

# THE BOARD OF ILLINOIS COMMUNITY COLLEGE DISTRICT NO. 515

## Eight Hundred and Sixth Regular Meeting August 28, 2018

### MINUTES

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Ms. Jacqueline Agee, Chair, convened the 806th Regular Meeting of the Board of Illinois Community College District No. 515 at 5:04 p.m., Tuesday, August 28, 2018, in the Board Room of the College.

#### **ROLL CALL:**

##### Board Members Present

Ms. Jacqueline Agee, Chair  
Mr. Marc Wiley, Vice Chair  
Dr. Ronald White, Secretary  
Mr. Christopher Baikauskas  
Mr. John Stanfa  
Ms. Camiella Williams  
Mr. Benedict Shogunle, Student Trustee (*arrived at 5:19 p.m.*)

##### Board Members Absent

Ms. Joelle Mulhearn

##### Table Participants Present

Dr. Terri L. Winfree, President  
Ms. Patricia Gallagher Trost, Board Recorder  
Dr. Marie Hansel, Vice President, Academic Affairs  
Dr. Thomas Saban, Vice President, Finance and Administration  
Mr. Craig Schmidt, Vice President, Community and Economic Development  
Dr. Scott Kalicki, Interim Vice President, Student Affairs and Institutional Effectiveness  
Mr. Eric Stach, Del Galdo Law Group  
Mr. Andrew Schott, Faculty Representative  
Ms. Cheron Ricks, Support Staff Representative

##### Administrators Present

Mr. David Cronan; Ms. Carol Fawcett; Ms. Deborah Havighorst; Mr. Greg Kain; Ms. Janice Kaushal; Mr. Timothy Kosiek; Ms. Kim Kunce; Dr. Debra Prendergast; Mr. Felix Simpkins; Mr. Elighie Wilson

##### Faculty Members Present

Dr. Christa Adam; Mr. Joe Berlinski; Ms. Rebecca Buckle; Ms. Danielle Coleman; Ms. Jackie Dennis; Dr. Dianne DeSousa; Dr. Patti Eberhardt; Dr. Maureen Giglio; Dr. Maureen C. Grady; Ms. Laura Guill; Ms. Patricia Hoyt; Dr. Angela Hung; Mr. Michael Massengil; Ms. Diane Miller; Mr. Edward O'Donnell; Ms. Marci Schusler; Ms. Angela Simpson; Dr. Johnson Thomas; Ms. Dana Trunnell; Ms. Denita Williams; Dr. Linda Zroskie

##### Staff Members Present

Ms. Teresa Guia; Ms. Debra Foster; Ms. Elizabeth Logan; Ms. Rosalva Mendoza; Ms. Beatrice Romano; Ms. Kimberly Pedersen; Ms. Lisa Pickens; Mr. Robert Pinnow; Ms. Andrea Small

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Other

Mr. Edward Schwarz, resident; Ms. Lorena Varela, Community Action;

**ORAL/WRITTEN PUBLIC COMMUNICATIONS**

Mr. John Stanfa spoke about the recent passing of Senator John McCain and noted that if people conducted themselves the way he did, everyone would be better off. He also spoke about the recent passing of Mr. Joseph Faso of Chicago Heights. Although he and Mr. Faso did not always see eye to eye, he knows that Chicago Heights lost a great person.

**INTRODUCTIONS AND RECOGNITIONS**

Dr. Winfree introduced the following new faculty members: Assistant Professor of Dental Hygiene, Rebecca Buckle; Assistant Professor of Nursing, Denita Williams; Assistant Professor of Economics, Michael Massengil; Assistant Professor of Biology, Johnson Thomas; and Assistant Professor of Surgical Technology, Patricia Hoyt.

Ms. Agee changed the order of the agenda and started with the tenure recommendations.

Dr. Hansel explained the tenure process and then asked Ms. Janice Kaushal, dean of career and technical education to introduce Ms. Colleen Ivancic, assistant professor of business.

Tenure Recommendation – Ms. Colleen M. Ivancic, Assistant Professor of Business

*Dr. White moved and Mr. Baikauskas seconded that the Board of Trustees awards a faculty tenure appointment to Ms. Colleen Ivancic, Assistant Professor of Business, effective January 2019.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye

***The vote being seven (7) Ayes, and no Nays, the motion carried.***

*(Mr. Shogunle arrived at this time.)*

Dr. Hansel asked Ms. Carol Fawcett, dean of allied health and emergency services, to introduce Ms. Michelle Kean, assistant professor of nursing.

Tenure Recommendation – Ms. Michelle M. Keane, Assistant Professor of Nursing

*Mr. Stanfa moved and Ms. Williams seconded that the Board of Trustees awards a faculty tenure appointment to Ms. Michelle Keane, Assistant Professor of Nursing, effective January 2019.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye

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Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Dr. Hansel asked Ms. Carol Fawcett, dean of allied health and emergency services, to introduce Mr. Edward O'Donnell, assistant professor of nursing.

Tenure Recommendation – Mr. Edward O'Donnell, Assistant Professor of Nursing

*Mr. Wiley moved and Ms. Williams seconded that the Board of Trustees awards a faculty tenure appointment to Mr. Edward O'Donnell, Assistant Professor of Nursing, effective January 2019.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Ms. Agee called for a recess at 5:34 p.m. The Board reconvened at 5:55 p.m.

**CONSENT ITEMS**

*Mr. Stanfa moved and Mr. Wiley seconded that the Board of Trustees approves the following items of consent:*

Minutes

*That the Board of Trustees approve the Minutes of the 805th Regular Meeting of July 31, 2018; as presented.*

Bills Payable – FY2019

*That the Board of Trustees approves the FY2019 List of Bills Payable for July 2018 (including trustee and employee travel expenditures), as indicated in the enclosure.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye

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Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

**ACTION ITEMS**

Appointment of Director of Athletics

*Mr. Wiley moved and Mr. Stanfa seconded that the Board of Trustees approves the appointment of Mr. Christopher J. Kuchta as Director of Athletics, effective September 1, 2018 at an annual salary of \$62,301.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Nay
Mr. Shogunle	Advisory (Aye)

*The vote being six (6) Ayes, one (1) Nay, and one (1) Advisory, the motion carried.*

Approval of Support Staff Contract

*Mr. Wiley moved and Ms. Williams seconded that the Board of Trustees approves the 2018-2021 Agreement between the Board of Trustees of Community College District No. 515 and Federation of Supportive Staff Cook County College Teachers Union Local 1600, AFT, AFL-CIO of Prairie State College.*

Dr. Winfree noted a number of items were added to the contract, including full tuition waivers for spouses and dependents of staff. Dr. White and Ms. Williams thanked both teams for their time and effort on the contract.

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

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Final Reading, Board Policy B-2, Administrative Philosophy and General Organization

*Mr. Wiley moved and Ms. Agee seconded that the Board of Trustees approves for Final Reading, Board Policy B-2, Administrative Philosophy and General Organization, as revised.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Final Reading, Board Policy C-24, State Gift Ban Act

*Mr. Wiley moved and Dr. White seconded that the Board of Trustees approves for Final Reading, Board Policy C-24, State Gift Ban Act, as revised.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Final Reading, Board Policy D-1, Annual Budget/Resource Priorities

*Mr. Wiley moved and Ms. Williams seconded that the Board of Trustees approves for Final Reading, Board Policy D-1, Annual Budget/Research Priorities, as revised.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

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Purchase Recommendation – Apple iMac Systems

*Mr. Wiley moved and Mr. Baikauskas seconded that the Board of Trustees approves the purchase of twenty-six Apple iMac systems with Apple Warranty from CDW-G, under Illinois Community College System Procurement Consortium pricing, in the amount of \$65,667.94.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

***The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.***

Purchase Recommendation – Industrial Electricity Equipment

*Ms. Agee moved and Ms. Williams seconded that the Board of Trustees approves the purchase of Programmable Logic Controllers for the Industrial Electricity Labs from the sole provider, Revere Electric Supply Company, at a cost of \$60,698.32.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

***The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.***

Purchase Recommendation -- Lab Updates for IT Classrooms

*Ms. Agee moved and Mr. Stanfa seconded that the Board of Trustees approves the purchase of eighty (80) personal computer systems with warranties from CDW-G, under Illinois Community College System Procurement Consortium pricing, in the amount of \$52,293.60.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye

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Mr. Shogunle                      Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Contract Approval – Sentinel Technologies, Inc.

*Mr. Wiley moved and Ms. Williams that the Board of Trustees approves the contract to provide data security services from Sentinel Technologies in the amount of \$35,638.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

Contract Approval – Just a Dash

This item was removed from the agenda.

Budget Transfers – July 2018

*Dr. White moved and Mr. Wiley seconded that the Board of Trustees approves the budget transfers for July, as indicated in the enclosure.*

Upon the call of roll, the vote was as follows:

Ms. Agee	Aye
Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Mr. Shogunle	Advisory (Aye)

*The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.*

**REPORTS**

President's Report

Dr. Winfree reviewed her report. Included the Board folders is an updated contact list of Board members. Please make sure everything is accurate. Also included is the Fall 2018 course schedule, information about the Touch-A-Truck event, the Commemorative Air Force Red Tail Squadron's Rise Above Traveling Exhibit, and Mental Health Conference.

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### President's Cabinet Monthly Reports

Dr. Hansel, Dr. Saban, Mr. Schmidt, and Dr. Kalicki were available for questions on their reports.

### Monthly Financial Report

Dr. Saban reviewed the monthly financial report. Dr. White thanked Dr. Saban for his frugality. The exterior of the college looks great.

## **ITEMS FROM THE BOARD OF TRUSTEES**

### Review of Board Policies

Dr. Winfree asked Mr. Eric Stach of DelGaldo Law Group to review pertinent policies with the Board of Trustees. She pointed out that when a new employee is hired, they go through the policies and sign an acknowledgement that they accept responsibility for reading and following the policies. Each year they acknowledge this. While preparing the assurance argument for re-accreditation, it was noted that Board members review policies at their orientation, but not an annual basis.

Mr. Stach reviewed the Board "A" policies. After Mr. Stach's review, Board members will be asked to review the acknowledgement statement and sign it at their convenience.

Mr. Stach said that board members only have authority when acting as the Board legally in session. With respect to Board policies, the overall concept of the Board policies is that the Board functions in the fashion to set an overriding vision for the College and then delegates that authority to the administration for execution of that policy. Policies are to be adopted for the benefit of the entire community that includes not only the members of the taxing district, but all the employees and the students. As far as duties and responsibilities as noted in Board Policy A-3 (Duties/Responsibilities of the Board of Trustees), there is a laundry list. Mr. Stach reviewed several items in the policy, including appointing and evaluating the president of the college and delegating to that individual the administration of college policies. That is a re-statement of the Board setting generalized college policy and then kicking things to the administration, including the president, for implementation and execution of those policies. The Board is also providing strategic direction. The policy also discusses actions, determinations, and decisions, based upon the recommendation of the president or administration. For example, as the Board sets policy and directs things to the administration for execution, then the administration responds in a bilateral communication back to the Board with specific recommendations. So the Board, upon these recommendations, will address issues such as specific employment, capital outlay, the campus itself and its usage, the academic calendar, curriculum, and about all matters of policy that pertain to the College. As Board members know, there is so much work that administration does for which things are provided to the Board to make these important decisions.

With regard to Board policies A-4 (Board Member Code of Ethics) and A-5 (Board Member Conflict of Interest and Impropriety), they pertain to the Code of Ethics of the Board and issues regarding Board member conflict as far as personal interest or impropriety. A lot of the language piggybacks off state statute and mandatory requirements whether with the Illinois Public Community College Act itself or specific acts that pertain to the ethics of individuals that are public officials that are elected by the community. With regard to Board policy A-4 (Board Member Code of Ethics), trustees are to represent all the constituents and not be drawn into one particular subcategory. Again, individual trustee members have no legal authority that they can do for the Board or the district except as acting in a Board meeting as part of the Board of Trustees. No private action can be taken that would compromise the Board or the College in any action. The policy discusses the delegation of authority from the Board to the administration to execute the policies as far as duties and responsibilities are given to the administration.



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With regard to Board Policy A-5 (Board Member Conflict of Interest and Impropriety), Board members cannot seek any personal gain or pecuniary benefits, they cannot do things to improperly have relatives or spouses gain inappropriate benefits from the College and are to abstain from any action that might pertain to that. They cannot be involved in self-dealing regarding private business or personal services, with regard to obtaining employment from the College, the furnishing of special goods and services, or any type of compensation. All Board members are either elected or appointed. There may have been campaign contributions that were involved in that process and those have to be reported to the Board under Board Policy A-5. Trustees are not able to speak on behalf of the Board in interactions with the public unless specifically authorized to do so. When working with administration, Board members are to work with the appropriate lines of authority. For example, if a Board member gets a complaint or inquiry from someone, it is best for the trustee to convey that to someone in administration, most likely the president's office, so that it can be dealt with at the administrative level and then if necessary, it can be brought to the Board as a whole at a time that is appropriate. He said that he has spoken about all the duties and responsibilities of the Board members, but it is possible in theory that Board members may violate any of these policies and it is clear, based on the language, that those violations have to be reported. It is a mandatory requirement that if any trustee, or staff member, is aware of any trustee violating policy, should report the violation that then triggers a practice for review and determination. At the very end of Board Policy A-5, it goes into the presentation of a potential violation and it walks through the steps.

Mr. Stach discussed Board Policy A-13 (Board Officers and Responsibilities of Chair) which goes into the responsibilities of the officers have. The chair is to promote due deliberation among the trustees and to consult with the trustees as to specific policy issues. It is an example of the importance of having mutual communication with the chair and the trustees as to any type of issues. The treasurer and recorder of the board have certain responsibilities. Annual goals need to be set forth by the Board. With regard to board meetings, the question comes up about what trustees can and cannot go into closed session for. There is never any requirement to go into closed session. There might be strategic reasons to go into closed session if there are sensitive discussion regarding employment issues, disciplinary issues, pending or threatening litigation issues, potential purchase, sale or lease of property. Mr. Stach added the board could go into closed session at any time during a meeting as long as the reason is expressed and there is a roll call vote. No action can occur in the closed session until the Board comes out into open session. Ms. Agee added that Ms. Trost has the list of reasons for closed session. Mr. Stach stated that this comes directly from state statute and the Open Meetings Act. It is sometimes easy of new board members to fall into a trap of violating the Open Meetings Act and that can occur when there are contemporaneous email chains where there are "reply all" among the Board of Trustees. That is an instance where the Attorney General's office or the Public Action Commission has determined that there could be a violation of the Open Meetings Act. If a trustee were to send an email to all trustees for whatever reason, to do so where perhaps the trustees would be blind copied on the email. Therefore a reply all can never occur. The same issue comes into play if someone was to text everyone else. It has been determined that sometimes text messages of public officials can become subject to the Freedom of Information Act. The balance of the policies are very general and include how board meetings actually function.

Mr. Stach emphasized the importance of the Board working with administration and delegating the details for the execution of the policy to administration through the Office of the President or the Vice Presidents. He is available by phone or email if anyone should have any questions.

Ms. Agee pointed out the Acknowledgement statements that Ms. Trost will keep in the Board member's file. Mr. Baikauskas asked if these statements were needed for the Higher Learning Commission. Dr. Winfree responded they are. Ms. Agee added that this falls under the whole thing of when the Board was dinged ten years ago about the Board overstepping its bounds with the administration. By doing this and

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going over the policies and signing the acknowledgement statements, this is what has been done to correct the issue.

### Notice of Complaint

Ms. Agee explained that she made notice of a violation of Board Policy A-5, Board Conflict of Interest and Impropriety. Under this policy, it states that whenever a potential or actual violation of policy exists, it states the trustee shall disclose to the Board chair, and a trustee shall be obligated to disclose and, failure to report will be considered a violation of the policy. By reading the violation of a policy, trustees have an obligation and it is mandatory if a violation of the policy exists where it is in fact or appearance to report it.

Since no other trustee reported it, and it was something that involved the Chair, Ms. Agee reported this violation to the Secretary, Dr. Ronald White.

*"Please allow this correspondence to serve as my notification, as required by Board Policy A-5, that potential or actual violation of policy A-5 exists in that Trustee Camilla D. Williams has given an interview to as newspaper (see below) which in part states:*

*Williams, in a statement provided to Chicago Heights Patch, calls for the resignation of her colleague.*

*'As a Trustee of Prairie State College, I publicly denounce the behavior of my colleague Chairwoman Jacqueline Agee. There is a certain level of professionalism and decorum that we as officers of the college must abide by at all times. Due to the behavior and lack of transparency, of Chairwoman Agee I am requesting that she resigns from the board effective immediately.'*

*This article and Trustee William's actions violate, not exclusively, the below listed sections of policy A-5: "Board members must avoid any conflict of interest or the appearance of impropriety which could result from the Trustee's own position and the use of membership on the Board of Trustees for personal gain or publicity."*

*'This accountability supersedes any conflicting loyalty such as to advocacy or interest groups and to memberships on any other boards or staffs. This accountability supersedes the personal interest of any Board member acting as an individual consumer of college services.'*

*Board members shall not exercise, or attempt to exercise, individual authority over the organization except as explicitly set forth in Board policies:*

- *There must be a recognition of the lack of individual authority by a Trustee, in interactions with the President, employees or students.*
- *There must be a recognition of the same limitation and inability of a Trustee to speak for or on behalf of the Board of Trustees in interactions with the public, press or other entities, unless specifically authorized to do so by a Board majority.'*

*Per the policy, I am obligated to notify you of said violations. As I am the target of said violation I will not be taking any action as Board Chair in this matter. Therefore, please govern yourself accordingly as Board Secretary and take appropriate actions per policy.*

*<https://patch.com/illinois/chicagoheights/prairie-state-board-member-calls-chair-resign-after-arrest>*

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Ms. Agee added that the policy states under the third bullet point under "violations of said policy:" upon disclosure, the Board Secretary will call a meeting within 30 days to consider the reported violation and to present the information for the basis of the violation. The Board Chair or Secretary shall notify all trustees of the reported potential violation 48 hours before the meeting (which the Board Secretary did). Following the presentation of the reported violation at the meeting, the trustee against whom the violation is reported may request a reasonable amount of additional time to respond. Following the response, the Board of Trustees shall determine by a majority of votes whether a potential or actual violation has occurred. The Board of Trustees shall, as appropriate, take public action to censure the behavior.

Ms. Agee stated that after reading the policy, the Board is at the point where Ms. Williams will be given additional time to respond which can be done at the next meeting. Ms. Williams said that was enough time. At the next meeting, this will be discussed and a majority of the votes will determine whether a potential or actual violation has occurred.

### Schedule for Future College Events

The Gala is scheduled for Saturday, October 20 on campus.

### ICCTA/ACCT Report

No report.

### Prairie State College Foundation Report

The report is included in the packet.

### Faculty Report

Mr. Schott said he appreciated talking to Mr. Stach. He apologized for missing the last couple of meetings. This will be his last board meeting because he is not running for re-election. Mr. Schott has been attending the meetings for 4-1/2 years and thanked the Board, the administration, and the staff.

The Board members thanked Mr. Schott for his service.

### Support Staff Report

Ms. Ricks, on behalf of support staff, thanked the Board for approving their new contract. This is the first time that the support staff has had 100% ratification of a contract.

## ADJOURNMENT

*Mr. Wiley moved and Mr. Shogunle seconded that the Board of Trustees adjourn the meeting. All members present voted Aye, and the meeting adjourned at 6:50 p.m.*

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Jacqueline Agee, Chair

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Dr. Ronald White, Secretary

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Patricia Gallagher Trost, Board Recorder