Janet Schueller *(z)
Dr. Julio Guerrero	Kelly Snedden
Jennifer Hartman	Dr. Phil Speary
Matt Jacobs	Ireland Turner
Dr. Kim Krull	Kent Williams
Dr. Esam Mohammad	Bill Young

BOARD ATTENDANCE

Forrest Rhodes, Chair
Kim Braungardt
Mary Martha Good
Dave Sherrer *(z)
Shelby Smith
Julie Winslow

GUESTS

Kaden Warner, Student (Video)
Ray Connell *(z)
Chris Conrade

*(z) denotes attendance via Zoom.

CALL TO ORDER

(YouTube @ 1:30)

Chair Rhodes called the regular monthly meeting of the Board of Trustees to order at 4:30 p.m.

PLEDGE OF ALLEGIANCE

(YouTube @ 1:39)

The Pledge of Allegiance was said.

APPROVAL OF THE AGENDA

(YouTube @ 2:09)

Trustee Smith moved remove Discussion Item IX-B – BETA from the agenda. Trustee Winslow seconded. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.

Trustee Good moved to remove item X-D from the agenda. Trustee Smith suggested that the proposed changes captured the spirit of the desired changes and that the Board should act on it tonight. Motion failed due to lack of second.

Trustee Smith moved to pull item XI – D.7, Nursing Satellite Campus at Cowley CC and item XI- D.9, Enhance Ad Astra Academic Schedule and Resource Software from the Consent Agenda to Board Action Item X-E and X-F, respectively. Trustee Winslow seconded the motion. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.

Trustee Smith moved to approve the agenda as amended. Trustee Winslow seconded the motion. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.

EXECUTIVE SESSION

(YouTube @ 8:28)

Trustee Rhodes explained that the executive session would relate to the exclusion of Trustee Winslow and Dr. Krull from an executive session during the April Meeting. Trustee Smith and Trustee Winslow expressed that they believe this should be discussed in open meeting, as the decision to exclude and Ray Connell's initial comments were made in open session.

Trustee Good moved that the Board recess into executive session for consultation with legal council for the Board which would be deemed privileged in the attorney-client relationship pursuant to the open meetings exceptions for matters about concerns about decisions made regarding Dr. Krull and Trustee Winslow. These matters are protected by consultation with legal counsel and to include the Board, Dr. Kim Krull and Ray Connell and that the open meeting resume within 15 minutes. Trustee Sherrer seconded the motion.

Trustee Smith asked for a statutory reference that allowed the Board to exclude an elected Trustee. Trustee Rhodes reiterated that this would be discussed in Executive Session, as legal advice is confidential. Trustee Smith argued that this was all done in open prior, so the justification should be in the open as well.

On roll call vote, the motion failed 3-3, with Trustee Braungardt, Trustee Winslow and Trustee Smith voting nay, Trustee Jolly was absent.

The Board did not recess into executive session.

Trustee Rhodes noted for the record that if after receiving the opinion in executive session the Board wanted to make that information public, they could do so. Trustee Smith referenced an article related to this event.

RECOGNITIONS

(YouTube @ 15:06)

Dr. Krull recognized Jenna Gannon of Institutional Research & Effectiveness and Megan Chambers (previously of IR/E, now with Kansas State) for their publication in the *Journal of College Student Retention: Research, Theory & Practice*. Their study, titled "A Mixed-Methods Community College Retention Study: Who isn't being retained and Why" was completed in February 2022 and has been presented internally via Zoomcast,

to CIRTO and to KACRAO. Trustee Smith complemented the Institutional Research & Effectiveness staff for the data available on the website.

PUBLIC COMMENT

(YouTube @ 18:30)

There was no public comment.

STANDING REPORTS

Student Government Association (YouTube @ 18:45)

There was no report this month due to summer break.

Operational Staff – (YouTube @ 18:52)

Lisa Bolin shared that OpStaff will gather at Walter's Pumpkin Patch on Friday, June 16 for their annual recharge event. OpStaff is also accepting applications for the Book Scholarship. Those applications are due August 1. The next OpStaff meeting is Friday, June 16.

Professional Employees – (YouTube @ 19:53)

There was no report this month.

Board Finance Committee – (YouTube @ 20:02)

The Board Finance Committee did not meet this month.

Foundation Board Report – (YouTube @ 20:18)

Trustee Rhodes shared that the Foundation Board met last month. Four board members have rotated off the Board, and Janet Schueller has joined the Foundation Board. The fair market value of the endowment is \$14.5 million, which is a 5.39% rate of return net of fees since inception. The Finance & Investment committee approved a 6% disbursement to the college for scholarships in 2023-24, totaling just over \$800,000. This is the fifth year that the Foundation Board has approved a 6% disbursement.

President's Report – (YouTube @ 21:21)

Dr. Krull shared that a KORA request was submitted by Patrick Richardson at the Kansas Sentinel requesting a copy of the evaluation completed by the faculty association that was handed directly to Trustees at the May meeting. It was sent to legal counsel for review, and was deemed that it was exempt from KORA because it is a personnel document. Dr. Sader had shared that he had a request for it as well, which he declined.

She shared that leaders are busy with end of the year evaluations and procedures. Executive Council met for their annual planning retreat last Tuesday. Information around the Strategic Plan will be brought to the Board in the coming months.

She also shared the latest Trustee Quarterly and pointed out an article about effective Trusteeship and encouraged the Board to take a look.

Nothing final has come from the HLC yet, however we are hopeful that it was on the IAC agenda this week. If not, we would likely hear something in the middle of July.

Educational Facilities Authority Report – (YouTube @ 24:24)

Trustee Good shared that EFABC will meet tomorrow, June 14.

KACCT Quarterly Report – (YouTube @ 24:35)

Dr. Nevill shared that KACCT met in Dodge City the first weekend in June. All colleges were in attendance, with the exception of Kansas City Kansas and Fort Scott. The group heard from a panel of financial aid officers, including Heather Ward from Butler, who discussed the upcoming FAFSA simplification changes and challenges affecting the administration of federal financial aid. They also heard from the Kansas Department of Commerce about registered apprenticeships and how colleges might be able to form apprenticeships to aid their local businesses. A panel of community college business and industry workforce development professionals. They briefed the group on a variety of groups they have had at their college, how they are funded and how they're structured. Robin Helms from ACCT spoke about a new online platform they have developed for members to better collaborate. Heather Morgan also shared a legislative and budget update. They also reviewed trends in Kansas, along with a new statewide marketing campaign geared to adult learners. KACCT budget, contracts and dues were also approved. The next meeting is in August at Cloud Community College.

MONITORING REPORTS

(YouTube @ 27:18)

Dr. Phil Speary, Dean of Academic Support & Effectiveness entertained questions from the Board. Trustee Good asked about Adult Education demographics. Trustee Smith asked about the Tiers and how placement into each tier is determined.

Trustee Smith also asked about the HLC visit and whether any information had been shared yet. Dr. Speary shared that he and Dr. Krull have had the opportunity to correct Errors of Fact, and that the draft report is being reviewed by the Institutional Action Council before it is considered final and can be distributed.

Trustee Good asked if the pay for Adult Education teachers had been increased. Dr. Speary indicated that he didn't believe that has been raised.

Trustee Smith asked about the Inclusion Council and what changes the group thought needed to be made at Butler. Dr. Speary shared that the Inclusion Council was more than ethnicity and gender issues. The Council addresses students in terms of socio-economic position, disabilities, age ranges, and rural vs. urban backgrounds. One of the major efforts of the group recently has been the mental health of students, which encompasses many different student groups.

Trustee Smith asked what the authority of a privately funded diversity officer would be. Dr. Speary explained that this is a very normal procedure to fund the position from private grants. This consideration is at the very beginning stages and is something that is still emerging. The Inclusion Council is still working to determine the scope of the role

and how it would be structured. The group is comprised of volunteers who have full-time schedules on campus, so likely this position would be used to coordinate the work of the group. Dr. Speary also shared the importance of the group as it relates to creating an engaging campus community that leads to increased retention.

BOARD STRATEGIC DISCUSSION – ISSUES AND OPPORTUNITIES

A. GLBA and Cyber Risk Assessment (YouTube @ 41:44) – Bill Young shared an overview of the GLBA and Cyber Risk Assessment. The Gramm-Leach-Bliley Act (GLBA) is a federal law that was enacted in 1999 that regulates how financial institutions handle and protect sensitive customer information. Since Butler handles student financial aid and other financial transactions the College must comply with GLBA to safeguard student and staff data. Butler Information Services engaged the College's Cyber Security Partner, Tandem Cyber Operations, to perform the annual GLBA assessment, which involved a comprehensive review of CIS Controls and FTC GLBA Safeguards. Regarding GLBA safeguards, 4 of the 15 were not compliant. Of the 56 technical and administrative controls examined 27 were not fully compliant, and 29 were fully compliant. As a result, Butler's environment is compliant with GLBA safeguards, scoring 73%. Non-compliant controls are in the process of being addressed. Trustee Winslow asked if the report from Tandem could be made available. Bill Young indicated that he would be happy to share that in Executive Session in July, as it relates to security measures.

BOARD ACTION ITEMS

- A. 300 Building Welding Hood Upgrade (YouTube @ 53:54) – Trustee Smith moved to approve as presented. Trustee Winslow seconded. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.
- B. Board Evaluation (YouTube @ 55:43) – Trustee Good distributed copies of potential evaluation formats at the last work session. She indicated she prefers the Garden City example. Dr. Krull shared that the survey from Garden City would be less time consuming to prepare for use due to question structure and survey format based on assessment from Institutional Research and Effectiveness. Trustee Good moved to implement the Garden City evaluation as presented with edits to suit Butler's needs. Trustee Smith seconded the motion. On roll call vote, the motion passed 6-0, with Trustee Jolly absent. Dr. Krull will visit with IR to ensure this is available and ready for Trustees this month, so results can be discussed in July.
- C. Bylaw Complaint Process (YouTube @ 1:01:39) – Trustee Smith requested some grammatical changes to the proposed bylaw Trustee Rhodes asked if there needed to be a Title IX caveat, as the Board is considered a mandatory reporter. Trustees engaged in discussion about Title IX reporting processes and added language to note the mandatory Title IX reporting was not subject to any exceptions." Trustee Smith moved to approve the Bylaw as amended. Trustee Winslow seconded. On roll call vote, the motion passed 6-0, with Trustee Jolly absent. The final bylaw reads as follows;

35.03 Handling Complaints

Individual Board members or the Board may receive complaints and/or concerns, some of which may implicate areas where the college is required to respond, or

from a best practice standpoint, should respond. If a Board Member becomes aware of a complaint involving academic/curriculum, student or personnel issues such as discrimination or harassment, college or student policy/process, safety/health, including threats, or conduct that could be perceived as unlawful under applicable state law or regulation the following action must be taken:

- *Suggest the complainant seek a remedy from the proper college official (i.e. Faculty member, Dean, Vice President, Associate Vice President of Human Resources)*
- *Submit the complaint to the President, preferably in writing, to allow facilitation of approved complaint and grievance policy and process.*
- *Complaints regarding the President must be submitted to the Board Chair.*
- *The College's approved policies and process will guide action the Board may take.*
- *In cases of reported sexual harassment or sexual assault, Trustees as mandatory reporters, must immediately notify the Title IX Coordinator of the complaint and name of the complainant as required by federal regulation of the Office of Civil Rights and Title IX.*

In the context of this policy, a "complaint" is meant to refer to any situation in which a person impacted by the college, whether as a parent, student, employee or taxpayer/citizen is dissatisfied with an issue involving one of the areas outlined above and desires a resolution of the issue by action of the college. The mandatory reporting obligation as noted above for Title IX issues is not subject to this exception. It is not meant to encompass what might commonly be referred to as "griping" or "venting."

- D. Nursing Satellite Campus at Cowley Community College (YouTube @ 1:12:00) – Trustee Smith noted he didn't believe Butler should be paying the annual lease. Dr. Nevill reminded Trustees that the annual lease was a part of the original agreement they approved earlier. Trustee Winslow moved to approve the MOU as presented. Trustee Good seconded. On roll call vote, the motion passed 5-1, with Trustee Smith voting nay and Trustee Jolly absent.
- E. Enhance Ad Astra Academic Schedule and Resource Software (YouTube @ 1:14:15) Trustee Sherrer moved to approve the purchase of the Ad Astra predictive scheduling bundle. Trustee Good seconded the motion. Trustee Smith asked about training for the module and the benefit of adding the software Dr. Nevill shared that the management of over 3500 course sections each year, which is currently done manually and that the software will provide predictive data for course scheduling Trustee Braungardt asked how many hours of labor this could potentially save. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.
- F. Property and Liability Insurance (YouTube @ 1:28:40) – Kent Williams shared that the property and liability quotes from KERMP were not yet available. ICI continues to provide includes Worker's Compensation, Non-Medical Internship, Student Activities and Fire Science coverage. The KERMP policy is expected to increase by approximately 48% due to increases in valuations and market conditions. The final numbers for the KERMP policy are expected this week, and administration proposes approving these at a special meeting in conjunction with the Work Session on June 26. Chris Conrade shared that there is 50% more coverage this

year over last year at this time. The KERMP group average increase in renewal came in at 35%, and due to the increase in values Butler's renewal is approximately 13% higher than the mean group due to increased building valuations, inflation, and deterioration within the insurance marketplace. Trustee Smith asked if every building needed to be fully insured and discussed then was held on overall assessment of building use, class scheduling, and space utilization. Dr. Krull suggested that a comprehensive study take place prior to the renewal in 2024 to determine if buildings can be closed if they are not being efficiently used. Trustee Good moved to approve renewal rates for Workers Comp, Non-Medical Internship, Student Activities, and Fire Science as detailed in the quote from ICI in the total amount \$121,719. Trustee Winslow seconded. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.

CONSENT AGENDA

(YouTube @ 1:28:14)

Trustee Smith moved to approve the consent agenda. Trustee Good seconded the motion. On roll call vote, the motion passed 6-0 with Trustee Jolly absent.

SUPPLEMENTAL INFORMATION

Key Performance Indicators Update – Submitted by Dr. Esam Mohammad
Dr. Mohammad had no updates this month.

Statement of Revenue & Expenditures – Submitted by Kerry Potter
No discussion.

Thank You Notes
None this month.

Board Calendars

(YouTube @ 2:02:12)

Dr. Krull shared that summer classes are in session and the campus will be closed for the July 4 holiday. There will be a Board Work session on June 26.

EXECUTIVE SESSION

(YouTube @ 2:02:55)

Trustee Winslow moved that the Board recess into Executive Session for up to 60 minutes to discuss negotiations, pursuant to the open meetings exceptions for matters relating to employer-employee negotiations, and discussion of non-elected personnel, pursuant to the open meetings exceptions for matters which if discussed in open meeting might violate their privacy and that members of the Board, President Kim Krull, Bill Rinkenbaugh, Dr. Phil Speary, Shelley Stultz, Dr. Tom Nevill and Kent Williams be included. Trustee Smith seconded the motion. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.

ENTER EXEC SESSION @ 6:35pm

RETURN TO OPEN SESSION @ 7:35pm

ADJOURNMENT

(YouTube @ 3:09:05)

Trustee Winslow moved to adjourn. Trustee Sherrer seconded. On roll call vote, the motion passed 6-0, with Trustee Jolly absent.


Mary Martha Good - Secretary