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## **April 8, 2021**

### **EXECUTIVE SESSION OF THE EXECUTIVE COMMITTEE (12:30pm – 12:45pm)**

The Board met in Executive Session per ORS 192.660(2)(f)(h) and ORS 40.225 Rule 503 to consider information or records that are exempt by law from public inspection and to have confidential communication subject to attorney-client privilege.

### **EXECUTIVE SESSION OF THE BOARD (1:00– 1:45pm)**

The Board met in Executive Session per ORS 192.660(2)(d)(f) and ORS 40.225 Rule 503 to consider information or records that are exempt by law from public inspection and to have confidential communication subject to attorney-client privilege.

## **Board of Trustees Meeting MINUTES**

### **Trustees Present:**

Jessica Gomez, Chair (in person)

Jeremy Brown

Lisa Graham

Tim Hasty (in person)

Kathleen Hill

Vince Jones, Vice Chair

Rose McClure (in person)

Jill Mason

Nagi Naganathan, President

(in person)

Mike Starr

Paul Stewart

Michele Vitali

Fred Ziari

### **Trustees Unable to Attend:**

Kelley Minty Morris

### **University Staff and Faculty Present:**

Maureen DeArmond, AVP Human Resources

Daniel Fallon, Information Technology Consultant

Ken Fincher, VP Institutional Advancement

Erin Foley, VP Student Affairs and Dean of Students (in person)

David Groff, General Counsel (in person)

John Harman, VP Finance and Administration

Scotty Hayes, Information Technology Consultant (in person)

Don McDonnell, Medical Imaging Technology Professor (in person)

Joanna Mott, Provost and VP Academic Affairs and Strategic Enrollment Management (in person)

Adria Paschal, Senior Executive Assistant to the President

Stephanie Pope, Assistant VP Financial Operations

CJ Riley, Civil Engineering Professor (in person)

**Students Present:**

Shiloh Castelli

Brie Landis

Peter Wantuck

Mason Wichmann

**Others Present:**

Senator Betsy Johnson

Marla Miller

Linda Riley

**1. Call to Order/Roll/Declaration of a Quorum**

**Chair Gomez called the meeting to order at 2:01pm. The Board Secretary called roll and a quorum was declared.**

**2. Reports**

**2.1 President**

**President Naganathan** reviewed a PowerPoint presentation included in the agenda report noting state-level updates, commencement plans, fiscal year 2022 budget, COVID relief funds, faculty union negotiation status, capital projects and improvements, athletic highlights, Executive Think Tank, and celebrations and program updates.

**2.2 ASOIT**

**PM President Wantuck** shared that ASOIT is speaking with students to understand their concerns about faculty negotiations and information they are hearing. Looking to help students who would like to support faculty in an effective framework without impacting themselves. He is working with faculty to encourage students to attend courses so they do not compromise their grades. They are looking at hiring for the executive committee of ASOIT.

**KF President Wichmann** stated that ASOIT successfully engaged students in winter term as well as they could, given the COVID requirements. He relayed that ASOIT approved the student gaming society becoming a student program and is now focusing on officer transitions. He noted the while the issues between faculty and administration impact students, students are not be directly involved in the issues. Three ASOIT representatives will be observing contract negotiations. Regarding faculty's vote of no confidence, he stated he could not directly speak on the relationship between faculty and the president but he feels the president has shown the importance of shared governance and is accessible to ASOIT and students. He noted communication is important and needs to be strengthened across the entire university.

**2.3 Administrative Council** – written report included in the agenda packet

**2.4 Faculty Senate**

**President McDonnell** shared a PowerPoint presentation stating the Senate has taken steps over the past 3.5 years to address their issues, increasing the manner of communication and level of governance each time: asking questions of the president, vocalizing concerns with senior administration, drafting resolutions, presenting to the board of trustees, unionizing in 2018 and now there is a vote of no confidence for the president. He clarified that when he uses the word 'administration' or 'administrators' it is referencing the senior administrators. He noted there was not time to get into details today

and offered for the executive group of Faculty Senate to meet with the trustees if they would like. He read a prepared statement (on file). He listed three things faculty value that make the university different and better: the application of knowledge, relationships of students with faculty (not adjuncts or teaching assistants), and student success. He explained the present environment and situation is problematic for faculty to continue to offer education with these values. He stated there is low morale and increased tension and he started the year as Faculty Senate president with the hope to fix the relationship between faculty and administration but now believes there will be no change and no solution will be forthcoming. He shared there is concern that faculty have not been engaged by administration to address the problems faculty identified; faculty are trying to confront the mistakes and inequities in their work life. He noted faculty's top concern is the students' education but there are less support and resources; resources have been transferred from positions and priorities to administrative compensation, leaving the departments understaffed and having to cancel classes that are full because there are no faculty. He acknowledged Oregon Tech recruits students well but fails to retain them, resulting in flat enrollment over the past 5 years. He stated the end result is a decreased experience for the student. He shared that faculty feel unable to accomplish all that is being asked of them but when the issues are raised administration does not respond. He explained in the past, issues were addressed with the president and administrators often through the systems of shared governance. He stated now the recommendations of committees are ignored, committees are bypassed, or committees without faculty representation are created to work around the existing systems, allowing a single person to make all of the decisions. He shared the faculty feel they have exhausted all avenues to create change and relationships with administration are frayed. He stated emails and press releases sent to the campus degrade the faculty and accuse them of greed, pettiness and slander. Specifically, he cited the email response to faculty senate's input and inquiry for details which came across as "Shut up and do what you're told, your whining is an embarrassment." He explained that part of the issue is the difference in the evaluation processes of faculty and administrators; faculty are evaluated by all levels of stakeholders. He stated the central problem comes down to relationships; senior administrators don't have relationships with faculty, and this causes dismay and distrust. He reiterated the faculty took various steps to address their concerns with no responses. He reviewed slides from a confidence survey and a faculty satisfaction survey administered by the faculty senate welfare committee. He stated the organizational climate has changed and impacted the ability of faculty to enjoy and do their jobs. He stated there are no faculty that desire to strike; faculty are here to support the students. He expects the board to make data driven decisions and noted he provided data. He explained that the faculty are calling for the board of trustees to terminate the contract with Dr. Naganathan.

**Chair Gomez recessed the meeting into executive session at 2:54pm.**

Based on the Faculty Senate's report of a vote of no confidence, the Oregon Institute of Technology's board of trustees convened in Executive Session per Oregon Revised Statute 192.660(2)(b)(f)(i) to hear complaints brought against an employee, to consider information that is exempt by law from public inspection, to review the employment-related performance of the chief executive officer; and ORS 40.225 Rule 503 to engage in attorney-client privileged discussion.

**Chair Gomez reconvened the meeting at 4:30pm.**

**2.5 Strategic Enrollment Management – no report**

**2.6 COVID Plan**

VP Foley's written report will be sent to the trustees on April 9, 2021

**2.7 Academic Quality and Student Success Committee**

**Trustee Brown** recapped the committee meeting noting the committee recommended the board approve offering the BS programs in Business Management and Healthcare Management at a new location, the Portland Metro campus.

**2.8 Finance and Facilities Committee**

**Vice Chair Jones** recapped the committee meeting noting the committee accepted the Sponsored Partnerships and Grant Administration internal audit report, approved the revised fiscal year 2020-21 audit plan, recommended the board authorize staff to pursue bond financing for the construction of a new student housing facility on the Klamath Falls campus, and to approve the 2020-21 academic year tuition and fees.

**2.9 Executive Committee – no report as no meeting was held**

**3. Consent Agenda**

**3.1 Approval of the Minutes of the January 28, 2021 Meeting**

**3.2 Recommendation to the Provost's Council to approve a new location for the BS in Business Management**

**3.3 Recommendation to the Provost's Council to approve a new location for the BS in Healthcare Management**

**3.4 Approval to Pursue Bond Financing for Construction of a New Student Housing Facility**

**Vice Chair Jones** moved to approve the consent agenda. **Trustee Brown** seconded the motion. With all trustees present voting aye, the motion passed unanimously.

**4. Discussion Items - none**

**5. Action Items**

**5.1 Approval of the 2021-22 Academic Year Tuition and Fees**

**VP Harman** reviewed the PowerPoint presented to the Finance and Facilities Committee. He reviewed the Tuition Recommendation Committee (TRC) makeup, timeline, and process, student feedback, and the recommendations of the committee and the President. The recommendation from the TRC is to increase the undergraduate base tuition (resident, WUE, non-resident) and graduate tuition by 4.9%, increase Health Program and Engineering and Technology differentials by 2 percentage points (35% to 37% premium), and if the approved state budget for 2021-23 biennium increases funding to the PUSF by \$50 million over the current biennium level, decrease the TRC recommended 2021-22 academic base tuition increase by 1%. The President concurred with the TRC recommendation with the modification of the increased funding to the PUSF of "at least \$49 million" in determining the decrease of 1%. There are no amendments recommended to the Portland-Metro fees, and a \$2.00 reduction for the Klamath Falls Incidental Fee.

The Finance and Facilities Committee recommended the board approve the 2021-22 Academic Year Tuition and Fees as recommended by the President.

**Trustee Graham** stated that this is one of the most important shared governance items the university addresses and she appreciated how the various stakeholder groups worked together.

**Vice Chair Jones** moved to approve the 2021-22 academic year tuition and mandatory fee schedule as presented in the agenda and authorize the president and/or his designee(s) to take necessary actions to implement and enforce the tuition and fees. **Trustee Graham** seconded the motion. The motion passed unanimously with the following trustees in attendance voting aye: **Graham, Hasty, Hill, Jones, McClure, Mason, Starr, Stewart, Vitali, Ziari.**

6. **Other Matters** – none.

7. **Public Comment**

The **Board Secretary** noted the trustees received written correspondence: Dr. Ralph Eccles, Representative Reschke, Senator Linthicum, KCC President Dr. Gutierrez, RCC President Cathy Kemper-Pelle, Foundation Board Member Dee Thompson, 13 Department Chairs, Klamath County Economic Development Association, and a community ad.

District 16 Senator **Betsy Johnson** spoke in support of President Naganathan, noting his successes in gathering external support and recognition for the university.

Professor Emeritus and prior Faculty Senate President **Marla Miller** spoke about compensation plans, downfalls of the university's merit-based pay plan proposal, and the need to evaluate CUPA data to establish fair pay for faculty. She encouraged the board to investigate and intervene to find a sustainable solution to communication, transparency, and shared governance issues.

Medical Laboratory Science (MLS) student **Shiloh Castelli** spoke regarding her disappointment in the communication to students, her support for faculty and the faculty union, and the MLS budget. She asked the board to investigate and transparently report its findings on the alleged inconsistencies and unethical behavior of administration.

Civil Engineering graduate student **Brie Landis** spoke about financial policy lacking transparency, mismanagement, lack of course offerings, overworked professors. She encouraged the board to address the tension and end the egregious mismanagement of funds and lack of transparency.

**Linda Riley** read a letter on behalf of **Ralph Eccles**. Speaking on her own behalf she requested a handout be given to the trustees and requested the trustees to address her concerns: lack of transparency from president to faculty, need for salary equity, lack of shared governance, need to reach a fair contract with the faculty union.

Civil Engineering Professor **CJ Riley** recognized the progress made under the president's tenure and identified faculty concerns including public misinformation, lack of shared governance, compensation policies not being followed. He stated the faculty feel dismissed, devalued, and disrespected. Would like a fair contract for faculty. He requested the board address the concerns.

## 8. Adjournment

Meeting was recessed at 5:37pm to reconvene on April 20, 2021 at 9am.

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# April 20, 2021 Board of Trustees Meeting MINUTES

### Trustees Present:

Jessica Gomez, Chair  
Jeremy Brown  
Lisa Graham  
Kathleen Hill

Vince Jones, Vice Chair  
Rose McClure (in person)  
Nagi Naganathan, President  
(in person)

Paul Stewart  
Michele Vitali  
Fred Ziari

### Trustees Unable to Attend:

Tim Hasty  
Kelley Minty Morris

Jill Mason  
Mike Starr

### University Staff and Faculty Present:

Maureen DeArmond, AVP Human Resources  
Ken Fincher, VP Institutional Advancement (in person)  
Erin Foley, VP Student Affairs and Dean of Students (in person)  
David Groff, General Counsel (in person)  
John Harman, VP Finance and Administration  
Travis Miller, Information Technology Consultant (in person)  
Joanna Mott, Provost and VP Academic Affairs and Strategic Enrollment Management (in person)  
Adria Paschal, Senior Executive Assistant to the President (in person)  
Stephanie Pope, Assistant VP Financial Operations

## 1. Call to Order/Roll/Declaration of a Quorum

**Chair Gomez reconvened the meeting of April 8, 2021 to order at 9:06am on April 20, 2021. The Board Secretary called roll and a quorum was declared.**

### **Chair Gomez recessed the meeting into executive session at 9:09am.**

Based on the Faculty Senate's report of a vote of no confidence, the Oregon Institute of Technology's board of trustees convened in Executive Session per Oregon Revised Statute 192.660(2)(b)(f)(i) to hear complaints brought against an employee, to consider information that is exempt by law from public inspection, to review the employment-related performance of the chief executive officer; and ORS 40.225 Rule 503 to engage in attorney-client privileged discussion.

**Chair Gomez reconvened the meeting at 11:19am. The Board Secretary called role and a quorum was declared.**

**Trustees Present:**

Jessica Gomez, Chair	Vince Jones, Vice Chair	Paul Stewart
Jeremy Brown	Rose McClure (in person)	Michele Vitali
Tim Hasty	Nagi Naganathan, President	Fred Ziari
Kathleen Hill	(in person)	

**Trustees Unable to Attend:**

Lisa Graham	Jill Mason
Kelley Minty Morris	Mike Starr

**Chair Gomez** reiterated the board’s role. She stated trustees are fiduciarily responsible for the entire university and the board delegated the responsibility of daily operations to the president. She recognized there are challenges in the organizational structure of the university and noted there has been discussion over the past few months on how to remedy the issues. One option is to hire an outside consultant to assess and assist in identifying solutions. **Vice Chair Jones** stated that a continued effort is required by all parties to address the situation; the dialogue has to continue and feedback needs to be given and received. **Trustee Stewart** stated a university is a difficult entity to oversee; balancing the needs of all constituencies is tough. He noted labor negotiations involve feelings and emotions and there are legitimate issues that need to be addressed. He believes the board needs to find more ways to be able to listen and hear and assess how improvements can be made and that the board is committed to listening to the needs of all constituencies. He believes the university is stronger than it was a few years ago but improved communication is needed and a culture that is less divisive, more collaborative and shows more kindness and support for each other should be fostered. He stated the board is committed to those principles and shared governance so that “all boats rise” as we move forward. **Trustee McClure** stated the communication on campus has deteriorated and there are problems with the culture and morale. She thanked her fellow trustees for listening to all sides of the issue. **Trustee Hasty** stated it will take everyone working together to solve the issues and he believes all parties are willing to do so to find a solution. He acknowledged the board is stepping up by recognizing there is a problem and finding a way to assess it. **Trustee Vitali** stated this issue has weighed heavily on the board and the local community and she understands this is a shared problem, not a new problem, and that actions need to be taken. **Chair Gomez** agreed that this is important to navigate the overall improvement of the culture and to support the president and provide him the tools to help move the university forward. **Trustee Hill** noted that cultural change is difficult and to take this step forward to help people work together is the best thing the Board can do to benefit the institution. **Chair Gomez** stated she would like to direct the president to select an outside organization to perform a climate survey so the board can try and assess and better understand what is happening; the intent is to provide the president with the right tools to address the issues in places that matter the most so the university can begin to rebuild its culture and we can move forward together.

**Vice Chair Jones moved to direct Dr. Naganathan to engage an outside consultant to conduct a comprehensive organizational climate survey. Trustee Hasty seconded the motion. The motion passed unanimously with the following trustees in attendance voting aye: Brown, Hasty, Hill, Jones, McClure, Stewart, Vitali)**

**2. Adjournment**

**Meeting was adjourned at 11:38am.**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sandra Fox', with a stylized flourish at the end.

Sandra Fox  
Board Secretary