Minutes

Board Members Present: Erica Bestpitch, Gale Castillo, Sho Dozono, Maria Carolina Gonzalez-Prats, Maude Hines, Thomas Imeson, Margaret Kirkpatrick, Rick Miller, Lindsay Stewart, Christine Vernier, Chair Nickerson and Wim Wiewel (ex-officio)

Board Member(s) Not Present: Swati Adarkar, Irving Levin, Peter Stott

1. Call to Order/Roll/ Declaration of Quorum

Chair Nickerson called the meeting to order at 1:02 pm.

Chair Nickerson provided opening comments. Chair Nickerson shared his reflections on statements during the previous Board meeting that some students do not feel heard by the Board and don’t feel they have amble opportunity to interact with the Board. Nickerson reminded everyone that the Board is made up of volunteers who support PSU in many ways, and that the Board wants to hear from students, faculty and staff, wants to understand their perspectives, and wants to hear about their experiences—both good and bad. To that end, since January 2016, trustees have been participating in small group meetings with students and student group. Small group meetings and other informal opportunities to engage in dialogue and understanding are a much more effective way to build community and collaboration than trying to do so in a formal board meeting. The trustees have found these small group meetings to be useful and rewarding and Nickerson intends to continue having them. In addition to opportunities outside of board meetings, thirty minutes is reserved for open comment at the beginning of each regular board meeting. The Board is not obligated to afford such an opportunity, but wants to do so.

Nickerson went on to remind the audience that it is also important that the Board be able to conduct the business of the University. The Board has a legal obligation to meet quarterly and certain regular tasks must be performed by the Board in order for it to fulfill its duties. Chair Nickerson reminded the audience that the PSU Student Conduct Code and other policies are in full force during the meeting. Chair Nickerson asked everyone to be respectful and civil and to permit all voices to be heard.

Chair Nickerson noted that an audio livestream of the meeting was available on the Board’s website (http://www.pdx.edu/board/).
Roll was taken, a quorum was present, and the meeting proceeded.

2. Open Comment

The following individuals spoke to the Board for approximately three minutes each:

Olivia Pace explained that tape covering the mouths of numerous students in the audience is intended to symbolize the way in which the students feel that they have been silenced by the Board. She shared her expectation that pictures on social media and in the news will show a group of students who have been silenced.

Grant Walter explained his belief that the Board has created or contributed to poverty conditions for some students on campus, which he attributes, at least in part, to the cost of student health insurance, the rate of pay for graduate teaching assistants, and the cost for online classes, among other things.

Kayla Gmyr told the Board that PSU is no longer affordable for her and other students. She expressed disapproval of armed campus police, homelessness, and PSU’s contract with Aramark.

Bakari Ill spoke to the Board about the risks posed by having armed campus police, particularly for those who suffer from mental illness or are from underrepresented populations. He shared his respect for Campus Public Safety Officers and the challenges they face and commended the University for having a CARE team. He shared his experience and fears regarding police brutality, racial injustice, and hatred.

Shannon Neale expressed concerns regarding staffing, funding, and wages for student workers in the Fifth Avenue Cinema.

3. Invited Comments

a. Comments from the Associated Students of Portland State University (ASPSU)

Dana Ghazi, President of ASPSU, addressed the Board about her personal experience at PSU and the many responsibilities she needs to manage. The amount of dedication it takes for students to come together and share their thoughts with the Board should be appreciated, not met with disciplinary action. She shared her concern with threatened disciplinary action against students who have disrupted previous Board meetings. She indicated that students who experience discrimination, low wages, homelessness, food insecurity, and social and institutional barriers should not be threatened with disciplinary action. She believes that such students are exercising the only power they believe they have.

David Martinez, Vice President of ASPSU, addressed tuition and University values. He stated that any increase to tuition would jeopardize students’ ability to continue their education. The Finance and Administration Committee’s recommendation to increase tuition does not reflect the University’s values and commitment to first generation students, students from low income
families, and students from marginalized communities. Education is a basic element for a successful society and should be affordable to everyone.

Ghazi reported she will not be at the next meeting and hopes the next year will foster better relationships between students and administration.

b. Comments from Presiding Officer of the Portland State University Faculty Senate

Professor Gina Greco, Presiding Officer of the Faculty Senate, reported that the Faculty Senate, at its March meeting, approved the creation of the STEM Institute and a Graduate Certificate in Global Supply Chain Management. Greco reviewed the 2016 Winter Symposium table discussions focused on Equity and Inclusion and Curriculum Depth and Breadth. The scope of the discussion, Faculty Senate action, intersections with the strategic plan, and themes for each were summarized and certain points were specifically recognized. Please see attached discussion notes.

Greco shared that she will introduce Professor Brad Hansen, the incoming Presiding Officer of the Faculty Senate for 2016-17, at the June Board meeting.

4. Consent Agenda

As Chair Nickerson began consideration of the Consent Agenda, at approximately 2 p.m., the meeting was interrupted by members of the audience. Numerous audience members walked in front of the Trustees, turned and faced the audience, and began to speak. Members of the audience indicated that “public comment was not over.” Chair Nickerson stated that the Open Comment portion of the meeting was over, that the protesters were out of order and did not have the floor, and requested that they cease and permit the meeting to continue. The protesters continued their disruption of the meeting. Chair Nickerson asked twice that the protesters “please move away from the Board tables.” The protesters did not comply. Chair Nickerson announced that the Board would take a break and temporarily adjourned. Audience members then occupied the seats at the Board table.

Due to the Board’s inability to conduct the meeting in the boardroom, the trustees gathered in a different room on campus and telephonically broadcast the remainder of the meeting into the boardroom. The livestream of the meeting also continued to be available on the Board’s website. The meeting reconvened at approximately 2:30 p.m.

Chair Nickerson continued with consideration of the Consent Agenda, which included the following items:

a. Approval of Minutes from December 10, 2015 Meeting
b. Approval of the 2016-17 Full Board Meeting Schedule
c. Amendment to Portland State University By-Laws
d. Approval of Lease Agreement for Sky Bridge in SW Montgomery Street Right-of-Way
Chair Nickerson asked for a motion to approve the Consent Agenda.

Action: Trustee Hines made a motion to approve the Consent Agenda. Trustee Dozono seconded the motion. The motion was approved unanimously.

5. Reports and Orientation Sessions

a. Executive & Audit Committee

Chair Nickerson reported that the Executive and Audit Committee met on March 11, 2016 and reviewed the committee charter. The committee recommends the Policy for Recommendations for Trustee Appointment, the proposed amendments to the Bylaws, and recommendations regarding 2016-17 Board Officers, all of which are on the agenda for this meeting. The committee also received a report from the Director of Internal Audit.

b. Academic and Student Affairs Committee

Margaret Kirkpatrick, Chair of the Academic and Student Affairs Committee, reported that the committee met on March 4, 2016 and approved the Graduate School of Education’s Diversity Plan for 2016, as required by House Bill 3375. The plan contains seven strategies and programs to recruit diverse students, faculty and staff and to teach students to work with diverse student bodies. The GSE Diversity Plan summarizes GSE’s efforts and presents goals, accomplishments, and future plans. Professor Micki Caskey, Associate Dean for Academic Affairs in the Graduate School of Education, answered questions regarding the plan.

c. Finance and Administration Committee

Rick Miller, Chair of the Finance and Administration Committee, reported that the committee met on February 4, 2016 and on March 16, 2016. The committee received, reviewed, discussed, or gave guidance concerning the 2015 audited financial report; 2017 budget planning steps; the 2016 budget-to-actual recap; the University’s capital project and appropriation requests to the HECC; Standard & Poor’s bond rating; the three-year forecast; detailed analysis of FY 17; various multi-year scenarios; a capital projects update (including the Sky Bridge lease which was included on this meeting’s Consent Agenda); the development of financial dashboards; and progress on a University financial reserves policy.

The committee reviewed and discussed the tuition recommendation for the 2016-17 academic year that the Board will consider during this meeting. The committee heard testimony and engaged in discussion with student members of the Student Budget Advisory Committee (SBAC) and ASPSU. Vice President Kevin Reynolds explained the tuition setting process and budget context. Reynolds reminded the committee of the strategic plan’s five goals and that in order to control tuition increases, the University will need to do the following: 1) moderate increases to compensation costs; 2) find efficiencies that reduce the overall employee:student ratio; and 3) find a reprieve from escalating retirement costs. The proposed increases to tuition and the
mandatory fees were reviewed and discussed in detail and are now recommended to the full Board for approval.

6. Action Items

Chair Nickerson revised the agenda and next took up consideration of 2016-17 tuition rates due to the imminent departure of one of the trustees.

a. Approval of Resolution Concerning 2016-17 Tuition Rates

President Weiwel presented the Board with his recommendations concerning 2016-17 tuition rates and mandatory student fees. These recommendations are the result of a lengthy process and have been approved by the Finance and Administration Committee. The President reviewed the four-month tuition-setting process, which included four meetings of the SBAC; two presentations to the Student Senate, with question and answer sessions; and two meetings of the Finance and Administration committee. The FY17 tuition recommendation allows for a balanced FY 2016-17 University budget, a continuing commitment to modest tuition increases, a modest increase in reserves, and provides departments with FY16 budget levels plus 3%, which will still require modest cuts because expenses are increasing at an even faster rate.

Vice Chair Imeson shared his appreciation for the comments of the student members of the SBAC, which were included in the Board materials.

Chair Nickerson asked for a motion to approve the Resolution Concerning 2016-17 Tuition Rates.

ACTION: Trustee Dozono made a motion to approve the resolution. Trustee Vernier seconded the motion. The vote was taken. Ten trustees voted Aye: Bestpitch, Castillo, Dozono, Hines,* Imeson, Kirkpatrick, Miller, Stewart, Vernier, and Nickerson. One trustee abstained: Gonzalez-Prats. There were no Nay votes. The resolution was adopted. (* Trustee Hines originally abstained from the vote. Before the end of the meeting, Trustee Hines sought permission of the Board to change her vote to Aye. Unanimous permission was granted and Trustee Hines’ vote was changed accordingly.)

7. Reports and Orientation Sessions (continued)

Chair Nickerson revised the agenda and next took up the collective bargaining update due to the imminent departure of one of the presenters.

a. Collective Bargaining Update

Vice Provost Shelly Chabon and AAUP President Pam Miller presented the Board with an update on collective bargaining between the University and PSU Chapter of the American Association of University Professors. They are pleased to share that a tentative agreement has been reached, although the agreement must still be ratified by the membership of the
bargaining unit. The tentative agreement was reached after over 400 hours of bargaining over 45 bargaining sessions, using an interest-based bargaining (IBB) approach, and with the assistance of a state conciliator, Janet Gilman.

Significant points to note include: establishment of new sick leave bank, continuing appointments for non-tenured track faculty, inclement weather closure leave, an agreement on workload language for academic professionals, pay rate increases tied to the cost-of-living, faculty enhancement grants, market equity adjustments, post-tenure review, length of service pay adjustments for academic professionals, and agreement to a four-year contract.

Chabon and Miller noted the loss of Professor Ron Narode during the bargaining process. Professor Narode was a faculty member in the Department of Curriculum and Instruction in the Graduate School of Education. He was a long-standing member of the AAUP bargaining team and a former AAUP Vice President for Collective Bargaining. He was deeply committed to the University and AAUP. Although he died in February, he was a significant presence throughout bargaining and a substantial contributor to the parties’ success.

Miller noted that much work remains to be done. The agreement first must be ratified and then the parties will need to educate campus members about the changes in the CBA. She anticipates that there will be many hours of interim bargaining regarding various issues and she noted the numerous task forces which will continue their work. Miller also reiterated her request that AAUP be afforded regular opportunities to address and interact with the Board and its members.

Various trustees expressed their appreciation to Miller and Chabon and to the members of the bargaining teams for their hard work and dedication and for successfully reaching a tentative agreement on a four-year contract.

8. Action Items (continued)

Chair Nickerson revised the agenda and returned to the action items that had not yet been addressed.

a. Election of 2016-17 Board Officers

Secretary David Reese reported that the Board Policy on Board Officers requires the Secretary of the Board to poll trustees for comments and recommendations to nominate either current officers for reelection or new officers. The Executive and Audit Committee then makes a recommendation to the full Board at the first regular Board meeting of the calendar year.

During the Executive and Audit Committee meeting on March 11, 2016 the results of discussions with other trustees were reported. Pete Nickerson indicated his willingness to continue to serve as Chair. Tom Imeson indicated that he would step down as Vice Chair and Rick Miller indicated his willingness to serve as Vice Chair. The Executive and Audit Committee
recommends to the full Board that Pete Nickerson and Rick Miller be elected to one-year terms as Chair and Vice Chair respectively.

Reese reminded the Board that the Board’s Policy on Board officers generally limits officers to two consecutive one-year terms, but that the Executive and Audit Committee recommends an exception to the policy in order to allow Chair Nickerson to continue for one additional term.

Reese asked for a motion to make an exception to the term limit policy and to elect Pete Nickerson as Chair and Rick Miller as Vice Chair for one-year terms beginning July 1, 2016.

ACTION: Castillo made the motion. Dozono seconded the motion. The vote was taken. Eight trustees voted Aye: Bestpitch, Castillo, Dozono, Gonzalez-Prats, Hines, Kirkpatrick, Stewart and Vernier. Two trustees abstained: Miller and Nickerson. Trustee Imeson was no longer present. There were no Nay votes. The Motion passed.

b. Approval of Recommendation for Trustee Appointments Policy

Chair Nickerson reminded the Board they have expressed an interest in adopting a Board policy regarding the manner in which the University will suggest nominees for appointment to the Board by the Governor. Historically, the Governor’s Office has sought input from the University when considering appointments to the non-designated positions on the Board. The draft policy being recommended by the Executive and Audit Committee is based on a policy recently adopted and utilized by the Oregon State University Board of Trustees. Under this policy, the Executive and Audit Committee would serve as the committee that considers and approves recommendations to the Governor.

Chair Nickerson asked for a motion to approve the Recommendation for Trustee Appointment Policy.

ACTION: Castillo made the motion and Stewart seconded the motion.

Trustee Gonzalez-Prats observed the differences between the policy and the application process established by ASPSU for the student trustee position. The Board discussed the differences between the processes used for the designated Board position and the undesignated Board positions.

Trustee Hines expressed concern that the Board is missing an opportunity to foster shared governance with this policy and asked whether there should be greater opportunities for input into trustee recommendations through established shared governance mechanisms.

ACTION: Rather than attempt to revise the proposed policy at this time, Trustee Hines made a motion that the proposed policy be referred back the Executive and Audit Committee for consideration of possible revisions.
A vote on the motion was taken. Eight trustees voted Aye: Dozono, Gonzalez-Prats, Hines, Kirkpatrick, Miller, Stewart, Vernier, and Nickerson. One trustee voted Nay: Castillo. One trustee abstained: Bestpitch. Trustee Imeson was no longer present. The Motion to refer the policy back to the Executive and Audit Committee was approved.

9. Reports and Orientation Sessions (continued)

Chair Nickerson revised the agenda and returned to the remaining reports and orientation sessions.

   a. Orientation Session: Portland State University Library

Dean Marilyn K. Moody presented an overview of the Portland State University Library. The Library has had a million visitors, it generally open until midnight, and works to be inclusive and accessible to all members of the PSU community. The library works with other libraries in efforts to be cost-effective by borrowing and sharing subscriptions for certain publications. The Library works with faculty to make available textbooks and other required reading at no cost to students.

Dean Moody discussed the following Library goals: (1) support student success with library services, collections, and spaces that meet students’ educational, research and information needs in equitable and inclusive ways; (2) promote and support instructional and research activities and information needs in equitable and inclusive ways; (3) develop virtual spaces to facilitate use and discovery of library resources and services by a wide range of users; (4) develop and build strategic collaborations which positively impact the University, the Library, and the Portland community; (5) create a library space that is welcoming to all and uniquely focused on academic uses and support; and (6) build a collaborative and flexible organization with a shared purpose reflective of our values and positioned to meet opportunities and challenges.

Moody shared the PDXScholar website (http://pdxscholar.library.pdx.edu) which displays live statistics of material downloads and global user location.

10. Report from the President

President Wiewel’s report to the Board was provided in writing in the Board docket. The President highlighted the following items: collective bargaining has brought about significant and positive changes; groundbreaking for the Viking Pavilion is scheduled for April; new cultural centers for African American students and for Asian/Pacific Islander students are being developed; and the Broadway Housing Building refinancing will save the University a significant amount of debt service.
11. Closing Items

President Wiewel explained outreach efforts that have been made to address the disruptions at the Board’s meetings. We have asked the National Policy Consensus Center (NPCC) to conduct an engagement assessment to help determine how the Board might constructively engage with students to address important concerns. Trustee Miller suggested that a Special Board Meeting with students might be helpful.

Trustee Gonzalez-Prats shared that a student had hand-delivered to her a petition in support of the $15/hour minimum wage. The student had asked that the petition be delivered to Chair Nickerson and President Wiewel.

12. Adjourn

Chair Nickerson adjourned the meeting at 5:19 pm.