The 598th meeting of the Board of Trustees of Community College District 535 was held on Tuesday, September 19, 2006, at Oakton Community College, Des Plaines, IL.

Call to Order and Roll Call

Mr. Wadhwa called the meeting to order at 6:15 p.m. in room 1503 and the roll was called:

- Mr. Wadhwa Chair Present
- Dr. Rosen Vice Chair Present
- Mr. Williams Secretary Present
- Dr. Alexopoulos Present
- Dr. Barshis Absent
- Mr. Collins Present
- Dr. DiLeonardi Present
- Mr. Emmanuel Student Trustee Present

Closed Session

Dr. DiLeonardi offered a motion to go into closed session for the purpose of considering the appointment, employment, compensation, discipline, performance or dismissal of employees, litigation, lease of property, and collective negotiating matters. Dr. Alexopoulos seconded the motion; a voice vote was called and Mr. Wadhwa, Dr. Rosen, Mr. Williams, Dr. Alexopoulos, Mr. Collins, Dr. DiLeonardi, Mr. Emmanuel, Dr. Lee, Mr. Chirempes, Dr. Hamel, Ms. Lucas, Ms. Rizzo, Dr. Smith and Mr. Oudenhoven went into a closed session at 6:15 p.m. in Room 1503.

Mr. Wadhwa offered a motion to adjourn the closed session. Dr. Rosen seconded the motion; a voice vote was called and the meeting was adjourned at 7:25 p.m.

Call to Order and Roll Call

Mr. Wadhwa reconvened the 598th meeting of the Board of Trustees at 7:31 p.m. in room 1506 and Secretary Williams called the roll:

- Mr. Wadhwa Chairman Present
- Dr. Rosen Vice Chairman Present
- Mr. Williams Secretary Present
- Dr. Alexopoulos Present
- Dr. Barshis Absent
- Mr. Collins Present
Also in attendance were Dr. Margaret Lee, Mr. George Chirempes, Dr. Thomas Hamel, Ms. Bonnie Lucas, Ms. Barbara Rizzo, Dr. Joanne Smith, Mr. Joseph Appel, Mr. Maurice Archer, Ms. Robyn Bailey, Dr. Kalyani Banerjee, Dr. Trudy Bers, Mr. Richard Bolinder, Ms. Michele Brown, Mr. Perry Buckley, Mr. Timothy Davidson, Ms. Marilyn Davis, Mr. Barry Dayton, Dr. Carlee Drummer, Mr. Jorell Espinosa, Ms. Carla Ferguson, Mr. Majid Ghadiri, Ms. Avis Gibons, Mr. Dennis Graham, Mr. Paul Grassman, Ms. Valerie Green, Ms. Laurie Gunning, Mr. Steve Hanan, Dr. Mary Johannesen-Schmidt, Mr. Keith Johnson, Ms. Katarina Karac, Mrs. Veronica Karac, Mr. Brendan Kelly, Ms. Linda Korbel, Ms. Heather Miller, Mr. Gary Mines, Mr. Jeffrey Moro, Ms. Susan Moser, Mr. Dale Navigato, Mr. D. Arnie Oudenhoven, Mr. William Paige, Mr. Timothy Raetzman, Ms. Barbara Reinenking, Mr. Paul Sanburg, Ms. Sheila Schulman, Ms. Doreen Schwartz, Mr. Mark Sprecher, Ms. Cheryl Warmann, Ms. Diana Wendt, Mr. Robert Whitman, Mr. Bradley Wooten and Mr. Cliff Zimmerman.

Ms. Jillian Verstrate represented the Classified Staff Association; Ms. Barbara Dayton represented the Adjunct Faculty Association; and Dr. Laura Saret represented the Full-time Faculty Association.

Ms. Patricia Dalzell was present as recording secretary to the Board.

**Pledge of Allegiance**

Dr. Thomas Hamel led the Pledge of Allegiance.

**Approval of the Minutes of August 15, 2006, Meeting**

Dr. Alexopoulos offered a motion for approval of the minutes of the August 15, 2006, meeting. Dr. Rosen seconded the motion. A voice vote was called, and the Minutes of the August 15, 2006, meeting were approved.

**Statement by the President**

Dr. Lee congratulated Oakton student Katarina Karac of Skokie, a KFC Corporation Colonel’s Kids Foundation scholarship winner. She stated that this new scholarship program awards students up to $20,000 over four years to pursue a Bachelor’s degree. Dr. Lee noted that Ms. Karac was one of only 50 national winners selected from a pool of more than 100,000 applicants from across the country. Mr. Wadhwa presented Ms. Karac with a plaque honoring her achievement. The presentation was followed by a loud round of applause.

President Lee stated that Oakton, together with Illinois State University, has a partnership with the International Center on Deafness and the Arts (ICODA), an organization that provides access to educational resources and professional arts opportunities for the deaf and hearing impaired. She explained that Oakton recently hosted an ICODA gala event at the Des Plaines Campus and
read a message sent by Kathy Herman, Executive Director of ICODA’s Arts Program to Lynn Seinfeld.

Thanks for all your help and support over the last few months in regard to the Benefit. I can’t tell you how great it was to work with such a cooperative organization and staff. Everyone loved the evening and we are happy to say that Oakton and ICODA are related as family. You have so much to be proud of at Oakton. Again thanks for all that you did and I hope we can work something out to do another show there sometime soon.

Dr. Lee offered condolences to Jody Wadhwa, Richard Stacewicz, Connie Porteous and the family of Isaac Ginsburg, who had all recently lost beloved family members.

The President commented on a note from Tom Bowen, Co-Chair of the Self Study project, regarding almost 700 Oakton employees who participated in the Vital Focus Constellation Survey. Dr. Lee invited everyone to participate in Conversation Day on September 29, the next step in the Vital Focus program. She noted that we will all collaborate on ideas for the future direction of the College under the guidance of facilitators from the Higher Learning Commission.

Ms. Verstrate, President of the Classified Staff Association, introduced classified staff members Laurie Gunning and Paul Sanburg, Advising and Counseling; Valerie Green, Division of Science and Health Careers; Marilyn Davis, Academic Affairs; Sue Moser, Information Technology; Barbara Reineking, Alternative Education; Bill Paige, College Advancement; Mark Sprecher, Instructional Media Services; Dale Navigato, Facilities, Maintenance; Pat Dalzell, President’s Office; and Tim Raetzman, Television Services, operating the direct cable feed in the Television Studio at the Des Plaines Campus. Ms. Verstrate also introduced Perry Buckley, President of the Cook County Teachers Union Local 1600.

Dr. Saret, President of the Full-time Faculty Association, introduced faculty members Mary Johannesen-Schmidt, Associate Professor, Psychology; Carla Ferguson, Assistant Professor, Nursing; Gary Mines, Associate Professor, Chemistry; and Majid Ghadiri, Chair of Electronics and Electronics Servicing and Professor, Computer Networking Systems.

Mr. Emmanuel, Student Trustee, introduced four students: Jorell Espinosa, President of the Board of Student Affairs (BSA); Heather Miller, Student Judicial Board Chair for the BSA; Tim Davidson, operating camera two; and Katarina Karac.

Ms. Dayton, President of the Adjunct Faculty Association, introduced Adjunct Faculty instructors Sheila Schulman, English as a Second Language, and Vice President of the Adjunct Faculty Association; Jeff Moro, Computers; Barry Dayton, Mathematics; Joe Appel, Business and Management; Avis Gibons, Genetics and Chemistry; Keith Johnson, Social Science; Brandon Kelly, Law Enforcement; and Kalyani Banerjee, Chemistry.

The administrators present included Maurice Archer, Director, Accounting Services; Robyn Bailey, Assistant Director of Lifelong Learning Programs and Operations; Ann Marie Barry,
Dr. Lee welcomed Robert Whitman.

Following introductions, the video presentation *Start Your Engines*, originally shown at the August “All College Brunch,” was aired to the public. Dr. Lee thanked Television Services for their wonderful production that set the theme for the ensuing year.

**Report to the Board on Ethics**

Mr. Oudenhoven, the College’s Ethics Officer, presented a report to the Board on the College’s ethics policies, state laws governing ethics, the Ethics Act, and mandatory employee training. The following information was discussed during Mr. Oudenhoven’s report and was made available to the Board for the Strategic Conversation which followed New Business.

**What is the State Officials and Employees Ethics Act?**

The 2003 State Officials and Employees Ethics Act revised Illinois laws regulating the ethical conduct, political activities, and giving and receiving of gifts by public officials and employees. The Act also established an enforcement structure (including criminal penalties) to ensure compliance with the new laws. One section of the Act specifically applies to “units of local government” and requires them to adopt ethics regulations. Every community college district in Illinois has complied with the local government provisions of the Act and established their own ethics codes and commissions. This was done because Illinois community college districts are described as units of local government in numerous citations throughout the Illinois Compiled Statutes. A different section of the Ethics Act applies to state agencies and state employees.

**What is at issue?**

In October 2005, the Illinois Attorney General issued a legal opinion that community college districts fall within the definition of state agencies (rather than “units of local government”) and that their employees are state employees (rather than employees of local units of government) for purposes of the Ethics Act. This opinion conflicts with the well-established description of community colleges as units of local government and allows for potential state interference into local matters. Community colleges have long been considered local entities governed by locally elected board members. In addition, each district has already approved its own ethics codes and
officers, who should have local jurisdiction over local matters. Illinois' community college districts support strong ethical standards and training and will continue to embrace and comply with the Ethics Act as it pertains to local units of government. They believe that community colleges are appropriately covered under the local government provisions of the Act.

Why does it matter whether community colleges are state agencies or units of local government?
In order to comply with the legal opinion, community colleges will find it necessary to follow the ethics requirements for state agencies and state employees, as well as the state personnel policies established by the Illinois Community College Board, instead of the local ethics requirements and local personnel policies adopted by their own Boards of Trustees. In addition, the section of the Ethics Act dealing with state agencies is not compatible with the operations of community colleges, which are locally-governed, locally-controlled entities. The legal opinion also places community colleges under the jurisdiction of the State Inspector General, who has the authority to investigate state agencies for ethics violations and respond to complaints from state employees. It adds another layer of bureaucracy that allows a state entity (the State Inspector General) to supercede locally adopted ethics codes and personnel policies. In effect, the opinion singles out and treats community colleges differently than any other unit of local government, such as municipalities or townships.

Mr. Oudenhoven’s Powerpoint presentation included the following:

Current Oakton Policies Addressing Ethics
- 1022 – Ethics (Board)
- 4002 – Ethics and Gift Ban (All Personnel)
- 4111 – Ethical Standards (Faculty)
- 4307 – Ethical Conduct (Administration)

History of State Laws
- Universally agreed since 1960s that community colleges in Illinois are units of local government
- Illinois Governmental Ethics Act
  - Statement of Economic Interest
  - Elected and appointed position on Board
  - Individuals who hold administrative and supervisory responsibility for more than 20 employees
- State Gift Ban Act of 1999
  - Units of local government shall enforce “in a manner substantially in accordance with the requirements of the Act”
  - Not obligated to incorporate each provision of the Act
  - Complaints filed with the State Legislative Ethics Commission
- State Officials and Employees Ethics Act 2003 – the “Ethics Act”
  - Provisions incorporated in Oakton Board Policy 4002
  - In Fall 2005, Attorney General Madigan issued opinion letter on applicability of Act to community college districts
Community colleges required to comply with the Act
- Must name Ethics Officer
- Must implement mandatory annual ethics training

Act can be viewed in its entirety at the Illinois Executive Inspector General’s website at: www.inspectorgeneral.il.gov

Provisions of the Ethics Act
- Establishes an Executive Ethics Commission
  - Responsible for the oversight of compliance, implementation and enforcement
- Ethics Training
  - Mandates annual ethics training
- Personnel Policies
  - Adopt policies related to work time requirements, documentation of time worked, reimbursement of state travel
- Timesheets
  - Employees required to periodically submit timesheets
- Conflicts of Interest
  - Potential or real conflicts of interest must be disclosed in accordance with college policy or disclosed to the college’s Ethics Officer
- Prohibited Political Activities
  - Prohibits an employee participating in a political activity during work time
- Political Contributions on State Property
  - Prohibits campaign contributions from being solicited, accepted, offered or made on state property
- Ban on Gifts from Prohibited Sources
  - Prohibits employees from soliciting or accepting a gift from certain individuals or entities defined by law as a “prohibited source”
- Prohibited Offer or Promise
  - Prohibits employees from promising anything of value related to the college in exchange for political contributions
- Revolving Door Restrictions
  - Contract decision makers
  - Regulatory or licensing decisions
- Whistle Blower Protection
  - Prohibits retaliatory action against employees
- Duty to Report Violations of Law, Rule, Regulation or Policy
  - Must promptly report to the Executive Inspector General
- Duty to Cooperate
  - Employees who become involved in an investigation by the OEIG have a duty to cooperate
- Penalties
  - Penalties for violations are dependent upon specific circumstances up to and including discharge

Who is Covered by the Act
- All Oakton employees
The Act defines “employee” as (i) any person employed full-time, part-time, or pursuant to a contract and whose employment duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed or (ii) any appointee.

Under the Act, any person who received a payroll check issued from Oakton is defined as a college employee.

Trustees not covered by the Act (elected officials)

Ethics Training
- Developed and supported by OEIG
- Self-administered, interactive, one-hour program accessed through a computer connected to the Internet
- Online training consists of lessons related to: acceptance of gifts, political/fund-raising activities, bribery, solicitation misconduct, official misconduct and conflicts of interest
- Uses scenario-based lessons and self-assessment questions and also contains resource references as well as frequently asked questions
- All employees must complete training
- Window for completing the online training requirement is determined by the OEIG
- The 2006 online training program for Oakton employees must be completed between October 18, 2006 and November 16, 2006
- After online training window period ends, employees must complete (a hard copy) ethics quiz within six months of hire date

Failure to Complete Training
- Failure to complete annual ethics training results in statutorily required reporting of employee to OEIG
- Penalties of noncompliance determined by the Illinois Executive Ethics Commission, based on authority granted within the law in addition to any internal disciplinary action imposed by the College (up to and including dismissal)

Training Implementation Team
- Ethics Officer
  - Associate Vice President for Human Resources
- Training Administrator
  - Specialist, Human Resources
- IT Help Desk and Other IT Personnel
  - Manager, User Support Services, Technology Supervisor, Webmaster, Supervisor, Help Desk, and Assistant, Help Desk

In closing, Mr. Oudenhoven stated that the Illinois community colleges are seeking a legislative clarification that will involve amending state law to clearly state that community colleges are “units of local government” rather than state agencies. He further stated that our community colleges have agreed to seek judicial clarification of the Illinois Community College Statutes in regard to the Ethics Act, possibly involving a civil lawsuit against the State Inspector General.
Mr. Collins noted his concerns regarding the designation of community colleges as state institutions, thus losing our ability to be self-governing entities. He stated that if community colleges are considered state agencies for this purpose, they could be considered state agencies for other purposes such as controlling the budget, state mandated salaries, tax levies and collecting and distributing monies.

Dr. DiLeonardi commented on her involvement with the Illinois Community College Trustees Association (ICCTA) Executive Committee in disputing the Attorney General’s recent legal opinion that community colleges are state agencies and not units of local government. She noted that many of the concerns expressed by Trustee Collins were discussed at the ICCTA committee meetings. Dr. DiLeonardi stated that the new ruling places community colleges under the jurisdiction of the State Inspector General and that this authority is not compatible with the operations of community colleges, which are locally governed and locally controlled. She further stated that at issue is whether community colleges should be under local or state control, as we already act in an ethical manner, having Ethics Policies in place for many years. Dr. DiLeonardi explained that the Attorney General’s opinion designating community colleges as state agencies and not units of local government, was based on a phrase within the Higher Education Cooperation Act (HECA) which maintains that state universities and other institutions of higher education in the State of Illinois are state agencies; therefore, they must comply with all state regulations. Dr. DiLeonardi emphasized that although the Attorney General’s office has stated that we are only state employees for the purpose of the Ethics Act, the ICCTA is very concerned that by extension, the state will eventually move on to other interpretations and change the way we operate. She stated that Oakton has joined with the other ICCTA member institutions in filing a lawsuit to revise the Higher Education Cooperation Act language to include the phrase that state funded institutions of higher education are state agencies and locally funded institutions are units of government. Although the College must move forward in compliance as a state agency under the Ethics Act, Trustee DiLeonardi urged local taxpayers to contact their elected officials and object to the Attorney General’s opinion, as the financial burden of the mandatory employee ethics training and reporting expense will be on Oakton and not the state.

Comments by the Chairman

Mr. Wadhwa thanked Mr. Oudenhoven for his in-depth report on the Ethics Act and the Attorney General’s opinion regarding community college compliance issues. He also thanked everyone for their sympathy cards and notes of concern regarding the passing of his uncle and mentor in India.

Public Participation

Mr. Wadhwa stated that three members of the public requested to speak to the Board during Public Participation.

Steve Hanan of Morton Grove stated that he is a 23 year resident of Oakton Community College District 535 and a former student and staff writer for the College’s student newspaper OCCurrence. He commented on his concerns with
the programs, services and image of the College, specifically those programs that develop the listening, written and oral communication skills of our students. He explained that listening includes hearing differing viewpoints and tolerating those expressions as part of a free society. Mr. Hanan further noted his concerns regarding the shut down of the student newspaper and the dismissal of the faculty advisor under the guise of a personnel issue. He also commented on the large number of recognition awards earned by the OCCurrence under the former faculty advisor’s leadership.

Avis Gibons of Niles stated that she is an adjunct faculty member at the College, currently teaching biology and chemistry. She noted that she developed Oakton’s course on Human Genetics, which continues to attract a full class of students each semester, and stated that she provides clinical genetic counseling services at the John H. Stroger Jr. Hospital of Cook County. Ms. Gibons stated that she formerly taught lab courses; however, teaching lab courses is no longer economically advantageous for her as the pay equity for lecture hours outweighs that of lab hours. She explained her scientific approach to a cost benefit analysis and why she no longer teaches lab courses since they are paid less than lecture hours. She commented on her understanding of the “bottom line” in budgets, having served as a trustee on other boards in our community. Ms. Gibons asked the Board Chair to consider the effect on students when a veteran lab instructor is replaced by one with less experience because it is more cost effective for the experienced lab instructor to lecture. She explained that the lab is the heart of science since we accumulate facts by repeated observation, hypothesis formulation, and hands on experimentation. She noted that lab instruction is also very physically demanding as instructors are mentors who provide individualized attention. In closing, Ms. Gibons stated that not recognizing the contributions of experienced lab instructors through fairness in pay is a monumental mistake, especially since qualified instructors in math and science are critical to addressing the nationwide crisis we are facing in terms of scientific and technological literacy.

Perry Buckley, President, Cook County College Teachers Union, Local 1600, stated that he addressed the Board with issues regarding the Classified Staff contract negotiations two month ago. On behalf of the Classified Staff Association, he thanked the Board for listening to their requests for fairness and equity with the faculty and asked their approval of the two-year contract that was ratified by the classified staff last week. He commented on the professional working relationship with the administrative negotiating team that included Mr. Chirempes, Mr. Costanza and Mr. Oudenhoven and thanked the staff negotiations team of Ms. Verstrate, Ms. Moser, Ms. Reineking and Mr. Kostecki. He stated that “we agreed without being disagreeable” in a respectful and professional manner. Mr. Buckley also thanked President Lee for her positive and sincere comments following the completion of negotiations.

New Business
Consent Agenda

9/06-1a Approval of Adoption of Consent Agenda

Dr. Alexopoulos offered:

“Be it resolved that the Board of Trustees of Community College District 535 approve adoption of the Consent Agenda.”

Mr. Collins seconded the resolution.

A voice vote was called and the resolution to adopt the use of the Consent Agenda was approved.

9/06-1b Approval of Consent Agenda Items 9/06-2 through 9/06-6

Dr. Rosen offered:

“Be it resolved that the Board of Trustees of Community College District 535 approve resolutions 9/06-2 through 9/06-6.”

9/06-2 Ratification of Payment of Bills for August 2006

“Be it resolved that the Board of Trustees of Community College District 535 hereby ratifies expenditures and release of checks by the Treasurer of Community College District 535 in the amount of $4,546,813.99 for all funds as listed and for all purposes as appearing on a report dated August 2006.”

9/06-3 Acceptance of Treasurer's Report for August 2006

“Be it resolved that the Board of Trustees of Community College District 535 receives for filing as a part of the College’s official records, the report of the Treasurer for the month of August 2006.”

9/06-4 Ratifications of Actions of Alliance for Lifelong Learning Executive Board

“Be it resolved that the Board of Trustees of Community College District 535, in its capacity as governing board of the administrative district of the Alliance for Lifelong Learning Program, ratifies and approves the actions of the Executive Board in items a to d and hereby approves the expenditures in the amount not to exceed $201,876.87 for all funds listed in items a, b and d.”

9/06-5 Ratification of Board of Trustees Scholarships for 2006-2007
“Be it resolved that the Board of Trustees of Community College District 535, ratifies the Board of Trustees Scholarships for the academic year 2006-2007 to Dorotty Bolla, Jomole Mangalmuttum, Sarah Masri, Sumi Scaria, and Khushali Shah.

9/06-6 Approval of Clinical Practice Agreements

"Be it resolved that the Board of Trustees of Community College District 535 approve the following cooperative agreements:

For the Early Childhood Education Program
- Deerfield Community Nursery School – Deerfield
- Little Hands Child Development Center – Northbrook

For the Medical Laboratory Technology Program
- Northwest Community Healthcare and its Subsidiaries – Arlington Heights

For the Physical Therapist Assistant Program
- Glencrest Rehabilitation Center - Chicago

For the Registered Nursing Program
- Mather Lifeways d/b/a Mather Place of Wilmette - Wilmette.”

Mr. Williams seconded the resolution.

There being no discussion, Mr. Williams called the roll.

Mr. Collins Aye
Dr. Alexopoulos Aye
Mr. Williams Aye
Dr. DiLeonardi Aye
Mr. Wadhwa Aye
Dr. Rosen Aye
Dr. Barshis Absent

The resolution was passed. Mr. Emmanuel, Student Trustee, concurred.

9/06-7 Public Hearing and Adoption of Budget for Fiscal Year 2006-2007


Mr. Collins offered:

b. Adoption of Budget for Fiscal Year 2006-2007

Mr. Collins further offered:

“Resolution of the Board of Trustees of Community College District 535, County of Cook and State of Illinois, adopting the budget for the fiscal year beginning July 1, 2006 and ending June 30, 2007.”

“Whereas, on August 17, 2006, the College administration made available such tentative budget as prepared by them to the Board for its consideration, and the Treasurer of the Board thereafter caused the same to be made conveniently available to the public for inspection for at least thirty days prior to final action thereon; and

“Whereas, on September 19, 2006, a public hearing was held by the Board as to such tentative budget, notice of said hearing having been given at least thirty days prior thereto by publication in a newspaper published in the District, and all other legal requirements having been complied with;

“Now, therefore, be it resolved by the Board of Trustees of Community College District 535, County of Cook and State of Illinois as follows:

“Section 1: That the final budget in the form attached hereto which contains an estimate of the amounts available in each fund, separately, and of expenditures from each, and which the Board deems necessary to defray all necessary expenses and liabilities of such District for the fiscal year, be and the same hereby is adopted as the budget of this District for the fiscal year beginning July 1, 2006, and ending June 30, 2007.”

Mr. Williams seconded the motion.

Mr. Chirempes stated that the operating funds were balanced at $54.2 million, an approximate 3.83 percent increase over last year’s budget. He explained that there were minor changes in some of the other funds since the tentative budget was approved in June that included balances brought forward for remodeling projects and additional funding for computer software.

Mr. Williams called the roll.

Dr. Rosen Aye
The resolution was approved. Mr. Emmanuel, Student Trustee, concurred.

9/06-8 **Authorization to Approve September Purchases**

Dr. Rosen offered:

“Be it resolved that the Board of Trustees of Community College District 535 authorizes the approval of the attached resolutions 9/06-8a through 9/06-8d.”

<table>
<thead>
<tr>
<th>Description</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Software Licensing/Support</td>
<td>Insight Public Sector</td>
<td>$16,674.55</td>
</tr>
<tr>
<td></td>
<td>IMAGiNiT Technologies</td>
<td>$18,995.00</td>
</tr>
<tr>
<td>b. Lighting Equipment for the Photography Program</td>
<td>Dodd Camera</td>
<td>$10,280.94</td>
</tr>
<tr>
<td>c. Information Technology Services</td>
<td>APEX Systems, Inc.</td>
<td>$114,000.00</td>
</tr>
<tr>
<td>d. Catering Services for the Employee Recognition &amp; Appreciation Dinner</td>
<td>Café la Cave</td>
<td>$13,000.00</td>
</tr>
<tr>
<td><strong>Grand Total:</strong></td>
<td></td>
<td><strong>$172,950.49</strong></td>
</tr>
</tbody>
</table>

Mr. Collins seconded the motion.

In regard to resolution 9/06-8c **Authorization to Purchase Information Technology Services**, Dr. Alexopoulos asked how the College was using the APEX Systems. Ms. Lucas responded that APEX is used for Oracle contracted state reporting and SQL programs.

Mr. Williams called the roll.

Mr. Wadhwa Aye
Dr. Rosen Aye
Mr. Collins Aye
Dr. Alexopoulos Aye
Mr. Williams Aye
Dr. DiLeonardi Aye
Dr. Barshis Absent

The resolution was approved. Mr. Emmanuel, Student Trustee, concurred.
Acceptance of Grants

Dr. Alexopoulos offered:

“Be it resolved that the Board of Trustees of Community College District 535 accept the $87,547 Student Success Grant from the Illinois Community College Board for programming to provide supplemental services to priority student populations.”

“Be it resolved that the Board of Trustees of Community College District 535 accept the $96,919 P-16 Initiative Grant from the Illinois Community College Board to provide tuition and fees for high school students who take college-level classes prior to receiving their high school diploma.”

“Be it resolved that the Board of Trustees of Community College District 535 accept $20,000 from the Illinois Community College Board for Career and Technical Education Strand Grant program that focus on continuous quality improvement, performance enhancement and innovation.”

“Be it resolved that the Board of Trustees of Community College District 535 accept $29,495 from the Illinois Community College Board in support of Tech Prep programming.”

“Be it resolved that the Board of Trustees of Community College District 535 accept $50,000 from the Illinois Department of Commerce and Economic Opportunity Community College Board to improve the Earth Science and Biological Sciences labs.”

“Be it resolved that the Board of Trustees of Community College District 535 accept $2,180 from the Illinois Arts Council to support Performing Arts Center operations.”

“Be it resolved that the Board of Trustees of Community College District 535 accept $1,190 from the Illinois Arts Council to support Koehnline Museum operations.”

Dr. DiLeonardi seconded the motion.

Dr. Lee thanked Ms. Marshburn and her staff for aggressively seeking alternate funding through grants.

Dr. Rosen commended the Grants office for pursuing and securing the seven grants. He stated that the first four grants from the Illinois Community College Board directly benefit our students, defray the cost of education, and reimburse the College for the services we provide.

A voice vote was called and the resolution to accept the grants was approved for a total of $287,331.
9/06-10 Supplemental Authorization to Pay Professional Personnel – Fall 2006

Mr. Williams offered:

“Be it resolved that the Board of Trustees of Community College District 535 authorizes the payment of salaries to the persons and in the amounts listed for teaching on a part-time basis during the fall semester 2006; the total payment amounting to $2,635,638.40.”

“Be it further resolved that the Board of Trustees of Community College District 535 authorizes the payment of salaries to the persons and in the amounts listed for teaching on an overload basis during the fall semester 2006; the total payment amounting to $294,262.30.”

“Be it further resolved that the Board of Trustees of Community College District 535 authorizes the payment of stipends to the persons listed, in the amounts, and for the activities specified; the total payment amounting to $16,365.32.”

Dr. Alexopoulos seconded the motion.

Mr. Williams called the roll.

Mr. Wadhwa Aye
Dr. Rosen Aye
Mr. Collins Aye
Dr. Alexopoulos Aye
Mr. Williams Aye
Dr. DiLeonardi Aye
Dr. Barshis Absent

The resolution passed. Mr. Emmanuel, Student Trustee, favored the resolution.

9/06-11 Authorization to Approve the Two-Year Agreement between the Oakton Community College Board of Trustees and the Classified Staff Association for Fiscal Year 2006-2007 through Fiscal Year 2007-2008

Dr. DiLeonardi offered:

“Be it resolved that the Board of Trustees of Community College District 535 approve the two-year agreement with the Oakton Community College Classified Staff Association, a Chapter of the Cook County College Teachers Union, American Federation of Teachers, effective July 1, 2006 through June 30, 2008.”

Mr. Williams seconded the motion.

Ms. Verstrate thanked the Board of Trustees, President Lee, the Administrative negotiations team and the Classified Staff negotiations team. She echoed Mr.
Buckley’s earlier comments regarding the Classified Staff’s appreciation for being treated as respectful and valued partners.

Mr. Williams called the roll.

Dr. DiLeonardi  Aye
Mr. Wadhwa  Aye
Dr. Rosen  Aye
Mr. Collins  Aye
Dr. Alexopoulos  Aye
Mr. Williams  Aye
Dr. Barshis  Absent

The resolution was approved. Mr. Emmanuel, Student Trustee, favored the resolution.

9/06-12 Approval of Administrative Salary Adjustment and Reclassification

Dr. DiLeonardi offered:

“Be it resolved that the Board of Trustees of Community College District 535 approve the reclassification of the Associate Vice President for Human Resources position and authorizes the change in annual salary of Mr. D. Arnie Oudenhoven, effective September 20, 2006 to $109,000, to be prorated from September 20, 2006 through June 30, 2007.”

Mr. Collins seconded the motion.

Dr. Lee stated that the resolution on the Approval of Administrative Salary Adjustment and Reclassification was discussed by the Board in Closed Session. She explained that the reclassification is based on the change in title authorized at the August 15, 2006, Board meeting, and warranted by the expanded duties of Mr. Oudenhoven who has served in this position for a number of years.

Mr. Williams called the roll.

Mr. Williams  Aye
Dr. DiLeonardi  Aye
Mr. Wadhwa  Aye
Dr. Rosen  Aye
Mr. Collins  Aye
Dr. Alexopoulos  Aye
Dr. Barshis  Absent

The resolution carried. Mr. Emmanuel, student trustee concurred.


9/06-13 Authorization to Amend President’s Contract

Dr. DiLeonardi offered:

“Whereas, Dr. Margaret B. Lee now serves as President and Professor of English of Oakton Community College pursuant to a contract between Lee and the Board that is in effect through 30 June 2007, and

“Whereas, the Board of Trustees of Oakton Community College District 535 has notified Dr. Margaret B. Lee of their intent to renew the contract amended by them on 28 June 2005 with the terms and provisions contained therein:

“Now, therefore, be it resolved by the Board of Trustees of Community College District 535, County of Cook and State of Illinois,

(1) Affirms its resolution of 21 March 2006 and hereby extends the contract of President Margaret B. Lee through 30 June 2010 with the terms and provisions currently incorporated in that contract and its amendments.

(2) Amends paragraph 5a to read as follows: “In addition, in each year of the contract, the Board agrees to pay for one year of SURS service that Lee earned while in Michigan or to contribute an equivalent amount to a tax sheltered annuity.”

(3) Increase Dr. Lee’s base salary by 4.5% from $194,057 to $202,790.”

Mr. Williams seconded the motion.

Mr. Williams called the roll.

Dr. Alexopoulos  Aye
Mr. Williams  Aye
Dr. DiLeonardi  Aye
Mr. Wadhwa  Aye
Dr. Rosen  Aye
Mr. Collins  Aye
Dr. Barshis  Absent

The resolution carried. Mr. Emmanuel, student trustee concurred.

9/06-14 Authorization to Revise Board of Trustees Meeting Calendar

Dr. Alexopoulos offered:

“Be it resolved that the Board of Trustees of Community College District 535 hereby authorizes an additional meeting to the established calendar of meetings of the Board in order to declare the results of the April 17, 2007, consolidated election, and to reorganize the officers of the Board. The meeting will be held on Wednesday, May 15, 2007, beginning at 4:00 p.m., in the Board Room (room 1506) at Oakton
Community College, 1600 East Golf Road, Des Plaines, Illinois, which time and place shall be published and proper notice and agenda posted as required by law.”

Mr. Williams seconded the motion.

Mr. Williams called the roll.

Mr. Collins  Aye
Dr. Alexopoulos  Aye
Mr. Williams  Aye
Dr. DiLeonardi  Aye
Mr. Wadhwa  Aye
Dr. Rosen  Aye
Dr. Barshis  Absent

The resolution was approved. Student Trustee, Mr. Emmanuel, favored the resolution.

9/06-15  First Read of Policies

Mr. Collins offered:

“Be it resolved that the Board of Trustees of Community College District 535 hereby accepts for review the proposed policies 4107 and 5111, attached hereto, with action to take place at the next regularly scheduled Board meeting, October 17, 2006.”

Dr. DiLeonardi seconded the motion.

A voice vote was called and the resolution on the First Read of Policies was approved.

Strategic Conversation – Community Colleges: State Agencies or Units of Local Government

Dr. Lee stated that Mr. Oudenhoven’s report, as well as Mr. Collins and Dr. DiLeonardi’s comments earlier this evening, provided the Board with a starting point on a conversation regarding the following three questions on the Attorney General’s opinion of the Ethics Act issue:

(1) What are the implications for us in carrying out our responsibilities as elected trustees?
(2) What do we need to know about this issue?
(3) What can and should we be doing in response?

President Lee commented on a note from Dr. Keith Miller, President of Black Hawk College and President of the Illinois Community College Presidents Council regarding a lawsuit filed by Richland Community College. She stated that the Sangamon County Circuit Court Judge ruled that Richland is a state agency as defined by law in regard to a request for information from the
Executive Inspector General, although Richland argued that it is a unit of local government and will appeal the decision. Dr. Lee further stated that the ruling was key to determining which court district would be most favorable in filing a suit on behalf of the 34 community college members of the Illinois Community College Trustees Association and the determination of community colleges as units of local government. She stated that the lawsuit is about local control and the state’s involvement in local government, and is not about ethics.

Dr. DiLeonardi commented on her discussion with two local legislators, one Democrat and one Republican, regarding a change in the HECA language discussed earlier during Mr. Oudenhoven’s report. She stated that both legislators were very supportive once we assured them that the community colleges were not trying to disengage from the ethics provisions. Dr. DiLeonardi explained that the legislators agreed that community colleges, as locally tax supported institutions with locally elected officials, are units of local government and not state agencies. In response to Chair Wadhwa’s question on how the issue surfaced, Dr. DiLeonardi replied that the Illinois Community College Board asked for a ruling from the Attorney General’s office since they are a state agency, although the ICCB provides less than ten percent of our funding. She explained that the Attorney General’s office stated that while some sections of state law refers to community colleges as units of local government, the State Ethics Act does not; therefore, we must comply with the same provisions of the Ethics Act as all other state agencies.

Mr. Collins reiterated his concerns that once community colleges come under the jurisdiction of the Illinois Executive Inspector General in regard to the Ethics Act, there will be no stopping the state from taking over control of community colleges in other aspects of governing and control as a state agency. He urged everyone to write to their legislators as it was the most effective means of having our voices heard.

Dr. Lee remarked that the most powerful voice in this issue is that of the trustees in our state. She stated that trustees are the locally elected officials and that trustee advocacy goes a long way with our legislators. She commented on the ICCB’s request to determine if community colleges are state agencies. She explained that although the request came from the ICCB to the Attorney General’s office, the Executive Inspector General sent a very threatening letter directly to the community college presidents stating that they must comply with all aspects of the Ethics Act and never notified the ICCB.

Dr. Alexopoulos commented that the Attorney General’s opinion allows for state interference into local matters. He stated that the state is seeking to take over control of the statewide community college system by manipulating the ethics law, which up to now has been a community based college system.

Dr. Hamel stated that his understanding of the Attorney General’s opinion is that it is directly related to the ethical violations and recent sentencing of Illinois’ former administration. He commented on the legislators who are trying to respond to the excesses that occurred in the 1990’s. He noted his former experience as an adjunct faculty member at Western Illinois University that involved required ethics training and reporting on an annual basis. He stated that
the ethics training is good although in the case of recognizing community colleges as state agencies and not units of government, good intentions sometimes have bad outcomes.

Adjournment

There being no further comments on the strategic conversation, Chair Wadhwa stated that the next scheduled regular meeting of the Board of Trustees of Oakton Community College, District 535, would be held at 7:30 p.m. on Tuesday, October 17, 2006, at the Des Plaines Campus, room 1506.

Mr. Collins offered a motion for adjournment and Dr. Alexopoulos seconded the motion. A voice vote was called and Mr. Wadhwa adjourned the meeting at 9:07 p.m.

/s/ Jody Wadhwa
Jody Wadhwa, Board Chair

/s/ Joan W. DiLeonardi
Joan W. DiLeonardi, Acting Board Secretary

/pd
10/06

A video tape recording of the September 19, 2006, meeting was made and may be viewed by calling the Library and Instructional Media Services office at 847-635-1640.