

### Clark College

### **Board of Trustees Regular Meeting**

Wednesday, August 25, 2021 at 5:00pm Via Zoom Zoom Link: Here

Meeting ID: 862 8540 1454 Password: 830866 Call In (253) 215-8782

# Board of Trustees Regular Meeting Packet Wednesday, August 25, 2021 at 5:00pm via Zoom

- I. Call to Order/Agenda Review Chair Strong
- II. Action Items/Consent Agenda Chair Strong
  - A. #1 June 9, 2021 Regular Board Meeting Minutes
  - B. #2 July 28, 2021 Board of Trustees Retreat Minutes
  - C. #3 2021-22 Calendar for Board of Trustees Executive Sessions, Work Sessions and Regular Meetings
  - D. #4 2021-22 Appointment of Board Officers and Committee Assignments
  - E. #5 Board Equity Statement
  - F. #6 Use of Discretionary Fund Balance

#### III. Constituent Reports

- A. ASCC No report for August (next report in September)
- B. AHE Suzanne Southerland
- C. WPEA Jenny Shadley
- D. Foundation Lisa Gibert
- IV. Reports from Board Members Chair Bennett
- V. President's Report President Edwards
- VI. Public Comment Chair Bennett

Public comment will be limited to two minutes each.

#### VII. Next Meeting

The next regular meeting of the Board of Trustees is currently scheduled for Wednesday, September 22, 2021 at 5pm via Zoom.

#### VIII. Executive Session – Chair Bennett

An Executive Session may be held for any allowable topic under the Open Public Meetings Act
A. Tenure Candidate Review per RCW 42.30.110(1)(g)

- IX. Action Item President's Evaluation/Contract Extension
- X. Adjournment Chair Bennett

# Clark College Minutes of the Regular Meeting of the Board of Trustees June 9, 2021 Via Zoom

#### In Attendance

Rekah Strong, Chair Jeanne Bennett, Vice Chair Cristhian Canseco Juarez, Trustee Paul Speer, Trustee

#### <u>Absent</u>

None.

#### Administrators

Dr. Karin Edwards, President

Dr. Michele Cruse, Interim Vice President of Student Services

Dr. Genevieve Howard, Interim Vice President of Instruction

Darcy Rourk, Interim Vice President of Human Resources

Sabra Sand, Interim Vice President of Administrative Services

Valerie Moreno, Chief Information Officer

#### Others

Tsering Cornell, Assistant Attorney General Suzanne Southerland, AHE President Chris Layfield, WPEA Steward Josiah Joner, ASCC President Lisa Gibert, CEO, Clark College Foundation Stephanie Weldy, Recorder

#### I. Call to Order/Agenda Review

Chair Strong called the meeting to order at 5:01pm.

#### II. Action Items

- A. #1 May 26, 2021, Board Meeting Minutes
- B. #2 2021-22 Budget
- C. #3 2021-22 Proposed SA Fee Budget
- D. #4 Adopting the Emergency Rule Changes to the Student Conduct Code by Adopting the Supplemental Title IX Student Conduct Procedures at WAC 132N-125-300 through 340

**MOTION:** Trustee Speer made a motion to approve Agenda Items II A-D. Trustee Canseco Juarez seconded the motion, and Agenda Items II A-D unanimously passed.

#### III. Constituent Reports

#### A. ASCC

President Joner gave an update on ASCC and highlighted the Oswald Awards that were hosted in person last week. President Joner highlighted some of the priorities that will be focused on next year are in regard to a sense of belonging for students and being back on campus. President Joner shared that two positions have been filled for ASCC leadership roles and that there will be more opportunities in the fall. President Joner shared his appreciation for Clark College and the Board of Trustees. The Board of Trustees acknowledged President Joner's hard work and congratulated him and wished him the best in his future endeavors.

#### B. AHE

Suzanne Southerland gave an update on AHE and summarized the year (Moss Adams Report, budget cuts/budget deficit, college climate).

#### C. WPEA

Chris Layfield gave an update on WPEA and highlighted input received from staff. Mr. Layfield shared the WPEA has ongoing grievances regarding communications and transparency. Mr. Layfield shared concerns about positions that are currently open, remaining open, and workload increasing for current classified staff.

#### D. Foundation

CEO Gibert gave an update on the Foundation and highlighted a summit with Ridgefield regarding Boschma Farms. CEO Gibert congratulated Clark College Class of 2021 for all their hard work.

#### IV. Staff Presentation, Sheri Terjeson, Financial Wellness Program Manager, Career Services

President Edwards introduced Sheri Terjeson, who presented a PowerPoint presentation highlighting student distribution and use of the CARES/HEERF funds. The Board shared their appreciation for Ms. Terjeson presentation and information regarding how these funds were allocated and utilized.

#### V. Reports from Board Members

Trustee Canseco Juarez shared that he participated in the Tenure Reception. Trustee Canseco Juarez shared that he attended a Board Equity Workshop and shared his appreciation for the Office of Diversity Equity and Inclusion (ODEI) and thanked Ms. Williams and Ms. Voyles for the training they provided.

Trustee Bennett shared that she attended the Tenure Faculty reception. Trustee Bennett shared her appreciation for Chair Strong and Trustee Speer and the equitable work they are doing regarding the Trustee recruitment process. Trustee Bennett gave her appreciation for Ms. Sabra Sand and all her work on the budget process. Trustee Bennett thanked Ms. Willard and her team at ODEI for their work. Trustee Bennett thanked Dr. Michele Cruse for creating student-centered approaches.

Trustee Speer shared about his work on the ACCT and the equitable selection and requirement process for Trustees that is being adopted. Trustee Speer shared that he was excited to participate in the June 17 Commencement in person. Trustee Speer shared that he attended the Tenure Reception. Trustee Speer shared his appreciation for the Dental Hygiene Community projects and

Computer Science Engineering project. Trustee Speer reminded the other Trustees about the monthly Trustee Tuesday events.

Chair Strong shared that the Board has been collectively working together in order to broaden the requirement process for future Trustees. Chair Strong shared that due to Trustee Jacobsen's passing, an open Trustee position announcement will be going out tomorrow, June 10, 2021.

#### VI. President's Report – President Edwards

#### A. President's Updates

President Edwards introduced Brad Avakian, Vice President of Human Resources. Mr. Avakian shared his background and that he was looking forward to working with the Board, and Clark employees. President Edwards shared that she attended the Tenure Reception, participated in the Oswald Awards reception and Commencement in-person. President Edwards thanked her colleagues and Clark staff for a tremendous year.

#### VII. Public Comment

The following people gave public comments: Courtney Braddock, Jennifer Ward and Ashley Groshong.

#### VIII. Next Meeting

The next meeting of the Board of Trustees is an all-day retreat, scheduled for Wednesday, July 28, 2021 at Clark Tech Center. The next regular meeting of the Board of Trustees is currently scheduled for Wednesday, August 22, 2021, at 5:00 pm via Zoom.

#### IX. Executive Session

The Board did not go into Executive Session.

#### X. Adjournment

There being no further business, the meeting adjourned at 6:49p m.

	Stephanie Weldy, Recorder
Rekah Strong, Chair	June 9, 2021

# Clark College Minutes of the of the Board of Trustees Retreat July 28, 2021 Clark Tech Center, Room 144

#### In Attendance

Rekah Strong, Chair Jeanne Bennett, Vice Chair Cristhian Canseco Juarez, Trustee Paul Speer, Trustee

#### <u>Absent</u>

None.

#### Administrators

Dr. Karin Edwards, President Rashida Willard, VP of Diversity, Equity and Inclusion

#### Others

Tsering Cornell, Assistant Attorney General Stephanie Weldy, Recorder Melissa Williams, Director of Student Equity and Inclusion

#### I. Call to Order/Agenda Review

Chair Strong called the meeting to order at 9:02am.

#### II. Ice Breaker

Chair Strong led the Board of Trustees in an Ice Breaker exercise.

#### III. Allyship in Action

Rashida Willard and Melissa Williams shared a PowerPoint presentation, "Allyship in Action" with the Trustees. The Board discussed a proactive plan in how they can demonstrate allyship as well as be an accomplice. Discussion included, defining Clark's "brand", proactively working with K-12 partners and proactively communicating messages regarding ways in which Clark is an ally.

#### IV. Executive Session –Performance Review of the President

The Board will convene in Executive Session under RCW 42.30.110(1) at 12:31pm for the following purposes: to evaluate the qualifications of an applicant for public employment OR to review the performance of a public employee; or for the purpose of evaluating (or reviewing the performance of) the President at this time for approximately 30 minutes. The meeting was extended 15 minutes until 1:30pm. The meeting was extended for 15 minutes until 1:45pm. There was no action during the meeting. At the conclusion of the executive session at 1:45pm the Board reconvened its retreat.

#### V. Review of Board Goals and Goal Setting for 2022 – Chair Strong

The Board of Trustees reviewed their goals from the September 2020 Board meeting. The Board also reviewed a proposed Equity Statement. The Board reviewed a proposed policy change regarding

610.025 (Appointment Procedures for President). Individual Board members will send suggested revisions to Ms. Weldy for a vote during the August Board of Trustees meeting. The Board reported that 80% of the Trustees attended the NW Equity Conference.

The Board discussed the potential of restarting monthly Superintendent meetings with President Edwards. The Board discussed a legislative breakfast in the fall (with the Trustees, President Edwards, and students). The Trustees acknowledged progress and discussed further developing the relationship between the College and the Foundation. The proposed revisions to the Memo of Understanding with the Foundation are also being reviewed.

#### VI. Appointment of Board Officers and Committee Assignments – Chair Strong

The Board of Trustees reviewed the proposed appointment of Board Officers and Committee Assignments. The Board will vote on officers and assignments at the August Board of Trustees meeting.

#### VII. <u>Facilitated Discussion – Dr. Andrea Cook</u>

Dr. Andrea Cook facilitated a conversation with the Board of Trustees regarding assessing the national trends of community colleges, Washington state demographics (K-12, birth rates, adult learners) post-COVID response to the changing needs of students, assessing Clark's challenges and opportunities and how Clark's core themes (academic excellence, social equity, economic vitality, environmental integrity) should connect to the mission statement. Dr. Cook provided an example of Warner Pacific's Strategic Plan, which shows the connection between their mission statement, core themes and strategic initiatives. The attendees of the retreat (Board, Executive Cabinet and CEO of the Foundation) broke out into (4) groups of (3) people to brainstorm a vision/mission statement.

The Board discussed next steps based on the work done today, including an Executive Cabinet retreat, developing a strategic plan and mission statement.

#### VIII. Public Comment

There was no public comment.

#### IX. Next Meeting

The next regular meeting of the Board of Trustees is currently scheduled for Wednesday, August 25, 2021, at 5:00pm via Zoom.

#### X. Adjournment

There being no further business, the meeting adjourned at 4:37pm.

Stephanie Weldy, Recorder
July 28, 2021

# Clark College Proposed 2021-2022 Board of Trustees Meeting Schedule

	Work Session Zoom/PUB 258 B&C	Board Meeting Zoom/Student Center				
August 25	3:30 pm	5:00 pm				
September 22	3:30 pm	5:00 pm				
October 27	3:30 pm	5:00 pm				
November 17 (Early due to Thanksgiving)	3:30 pm	5:00 pm				
December 9 (Early due to Winter Break)	3:30 pm	5:00 pm				
January 26	3:30 pm	5:00 pm				
February 23	3:30 pm	5:00 pm				
Review Tenure Notebooks TBD	President's Con	ference Room				
Tenure Executive Session(s) March 2	3:00pm-4:0	00pm, PCR				
March 9 (Tenure vote, Meeting early due to Spring Break)	3:30 pm	5:00 pm				
April 27	3:30 pm	5:00 pm				
May 25	3:30 pm	5:00 pm				
June 8 (Early due to Commencement)	3:30 pm	5:00 pm				
July 29 Retreat (Holding 9:00-5:00 as a placeholder)	Clark Tech Center					

BOT Approval: TBD Version Date 8/19/2021

## Nomination of Board Officers and Committee <u>Appointments</u>

Board policy 100.C20 states that in June of each year the Board shall elect from its membership a chair and vice-chair to serve for the ensuing year. The chair and vice-chair of the Board are elected for a term of one year and assume office on July 1.

1. Chair Jeanne Bennett

2. Vice Chair Paul Speer

Committee appointments to be made for (academic year) include:

Clark College Foundation Board of Directors

3. Foundation Board (Position #1): Jeanne Bennett

4. Executive Committee (Position #2): Rekah Strong

5. Board Chair/Vice Chair (BOD/BOT) Committee: Jeanne Bennett

Paul Speer

Legislative Action Committee Representative to Washington State Association of College Trustees (ACT)

**6. Primary:** Cristhian Canseco Juarez

7. Alternate: Jeanne Bennett

8. Facilities Master Plan Paul Speer

9. Guided Pathways Committee Cristhian Canseco Juarez

**10. Budget Committee** Paul Speer

Cristhian Canseco Juarez

**11. Strategy Committee** Paul Speer

Position #2

**12. Communications Response Team** Rekah Strong

Other Committees

**13. Social Equity Advisory Council** Position #1

The Board of Trustees of Clark College, in united solidarity, explicitly affirms the college's identity as an anti-racist institution. We commit to the development and implementation of strategies and best practices that dismantle systemic racism and other forms of systemic oppression within all aspects of our college. As the college's leading governing body, policy-setting group, and fiduciary agents, we commit to championing diversity, equity, and inclusion in all aspects of our work, and guiding and supporting the college to achieve equitable outcomes. We also commit to intentional actions, continued learning, and acknowledgement that there will be missteps during our journey. Nonetheless, we will persist and accept that responsibility toward meaningful cultural change and progress on diversity, equity, inclusion, and anti-racism rests on the shoulders of the college's top leaders and the Board of Trustees.

This work is essential to Clark College's ability to provide all members of our community with access to quality education and services, promoting economic and community development, and preparing a trained and readied workforce.

#### FOUNDATION OPERATING AGREEMENT

# AGREEMENT between CLARK COLLEGE and THE CLARK COLLEGE FOUNDATION

This Foundation Operating Agreement (this "Agreement") is entered into by and between Clark College, Community College District No. 14 (the "College"), and the Clark College Foundation, a Washington nonprofit corporation under RCW 24.03 (the "Foundation").

WHEREAS, the College, pursuant to RCW 28B.50.140(8), may receive such gifts, grants, conveyances, devises and bequests of real and personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out College programs; and

WHEREAS, the College has, from this express power to receive property, the implied power to solicit the same; and

WHEREAS, the College has the authority to enter into contracts for these and other lawful purposes; and

WHEREAS, the Foundation as a tax-exempt nonprofit corporation is organized and operated to receive and administer property for the exclusive benefit of the College and to make contributions, grants, gifts, and transfers of property to the College; and

WHEREAS, the Foundation is empowered by the College to solicit and receive contributions, grants, gifts, and property in the name and on behalf of the College and receive property and to make contributions, grants, gifts and transfers of property to the College; and

WHEREAS, the Foundation and College agree that the Foundation may, under prescribed conditions, accept Committed Gifts and Expectancies that have a primary purpose of benefiting the College and Completed Gifts that qualify for the exception to the exclusive benefit requirement (as set forth in the Gift Acceptance Policy); and

WHEREAS, the Articles of Incorporation of the Foundation set forth in Article 3 state the purpose of the Foundation to be as follows:

The Corporation is organized in order to: Operate exclusively for the purposes of promoting, supporting, maintaining, developing, increasing, and extending educational offerings and the pursuit thereof at or in connection with state community colleges operated by Clark Community College District No. 14, State of Washington, hereinafter referred to as 'District No. 14', except as provided in the Foundation Operating Agreement pertaining to Completed Gifts,

Committed Gifts, and Expectancies; and, in furtherance of the foregoing, to conduct any and all scientific, literary, charitable, and educational activities permitted both to an organization exempt under Section 501(c)(3) of the Internal Revenue Code, (hereinafter "Code"), or acts amendatory thereof or supplementary thereto, and by chapter 24.03 RCW, as now or hereafter amended.

The phrase "educational offerings" as used in this article shall be construed to mean and include all activities designed to: facilitate and/or enhance the cultural, educational, living, and operational conditions at District No. 14; establish, acquire, maintain, enlarge, and expand the curriculums, services, faculty, staff, and the real and personal properties of District No. 14; and, provide financial or other assistance to the students, faculty, and staff of District No. 14 in their efforts to acquire and/or provide an education.

The terms "Completed Gift, Committed Gift and Expectancy" shall be defined as follows:

- 1. "Completed Gift" means a transfer that is irrevocable, accepted by the Foundation and is used for wholly charitable purposes. Such gift may be outright, in trust or otherwise and may (or may not) be subject to terms and conditions.
- 2. "Committed Gift" means a transfer that is irrevocable, accepted by the Foundation and non-charitable and charitable beneficiaries each hold an interest (e.g., charitable remainder trust wherein a non-charitable beneficiary holds the present interest and the charitable beneficiary holds the remainder interest). In addition, such gift will be in trust or otherwise and will be subject to terms and conditions. Such gift will become a Completed Gift upon the occurrence of an event (e.g., death of a non-charitable beneficiary).
- 3. "Expectancy" means a revocable written plan to make a transfer to a charitable beneficiary in the future upon the occurrence of an event (e.g., death of the donor). Upon such event, the Expectancy will become a Completed Gift or a Committed Gift. And;

WHEREAS, the Foundation and College recognize that close collaboration and cooperation is necessary to (a) appropriately serve the educational mission and priorities of the College; and (b) to avoid competition for funds or unproductive duplication of effort;

NOW, THEREFORE, the parties hereby agree as follows:

#### I. SEPARATE OBLIGATIONS

#### A. The Foundation shall:

1. Expend its best efforts to seek to accrue gifts, grants, conveyances, devises, and bequests of money and real and personal property for the benefit of the College and in alignment with the College's established development priorities. For this purpose, it will design and implement a Gift Acceptance Policy approved by the College Board of Trustees to solicit and receive such money and property and also to acquire such property by purchase, lease, exchange or otherwise, all to further the purposes of the educational mission of the College as determined by the Board of Trustees in stated goals, objectives, and priorities;

- 2. Comply with all applicable federal and state laws. For this purpose, the Foundation will establish rules and procedures for the management of all affairs of the Foundation in accordance with (a) the requirements for tax-exempt entities under the federal Internal Revenue Code, including its section 501(c)(3), and (b) the laws of the State of Washington applicable to the Foundation including, but not limited to, those governing charitable solicitations (e.g., RCW 19.09), nonprofit corporations (e.g., RCW 24.03, RCW 23.95), trusts holding property for charitable purposes (e.g., RCW 11.110), serving as Trustee (e.g., RCW 24.03.035(18) and RCW 11.36.021), and the authority of state agencies (e.g., RCW 43.09);
- 3. Tender to the College immediately all gifts and donations it may receive wherein the College is designated as recipient, and properly account and be responsible for all donations which designate the Foundation as recipient;
- 4. Accept, hold, administer, invest, disburse, and dispose of such funds and properties of any kind or character as from time to time may be given to it, in accordance with the terms of such gifts. However, any restricted or conditional gift which in any way obligates the College shall not be accepted by the Foundation unless acceptance is (a) consistent with the Gift Acceptance Policy previously approved by the College, or (b) approved in writing by the College President or other College official specifically delegated with written authority to approve such gifts on behalf of the College;
- 5. Make contributions, grants, gifts, and transfers of property, both real and personal, either outright or in trust, to or for the benefit of the College;
- 6. Use all assets and earnings of the Foundation for the exclusive benefit of the College or for payment of necessary and reasonable administrative expenses of the Foundation, except as provided in Section I.A.9 pertaining to Completed Gifts, Committed Gifts, and Expectancies. No part of such assets and earnings shall accrue to the benefit of any director, officer, member, or employee of the Foundation or of any other individual, except for appropriate payment of reasonable compensation for services actually rendered or reimbursement of reasonable expenses necessarily incurred;
- 7. Not merge, consolidate, or change the Foundation's Articles of Incorporation without the written consent of the College;
- 8. Act in cooperation with the College faculty and staff and Foundation staff shall conduct themselves in accordance with the College's operational policies and procedures as determined by the College Board of Trustees.
- 9. Notwithstanding any other provision of this Section I.A., may establish or accept and administer Completed Gifts, Committed Gifts, and Expectancies, subject to the applicable provisions of state law. Completed Gifts, Committed Gifts, and Expectancies will be accepted only pursuant to and consistent with a Gift Acceptance Policy adopted by the Foundation. Provided, such Gift Acceptance Policy shall be approved in writing by the College Board of Trustees.

#### B. The College shall:

- 1. Allow the Foundation to continue to use the College's name in fundraising activities providing that Foundation activities are consistent with the terms of this Agreement and with the Foundation's Articles of Incorporation, as now on file with the Secretary of State or as later amended, following approval of amended Articles of Incorporation by the College.
- 2. Provide the Foundation with use of supplies and services as reasonably required for its operation as outlined in the annual budget developed on **Schedule 1** as described in Section III.E herein.
- 3. Make College employees available, as necessary and appropriate, to assist the Foundation in executing its development programs. The time allocated to services to the Foundation shall not be full-time for any College employee.

#### II. ACCOUNTING AND AUDITING

To provide proper accounting and auditing for the property and services provided by each party under Article I of this Agreement:

- A. Accounting and fiscal functions for the Foundation are performed by the Foundation.
- B. The Foundation is a separate entity from the College, and it shall be periodically audited by a reputable independent accounting firm.
- C. The College is a state institution of higher education, and it shall be audited by the State Auditor's Office.
- D. The Foundation shall annually confirm to the College (1) that it has fully complied with its obligations to expend its best efforts to seek to accrue gifts, grants, donations and endowments for the benefit of the College; and (2) that it has used all assets and earnings of the Foundation for the exclusive benefit of the College or the payment of necessary and reasonable administrative expenses of the Foundation, except funds held pursuant to Section I.A.9. For this purpose, the Foundation will list its accomplishments for the preceding year and share with the College its revenue and expense statements for the preceding year and its end-of-year balance sheet.
- E. Notwithstanding the independent status of the Foundation and the College, the parties agree that in order to fully accomplish their respective missions, the Foundation and the College must cooperate and support each other. The Foundation and the College agree that each entity will provide the other with certain services, facilities, equipment, personnel, or other items of value to carry out the purpose of this Agreement. The value exchanged by the Foundation and the College constitute in part the consideration for this Agreement. The value of all space and equipment, supplies, personnel, and other services which the College provides to the Foundation shall not exceed the total amount agreed upon by the College and the Foundation in Scheule 1 in any fiscal

year. Schedule 1 shall be negotiated annually. The College business office will annually prepare, and the Foundation Executive Director and the College President and/or their authorized designees will annually review, a post-closing summary of the transactions between the two parties to assure that this maximum has not been exceeded.

- F. The Foundation shall cooperate fully with any request for review of the Foundation financial records for the sole purpose of ensuring compliance with this Agreement, including permitting the College President or designee to inspect and copy financial records.
- G. The College President, on an annual basis, shall provide evaluation and feedback to the Foundation Board Chair on the performance of the Foundation Executive Director. The College President shall participate in any committee of the Foundation's Board of Directors created to recruit and/or hire the Foundation Executive Director.

#### III. OTHER AGREEMENTS

- A. Trade Secrets The parties agree that the Foundation's donor list and donor information constitute "trade secrets" as these (i) are fundamental to the Foundation's purpose and business, (ii) are not known or readily accessible by competitors including other institutions of higher education, (iii) have commercial value, (iv) provide the Foundation with a competitive advantage in the marketplace for grants and donations, and (v) the Foundation makes reasonable efforts to not disclose and maintain the secrecy of this information.
- B. Data Sharing and Security Agreement: The parties each acknowledge that they may be provided access to the other party's confidential data, including trade secrets and FERPA protected student information; and each agrees that it and its vendors shall abide by a Data Sharing and Security Agreement (Attachment A), which may be amended from time to time. For any data shared with the Foundation, the Foundation agrees to manage student records obtained from the College in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 USCA §1232g, guidelines and will not disclose student records to third-party vendors for those entities' further commercial use of the information. The Foundation further agrees that employees accessing student records shall abide by the same policies that the College requires of its employees using similar student records.
- C. <u>Independent Capacity</u>: At all times and for all purposes of this Agreement, each party shall act in an independent capacity and not as an agent or representative of the other party.
- D. <u>No Indemnification</u>: Each party shall be responsible for the actions and inactions of itself and its own officers, employees, and agents acting within the scope of their authority.
- E. <u>No Assignment</u>: This Agreement is not assignable, by either party, in whole or in part.
- F. <u>Governing Law and Disputes</u>: This Agreement shall be governed by the laws of the State of Washington. Before instituting any legal action hereunder, a party, through its President, shall meet with the President of the other party and attempt in good faith to resolve the disagreement. Venue of any action hereunder shall be in Clark County Superior Court.

- G. <u>Entire Agreement</u>: This Agreement constitutes the entire agreement of the parties, including all oral understandings, on the subject of their general and overall relationship. However, the parties may enter into other stand-alone agreements on specific subjects. All such other agreements shall also be in writing, signed by the parties, and approved as to form by the Attorney General or designee.
- H. <u>Modification</u>: No alteration or modification of any term of this Agreement shall be valid unless made in writing, signed by the parties, and approved as to form by the Attorney General or designee.

I. .

J. <u>Termination</u>: This Agreement shall expire four years from the date this Agreement is fully executed and shall automatically renew unless otherwise terminated as provided herein. This Agreement may be terminated by either party only at the end of a State fiscal biennium, upon written notice to the other party given at least ninety (90) days in advance. However this Agreement or a successor overall agreement with the College shall be necessary for the Foundation to operate.

IN WITNESS WHEREOF, this Agreement has been executed by and on behalf of the parties on this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_.

CLARK COLLEGE FOUNDATION	CLARK COLLEGE
Ву	Ву
, Chair Foundation Board of	, Chair College Board of Trustees
Directors	
	Approved as to form:
	Assistant Attorney General

## WPEA/UFCW Local 365, Clark College Unit

Board Report for August 2021

#### **MEETINGS**

WPEA Steward meeting on Mondays 12:00 PM
WPEA members meetings on Third Thursday evenings
Classified Staff Forum with Dr. Edwards on August 23, 2021

#### COMMUNICATION

Current contact for campus stewards:

#### Co-Chief Shop Stewards

Courtney Braddock	360-992-2196
Chris Layfield	360-992-2933

#### **Communications Officer**

**David Sims** 360-992-2132

#### Shop Stewards

Josh ChambersMS: FST034Angela Dawson360-992-2515Becky Lindsay360-992-2575Danielle Plesser360-992-2273

#### WPEA Classified Staff News:

The Clark College WPEA would like the Board of Trustees to know that we appreciate having the opportunity to speak with you on important matters.

- The WPEA Steward Council wants to congratulate the college on another successful Teaching and Learning days. Also a big thank you to classified staff for contributing their expertise to the event.
- Congratulations to Jordan De Van, Program Specialist in Enrollment Services, for winning the Summer Quarterly Classified Staff Award.
- The Union would like to acknowledge that the conversion to remote operations was done
  as quickly as we could back in 2020. Returning to the "new normal" will be more
  complicated due to new regulations, new revelations, and new modalities. We hope that
  these factors are kept in mind as we all work towards transitioning back to campus in a
  safe and healthy way.
- The Union would also like to speak about the work we're doing to address issues of
  hostile work environments at Clark. Several classified staff members have recently left
  the college because of the hostile environment in their departments. The WPEA is
  hopeful that we can work with the college to make Clark a desirable place for staff to
  work again.

- The WPEA would like to take this opportunity to address a concern we have about supervisory training. Several years ago, the College made it mandatory that supervisors complete a certain amount of supervisory specific training. Even before the Covid Pandemic, these trainings went from few and often cancelled, to non-existent. Proper supervisory training is essential to a functioning organization, and will decrease unnecessary conflict.
- Finally, the WPEA and CCAHE are working on putting together another Covid-19
   Vaccination clinic. Previous clinics have been successful in getting more of our College
   community vaccinated, and we are looking forward to another similarly successful
   endeavor.

#### Clark College Foundation Board of Trustees Report August 2021

Welcome back Penguin Nation and I hope everyone has been having a lovely summer. The Foundation has been busy closing out FY 2021 and deep into planning for the events and activities that will take place in FY 2022. We are excited about this fiscal year as we plan to wrap up Promising Pathways, the Campaign for Clark College. This year will focus on some specific earmarked initiatives within the campaign, then position the Foundation to consider planning for what will come next. This work will be critical as the college begins to focus in on institutional priorities which will inform and guide our future planning. Regardless, our work is clear, and we are anxious to wrap up this campaign and provide additional resources that are critically needed for the success of Clark College and its constituency.

The following represents aspects of the foundation that directly relate to the institutional goals of Clark College.

#### 1. Improve Student Success

Over the summer, the foundation has been pleased to have conducted a few engagement related activities in partnership with the college involving financial wellness and work-based learning. These two areas of focus are particularly of interest within the guided pathways framework and could provide opportunities for public private partnerships in the area of assisting students to bridge their academic experience with work and life challenges. Numerous community leaders have already committed to support the financial wellness program (a consortium of banks and credit unions) through offering of curriculum, guest speakers or other resources. Corporate leaders are also stepping forward to offer positions within their companies so that students can begin the process of applying their educational experience to a work environment. Some have committed to providing multi-year funding to allow Clark College to hire an employee who will act as a general employment navigator. There has been much conversation around this possibility, and we are eager to obtain the final funding commitment needed so that the position can be posted.

#### 2. Achieve Financial Stability

Recognizing the challenges that COVID placed on both institutions and students this past eighteen months, the foundation has worked directly with the academic programs and other administrators to remain flexible in providing the FY budgeted resources available. As certain activities curtailed, the foundation approved (where possible), the designation of certain resources so that those funds could benefit the institution within identified areas with the highest and greatest needs.

In addition to evaluating funding available through the end of FY 21, the foundation continued to work with academic programming to ensure their

ability to serve students this Fall. One case involved Dental Hygiene and the recognition of a failing vacuum system within the clinic. Once the problem and solution had been identified, the foundation could seek to find the necessary funding needed to keep the clinic fully operational. I am pleased to say that two local foundations met the call to action providing the funding necessary to secure the equipment and its installation. I appreciate the support so generously provided by the Firstenburg Foundation and the Price Foundation to make sure this important program stays fully operational.

#### 3. Improve Campus Climate

Two areas of emphasis are notable. First, the foundation is reviewing a recently updated draft of an operating agreement (memorandum of understanding) between the college and the foundation. This draft was prepared by the Attorney General's office and has been forwarded to the foundation for input. Currently, the draft is under review and feedback should be forthcoming within the next 30 days. The foundation deeply appreciates the work that has gone into this document, and we look forward to completing the work and establishing the baseline for the mutual support and cooperation between institutions.

Secondly, the foundation is working with "Shirts Across America" to participate in board and staff related diversity, equity and inclusion training. This training is tentatively scheduled for the Board to commence in September and conclude in October. We are planning for these sessions to be conducted in person so that deep engagement between participants can occur. Based on the training provided to the board, foundation staff will receive its own training catered to the specific needs and topics affiliated staff and foundation operations. The foundation recognizes the importance of this work and staff continues to seek additional training as offered through Clark College and other organizations. Recently, staff participated in a Washington state meeting of advancement professionals and this topic was a key factor in many of the conversations in how our work is changing. Reliance on the network of these professionals within our community college foundations has been extremely helpful to begin to make policy and procedure changes necessary to mitigate systemic bias within our work.

#### 4. Expand and Deepen Community Engagement

With summer, many of our development staff have reinitiated face to face contact with donors, community leaders and other advocates. These meetings have been greatly appreciated given the pent-up desire for interaction. Last week, Dr. Edwards was the featured speaker for the downtown Vancouver Rotary Club, and it was so nice to see her getting the opportunity to openly engage with the community in a venue that was not based in a virtual environment. We hope to continue these opportunities but recognize the situation with the Delta variant remains volatile.

Respectfully submitted,

Lisa Gibert, CEO Clark College Foundation August 18, 2021

Attachments: Annual Giving Comparison Committed Gifts Report Development Dashboard Financial Dashboard



#### Clark College Foundation Annual Giving Comparison as of June 30, 2021

	FYTD21	FY20	FY2019	FY18
ТҮРЕ				
Cash/Stock/Property	\$1,962,206	\$1,641,506	\$3,141,424	\$3,135,080
Pledge	\$9,950	\$1,793,527	\$884,101	\$100,134
In-kind	\$39,947	\$152,459	\$65,868	\$41,124
Deferred Irrevocable at Face Value*	\$0	\$920,000	\$4,911,732	\$202,012
TOTAL	\$2,012,103	\$4,507,492	\$9,003,125	\$3,478,350
SOURCE				
Board Members (includes ex officio)	\$80,912	\$48,877	\$193,438	\$95,345
Employees	\$54,226	\$53,092	\$53,491	\$36,108
Alumni	\$159,251	\$259,752	\$442,462	\$1,076,036
Friends	\$305,520	\$1,257,325	\$5,261,304	\$573,074
Estates	\$295,348	\$25,165	\$1,561,492	\$137,717
Family Foundations and Trusts	\$436,587	\$915,811	\$806,115	\$850,600
Corporate & Community Foundations	\$366,556	\$1,302,934	\$343,691	\$499,208
Corporations/Other Organizations	\$203,071	\$316,239	\$329,989	\$204,012
Government Entities	\$110,631	\$329,396	\$11,144	\$6,249
TOTAL	\$2,012,103	\$4,507,492	\$9,003,125	\$3,478,350
PURPOSE				
Current Use				
Unrestricted	\$284,314	\$265,260	\$129,599	\$386,459
Faculty Support	\$0	\$0	\$0	\$0
Programs/Other	\$465,351	\$1,659,273	\$519,077	<b>\$</b> 317,735
Scholarships	\$620,817	\$499,524	\$1,640,585	<b>\$722,</b> 553
Sponsorships	\$37,500	\$33,400	\$86,100	\$15,884
Technology/Equipment	\$0	\$0	\$0	\$0
Endowed				
Unrestricted	\$0	\$0	\$0	\$0
Faculty Support	\$0	\$0	\$0	\$0
Programs/Other	\$42,932	\$250,154	\$180,880	\$80,243
Scholarships	\$511,188	\$879,880	\$1,522,552	\$1,746,954
Technology/Equipment	\$0	\$0	\$0	\$0
Capital				
Culinary	\$50,000	\$0	\$12,600	\$6,510
STEM	\$0	\$0	\$0	\$0
Programs/Other	\$0	\$0	\$0	\$0
Deferred Irrevocable at Face Value*				
Programs/Other	\$0	\$920,000	\$4,911,732	\$202,012
TOTAL	\$2,012,103	\$4,507,492	\$9,003,125	\$3,478,350
*Number of irrevocable gifts secured	0	0	0	0
Deferred Revocable at Face Value	\$0	\$0	\$0	0

# Clark College Foundation Campaign with Grant Awards Committed Gifts Report

By Campaign Initiative
July 1, 2015 - June 30, 2021

		ndowment		Current	Capital			rrevocable lanned Gift		In Kind		Total
Scholarships (\$16 MM)			<u>i</u>									
FLEX	\$	-	\$	54,350	\$	-	\$	4,157,939	\$		\$	4,212,289
Unit / Program Based	\$	5,099,129	\$	3,778,245	\$	-	\$	328,806	\$	5,577	\$	9,211,757
Foundation Unrestricted	\$	-	\$	366,098	\$		\$	-	\$		\$	366,098
Guided Pathways (\$3 MM)			i	711111111111111111111111111111111111111			<u> </u>				H	
Professional Development	\$	_	\$	45,710	\$		\$		\$		\$	45,710
Personnel	\$	_	\$	_	\$	-	\$		\$	_	\$	-
Financial Literacy	\$	_	\$	49,100	\$		\$		\$	-	\$	49,100
Technology / Equipment	\$	-	\$		\$	50,000	\$		\$		\$	50,000
Smart Classrooms	\$	_	\$	_	\$		\$		\$	-	\$	-
Program	\$	-	\$	757,381	\$	-	\$	60,000	\$	5,446	Ś	822,827
Veteran's Resource Center (\$2 MM)											<u> </u>	
Emergency Fund	\$	-	\$	54,255	\$	_	\$	-	\$		\$	54,255
Transportation / Childcare	\$		\$	~	\$		\$		\$		\$	<u> </u>
Professional Development	\$	_	\$	_	\$	-	\$	_	\$		\$	-
Transition Boot Camp	\$	-	\$		\$	-	\$		\$		\$	-
Program	\$	250,000	\$	1,121,361	\$	_	\$	-	\$	14,921	\$	1,386,282
Culinary (\$8 MM)												
Personnel	\$	-	\$		\$		\$		\$		\$	-
Facilities	\$	-	\$	-	\$	4,863,010	\$	297,000	\$		\$	5,160,010
Equipment	\$	-	\$	_	\$		\$	-	\$		\$	-
Program	\$	-	\$	48,641	\$	-	\$	_	\$	19,862	\$	68,503
Other (\$7MM)			!						<u> </u>	,	Ė	
Restricted	\$	235,231	\$	1,591,823	\$	331,165	\$	360,819	\$	426,577	\$	2,945,615
Unrestricted	\$	_	\$	1,858,254	\$	-	\$	939,953	\$	129,320	\$	2,927,527
Total (\$35+ MM)	\$	5,584,361	١	9,725,217	\$	5,244,175	\$	6,144,517	\$	601,703		27,299,973



#### **Dashboard**



#### Strategic Initiatives:

Development			
Strategic Alignment	Current fiscal	Prior fiscal	Prior fiscal
Fiduciary Responsibility	year to-date	year to-date	year
Board Relations			
Fiscal year	7/1/2020 - 6/30/2021	7/2/2019 - 6/30/2020	7/1/2019 - 6/30/2020
Total number of donors	962	1,554	1,569
Number of new donors acquired	256	596	597
Number of new major gift donors acquired	14	14	14
Number of \$1,000+ donors	176	188	194
Number of confirmed irrevocable planned gifts	0	2	5
Number of confirmed revocable planned gifts	0	0	0
Foundation board participation	100%	88%	88%
College trustee participation	100%	80%	80%
Executive Cabinet participation	83%	100%	100%
Alumni Board participation	82%	73%	73%
Foundation staff participation	100%	100%	100%

Soft credits are considered in this report, giving each constituent credit for gifts directly from them as well as gifts from a spouse/partner, personally-owned business, individual foundation or trust, donor choice program or donor advised fund.

Major gift donor is defined as a donor with a total gift commitment of \$10,000 or more during a single fiscal year. Matching gift commitments are considered in the donor's giving total.

Gift types considered: cash, recurring gift payment, pledge, property/stock, in-kind.



## Draft - Financial Dashboard as of June 30, 2021

(per-audited numbers)

Contributions	/Donations	Received
---------------	------------	----------

Contributions/	1973 - Present							
	Year to Date		 6/30/2020	6/30/2019			6/30/2018	Life to date
Unrestricted	\$	343,228	\$ 578,482	\$	586,858	\$	644,781	
Temp. Restricted		1,236,007	1,967,355		1,546,038		2,096,785	
Perm. Restricted	***	547,837	829,171		6,582,984		1,752,797	
Total	\$	2,127,072	\$ 3,375,008	\$	8,715,880	\$	4,494,363	\$ 110,293,207

		Year	to Date			6/3	0/20	020	6/3	30/	2019	6/30/2018			197	3 - Present
	Uni	restricted	Ten	np Restricted	Un	restricted	Ter	np Restricted	Unrestricted	Te	emp Restricted	Unrestricted	Temp	Restricted	Li	fe to date
College Support Expended																
Program	\$	151,217	\$	1,579,179	\$	976,128	\$	1,560,584	\$ 1,261,029	Ś	1,440,268	\$ 1,277,260	\$	604.187	ć	42,612,658
Scholarships/Scholarship Management		8,503		1,222,508		17,789		1,236,826	17,622	•	1,174,984	8,210	٣	960.649		14,687,376
Capital projects-NC/STEM/Dent. Hyg./Oth.		-		-	;	1,625,936		-			· · ·	-		603,265		15,612,790
Boschma Farms land acquisition		-				-		•	2,082,091		-	444,444				4,306,786
Total	\$	159,719	\$	2,801,686	\$ :	2,619,852	\$	2,797,410	\$ 3,360,742	\$	2,615,252	\$ 1,729,914	\$	2,168,101	\$	77,219,610

Scholarships	YTD	6/30/2020	6/30/2019	6/30/2018	6/30/2017
Number of students receiving awards	611	575	561	516	421
Clark College Students (Fall excl. Running Start)	6,220	9,430	10,461	10,478	10,427

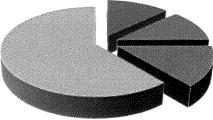
**Net Assets by Type** 

\*Cost of tuition (2020-2021). 12 credits for 3 qtrs. = \$3,916. Lower division courses. Excludes books or addtl. fees such as nursing, labs, etc.\*

#### **Net Assets by Type**

Net Assets	\$ 118,819,74	
Permanently Restricted	-	70,914,692
Temporarily Restricted		16,854,376
Board Restricted		13,603,969
Unrestricted	\$	17,446,707





- Unrestricted
- Board Restricted
- **Temporarily Restricted**
- Permanently Restricted

#### Clark College - Budget Status Report 6/30/2021

Sources of Funds	2020-21	Revenues		% Budget
(Revenues)	Budget	to Date	Difference	Received
Operating Accounts	-			
State Allocation	42,483,464	41,565,586	(917,878)	97.8%
Tuition & ABE	14,531,312	16,026,393	1,495,081	110.3%
Running Start	14,467,068	14,709,834	242,766	101.7%
Planned use of prior fund balance	-	-	-	0.0%
Dedicated, matriculation, tech, cont ed	4,952,764	5,017,139	64,375	101.3%
Total Operating Accounts	76,434,608	77,318,951	884,343	101.2%
Other Accounts				
Grants	10,952,369	5,623,806	(5,328,563)	51.3%
Contracts	1,518,631	3,145,979	1,627,348	207.2%
Internal Support & Agency Funds	1,029,034	620,624	(408,410)	60.3%
ASCC	1,972,161	1,761,545	(210,616)	89.3%
Bookstore	4,168,159	2,766,552	(1,401,607)	66.4%
Parking	477,524	356,366	(121,158)	74.6%
Campus Food Service	-	-	0	0.0%
Auxilliary Services	2,454,838	2,667,404	212,566	108.7%
Financial Aid	23,036,478	20,470,105	(2,566,373)	88.9%
Total Other Accounts	45,609,194	37,412,382	(8,196,812)	82.0%
Total Sources of Funds	122,043,802	114,731,333	(7,312,469)	94.0%

		Encumbrances		
Uses of Funds	2020-21	Expenditures		% Budget
(Expenses)	Budget	to Date	Difference	Spent
Operating Accounts	-			-
President	759,471	756,720	2,751	99.6%
Vice President of Diversity, Equity & Inclusion	614,238	551,000	63,238	89.7%
Vice President of Instruction	48,004,408	43,086,475	4,917,933	89.8%
Vice President of Administrative Services	10,547,770	10,184,262	363,508	96.6%
Vice President of Student Affairs	9,180,203	8,562,627	617,576	93.3%
Chief Information Officer	5,461,803	4,847,234	614,569	88.7%
Chief Communication Officer	805,948	741,728	64,220	92.0%
Vice President of Human Resources and Compliance	1,262,355	1,088,433	173,922	86.2%
Bank/CC Fees/Turnover savigns budget reduction	(201,588)	287,934	(489,522)	0.0%
Total Operating Accounts	76,434,608	70,106,411	6,328,197	91.7%
Other Accounts				
Grants	10,952,369	5,038,049	5,914,320	46.0%
Contracts less Running Start	1,518,631	1,514,814	3,817	99.7%
Internal Support & Agency Funds	1,029,034	606,433	422,601	58.9%
ASCC	1,972,161	997,978	974,183	50.6%
Bookstore	4,168,159	2,442,508	1,725,651	58.6%
Parking	477,524	290,275	187,249	60.8%
Campus Food Service	-	50,236	(50,236)	0.0%
Auxilliary Services	2,454,838	2,350,877	103,961	95.8%
Financial Aid	23,036,478	20,180,780	2,855,698	87.6%
Total Other Accounts	45,609,194	33,471,951	12,137,243	73.4%
Total Uses of Funds	122,043,802	103,578,362	18,465,440	84.9%
Difference - Excess (Deficiency)	<b>-</b> _	11,152,971		

c. Dr. Karin Edwards, Sabra Sand, Michele Cruse

e. Cindi Olson, Nicole Rogers-Marcum, Sabra Sand, Stephanie Weldy Sabra Sand 8/11/21

#### CLARK COLLEGE Cash Balances as of July 1, 2021

		Cash Balance 6/30/21	Cash Balance (minus dedicated cash & liabilities) 6/30/21	Required Reserves	Prior Commitments (prior to 7/1/21)	New Commitments (2021/22)	Total Available Cash
145/146	Grants and Contracts*	7,880,261	10,190,241		39,186	517,482	9,633,573
147	Local Capital	54,287	-		00,100	017,402	-
148	Dedicated Local	4,682,498	22,461		_		22,461
149	Operating Fee	163,870	12,056				12,056
448	Print/Copy Machine	105,491	101,910				101,910
460	Motor Pool	109,113	108,443				108,443
522	ASCC	2,603,793	, -				· <del>-</del>
524	Bookstore	5,128,351	4,963,092		-		4,963,092
528	Parking	539,189	532,013				532,013
569	Food Service	(1,608)	(3,876)				(3,876)
570	Other Auxiliary Enterprise	1,068,403	475,257		36,315		438,942
790	Payroll (clearing)	(5,101)					-
840	Tuition/VPA*	281,864					-
846	Grants - Fin Aid	(61,828)					-
849	Student Loans	(288,775)					-
850	Workstudy (off-campus)	(116,892)					-
860	Institutional Financial Aid Fur	418,381					-
	Reserves**			7,609,380		-	(7,609,380)
	Totals	22,561,296	16,401,597	7,609,380	75,501	517,482	8,199,233



August 25, 2021

Dear Dr. Edwards,

Trustees Rekah Strong, Paul Speer, Cristhian Conseco Juarez, and I would like to commend you on your productive first year as President of Clark College. As you know, we conducted an evaluation discussion during our Board of Trustees Retreat on July 28, 2021. This letter is a summary of that discussion.

Dr. Edwards has done an excellent job in her first year as President of Clark College. Prior to Dr. Edwards joining the team, the college, like all organizations, was undergoing a dramatic and unprecedented worldwide pandemic. Dr. Edwards joined a college with a significant budget, enrollment, and morale challenges, but no students or faculty were on campus, and very few staff maintained an occasional presence. Managing a new position from one's home office in one's first year as President must have been incredibly difficult, and yet, Dr. Edwards accomplished a significant amount of work with grace and quiet determination.

The Trustees would like to commend Dr. Edwards on the following:

- Implementation of successful shared governance, with particular attention to the college budget.
- Frequent, positive, and productive communication to college students, staff, faculty, Trustees, and the community.
- Demonstrating understanding of the college community's needs and acting to resolve issues and barriers for students and others.
- Rebuilding Executive Cabinet with a clear emphasis on building a team that sets high standards works well together and is aligned towards designated goals.
- Consistent focus on equity and anti-racist policies and procedures.
- Consistent use of data to drive decisions.
- Successful new relationships with and improved outreach to the community, Clark College Foundation, businesses, and community organizations.



Trustees recognize that there is significant work ahead and would like to support Dr. Edwards as she continues focusing on the goals set in 2020, including improving student success, achieving financial stability, improving campus climate, and expanding and deepening community engagement. Within these categories, we encourage Dr. Edwards to work toward a 2022-2027 Strategic plan; increased student recruitment and retention with additional focus on Running Start students; rebuilding the Executive Cabinet; successful accreditation; developing and implementing a strategic communication plan; and, seeking opportunities for personal, professional development, coaching, and networking groups.

We wish to thank Dr. Edwards for an exceptional first year, and we look forward to continued success.

Sincerely,

Jeanne Bennett Chair, Clark College Trustees

#### **ADDENDUM**

# STATE OF WASHINGTON CLARK COLLEGE COMMUNITY COLLEGE DISTRICT NO. 14 EMPLOYMENT CONTRACT

This addendum to Dr. Karin Edward's employment contract extends the appointment on June 21, 2020 through midnight, June 30, 2024. The annual salary shall be \*\*\* Dollars (\$\*\*.00), effective September 1, 2021 and subject to whatever increases may be provided by the Board periodically during the term of the contract.

	Executed this	day of August, 2	2021.
Jeani	ne Bennett, Chair, for a	and on behalf of,	
Boar	d of Trustees of Comm	nunity College Distric	t No. 14
Acce	epted:		
—— Kariı	n Edwards, President		
Com	munity College Distric	et No. 14	