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Faculty Trustee's Report

CSU Board of Trustees Meeting – May 17-19, 2021 (virtual)

Hereby I respectfully submit a summary of the Board of Trustees meeting. My report is largely based on the agenda materials provided to the trustees and to the public, my personal notes, my memory, and a partial review of the archived livestream of the meeting accessible at

<https://www2.calstate.edu/csu-system/board-of-trustees/past-meetings/Pages/may-17-19-2021.aspx>

I tried my best to accurately reflect the deliberations, and I hope to have quoted correctly and paraphrased in the spirit of the speakers' and presenters' intentions. If you notice any inaccuracy or misrepresentation, please let me know (Romey.Sabalius@sjsu.edu).

The Board of Trustees met remotely for the entire academic year. As in previous virtual Board meetings, the public was invited to comment live at the beginning of the meeting or to submit their comments in writing.

I presume that the topics of the greatest interest to the faculty would be the report on *Post-Pandemic Academic Programs* (item 10.a), the *State Legislative Update* (item 9.a), and –of course– the *2021-2022 Operating Budget Update* (item 8.d) shortly after the release of the Governor's May Revise.

This is my last report for the highly unusual academic year 2020-21, and –if I do not get re-appointed to a third term as Faculty Trustee– it will be my last report altogether. It has been a great honor and privilege to serve the faculty for the past four years. It was a tremendous challenge to help guide the CSU through this difficult pandemic; however, I am confident that our state and system are poised to thrive in the years to come. I wish you a summer of recuperation, and I am hopeful to have a much better new academic year,

Romey Sabalius

San José, CA – June 2, 2021

Faculty Trustee's Report

CSU Board of Trustees Meeting: May 17-19, 2021 (virtual)

On May 17-19, the CSU Board of Trustees meeting was held virtually via Zoom due to the COVID-19 pandemic.

On May 17, at 10:00 am,

- A. The **Board of Trustees** met in **Closed Session** to interview the finalists for the position of President at Fresno State. Saúl Jiménez-Sandoval, the former Provost of Fresno State and its current Interim President, was chosen as the permanent President effective immediately (see also item 11.a).

The Board adjourned for the day at 17:45 pm.

On May 18, at 9:00 am, the Board reconvened.

1. The **Board of Trustees** met in **Closed Session** to discuss Executive Personnel Matters and to receive a report on Pending Litigation.
[Trustee Sabalius recused himself from questions and answers on a legal matter at San José State University]
2. The **Committee on Collective Bargaining** convened in **Closed Session**.
[Note: According to California Education Code § 66602 (c2) the Faculty Trustee “shall not participate on any subcommittee of the board responsible for collective bargaining negotiations.”]

The **Public Meeting** started at approximately 10:15 am.

The meeting was prefaced by introductory remarks from Chancellor Castro. He announced that the CSU and the UC will require COVID vaccinations in the fall semester. “The requirement will become effective at the beginning of the fall 2021 term or upon full FDA approval of a vaccine, whichever occurs later. [...] The policy and implementation process will be finalized in consultation with our stakeholders. The policy will allow for students, faculty, and staff to seek exceptions based on medical or religious grounds.”

Chancellor Castro further stressed the CSU's longstanding commitment to sustainability, and consistent with this commitment, the Investment Advisory Committee will carefully analyze the system's investments in fossil fuels and bring its recommendation for action to the Board at the November meeting.

Lastly, the Chancellor expressed his appreciation for Governor Newsom's robust financing of higher education in the recently released May Revise Budget (see details in item 8.d). He

thanked staff and constituents –including students, the faculty’s Academic Senate, and the labor unions– who lobbied for the CSU, and the Chancellor’s Office will continue to pursue its advocacy efforts for the systems additional needs.

3. Due to the virtual meeting modality, all **Public Comments** were made at the beginning of the open session. There were approximately 60 speakers, and each was allowed one minute for input. Additionally, comments were submitted in writing.

Many student assistants, most of them members of the United Auto Workers Union (UAW 4123), demanded increased wages, tuition remission, and better treatment by their supervisors.

Representatives of staff unions reported about the many hardships employees had to endure during the pandemic. They voiced their concerns about the repopulation of campuses, especially in regard to the implementation and enforcement of the vaccination policy. They also pleaded for the continuation of telecommuting.

Representatives of the faculty union (CFA) shared their frustration with the bargaining process. They demand increased COVID relief, support for caregivers, and more race and gender equity in salaries. Some representatives declared their solidarity with the student workers (UAW).

Several members of Students for Quality Education (SQE) repeated their demands (articulated at previous Board meetings) to de-militarize, defund, or even abolish the university police, that they claim is “not protective, but reactive” and “upholding white supremacy.”

Other speakers addressed divestment from fossil fuels, the need for more mental health counselors, and an appeal to add caste as a protected category.

Sasha Perez, representing the Campaign for College Opportunity, thanked out-going Trustees Abrego and Taylor for their “phenomenal service [...] and tremendous leadership on this Board” as “student-centered champions.”

4. **The Committee on Collective Bargaining (Open Session)**

- a. adopted as an action item in consent the *Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 11, United Auto Workers Local 4123.*
[Note: The United Auto Workers Union represents graduate assistants and teaching associates.]

5. **The Committee on Committees**

- a. approved as an action item in consent the *Board of Trustees’ Standing Committee Assignments for 2021-2022.*
[Note: The Faculty Trustee will serve as Vice Chair of the Committee on Educational Policy and as a member on the Committees on Finance, Governmental Relations, and Campus Planning, Buildings and Grounds.]

- b. approved as an action item in consent the *Election of the Chair and Vice Chair of the Board of Trustees for 2021-2022.*

Both, Chair Kimbell and Vice Chair Fong will continue in their current role for another year.

6. **The Committee on Audit**

- a. received as an information item in consent the Status Report on Audit and Advisory Services Activities.

“For the 2020-2021 audit plan year, assignments were made to execute individual campus audit plans and conduct financial, operational, compliance, and information technology audits; use continuous auditing techniques and data analytics tools; and provide advisory services and investigation reviews.”

“Audit and Advisory Services continues to make progress on the 2020-2021 audit plan. Twenty-nine audits have been completed as part of the 2020-2021 audit plan and 22 audits are currently in-process.”

- b. received as an action item the Fiscal Year 2021-2022 Audit Plan.

The audit plan includes the following tasks and approximate resource allocations:

- * Assurance Audits and Data Analytics (65%)
- * Advisory Services (20%)
- * Investigations and Intergovernmental Audits (5%)
- * Outreach and Engagement (5%)
- * Audit Support (5%)

7. **The Committee on Campus Planning, Buildings and Grounds**

- a. received as an information item the California Environmental Quality Act Report.

“The goal of CEQA is to inform governmental decision-makers and the public about the potential significant environmental effects of proposed projects and efforts to prevent significant damage to the environment through the use of feasible alternatives or mitigation measures. Under CEQA, and as it applies to the CSU, a ‘project’ is typically either a specific building or facility planned for construction, or a programmatic action such as approval of an updated campus master plan that is prepared to guide long-range campus development. CEQA compliance is required for activities directly implemented or financed by a governmental agency as well as for private activities requiring approval from a governmental agency. Per State CEQA guidelines, the type of CEQA action depends on the environmental impact of the project and primarily includes the following:

- **Categorical Exemption** applies to classes of projects which have been determined not to have a significant effect on the environment (e.g., interior renovations).

- **Negative Declaration** applies to projects which will not have a significant effect on the environment.

- **Mitigated Negative Declaration** include projects with potentially significant effects, but revisions in the project or mitigation measures will avoid or reduce effects to a point where no significant effects would occur.

- An **EIR** is completed for projects that could result in unavoidable significant environmental impacts.

- A **Supplemental EIR** may be prepared when it is necessary to provide additional information to make a previously certified EIR adequate for a project as modified. It focuses

only on new project information, changed circumstances, new or substantially more severe impacts, and new or updated mitigation measures.

• An **Addendum to an EIR** may be prepared if there are minor technical changes or additions to a project which were included in a previously certified EIR.”

8. The Committee on Finance

- a. granted as an action item in consent the California State University, Monterey Bay Conceptual Approval of a Public-Private Partnership Mixed-Use Development Project.

“The project proposes the first phase of a multi-phase construction development, comprised of 445,000 gross square feet of multifamily housing, retail, and office facilities on approximately 22 acres of the total 72-acre vacant site located in the northwest corner of the campus along Second Avenue and Eighth Street. [...] Through site design and trail placement, the project will also further link the campus community by bike connections to adjacent uses, including retail, restaurants, movie theater, Veteran’s Hospital, new housing, and the State Dunes Park (beach) via building placement along Second Avenue. The project will complement adjacent development by providing new uses and will demonstrate the campus’ commitment to cutting edge sustainable and smart growth development principles.

[...] The campus anticipates leasing the site under a long-term ground-lease structure to a development team selected through competitive processes. The lease will be structured to ensure that the campus receives ground-lease rent based upon fair market value of the land, at minimum. [...]

The project benefits the campus by providing expanded academic and research opportunities, internships, and employment opportunities, particularly with the College of Science, College of Health Sciences and Human Services, and the College of Business. The project’s office space component can be used as business incubators and education spaces, providing opportunities for academic learning, student internships, and part-time employment.”

- b. received as an information item in consent the California State University Annual Debt Report.

“As of June 30, 2020 and April 30, 2021, outstanding SRB [Systemwide Revenue Bonds] debt of the CSU was approximately \$7.2 billion and approximately \$7.9 billion, respectively.

Key characteristics of the SRB portfolio are as follows:

Debt Ratings:	Aa2 (Moody’s) AA- (Standard & Poor’s)
Weighted Average Cost of Capital:	3.41%
Weighted Average Maturity:	14.9 Years
Interest Rate Mix:	97% Long Term Fixed Rate 3% Short Term Fixed Rate.”

- c. received as an information item in consent the California State University Quarterly Investment Report.

**CSU Investments – Balances, Allocations, and Returns
December 31, 2020**

	Balance	% of CSU Investments	Twelve Month Returns
Liquidity Portfolio (SWIFT)	\$3.354 billion	70.1%	2.35%
Total Return Portfolio (TRP)	\$1.251 billion	26.2%	10.97%
<u>Surplus Money Investment Fund (SMIF)</u>	<u>\$178.5 million</u>	<u>3.7%</u>	<u>1.02%</u>
CSU Investments	\$4.78 billion	100%	

- d. received as an information item the 2021-2022 Operating Budget Update.

Ryan Storm, Assistant Vice Chancellor for the Budget, summarized Governor Newsom’s May Revise to his January Budget Proposal. Due to a staggering \$100.7 billion surplus in the state budget, the CSU stands to receive **\$514.5 million in on-going funds** (a restoration of the \$299 proposed cut from last year, plus funding for the Graduation Initiative 2025 and mandatory costs). In addition, the system would receive **\$325 million for facility and infrastructure needs**, which “would be the largest one-time investment in deferred maintenance in recent history.” [Please remember the continuous advocacy of the Faculty Trustee, who was given the nickname “Trustee Deferred Maintenance”].

Furthermore, **Humboldt State is to receive \$433 million to facilitate its transition to a polytechnic institution, as well as \$25 in recurring funds for instruction and student support. CSU Northridge will receive a \$25 million one-time investment in a National Hispanic Serving Institution equity innovation hub.**

“And last but not least, the Governor indicated in the May Revision publication a desire to enter into multi-year agreements with the CSU and UC, focusing on these priorities:

- * closing equity gaps
- * improving time-to-degree completion
- * reducing students’ total cost of attendance
- * increasing California resident undergraduate enrollment
- * improving faculty diversity, and better aligning curricula with workforce needs.”

- e. received as an information item a report on Auxiliary Organizations.

“California State University (CSU) auxiliary organizations are separate legal entities created to support the educational mission of the university. Auxiliary organizations help ensure student success and the financial strength of the university by providing essential services and activities, increasing student engagement in high impact practices, managing risk and exposure, increasing investment opportunities, and facilitating real estate transactions. Auxiliary organizations include associated student organizations, student unions and recreation facilities, [housing and dining services, child care centers], enterprise corporations that run bookstores and food services, and foundations that manage contracts and grants or gifts.”

Steve Relyea, Executive Vice Chancellor and Chief Financial Officer, reported that “currently, there are 87 auxiliary organizations that help support the CSU’s mission and its financial needs.”

Deborah Wallace, Vice President for Administration and Finance and Chief Financial Officer at CSUDH, illustrated that in 2019-2020, auxiliary organizations on the 23 campuses and the Chancellor's Office managed \$5.2 billion in assets, collected \$1.2 billion in revenues, and oversaw \$586 million contracts and grants activity.

9. The Committee on Governmental Relations

a. received as an information item the *State Legislative Update*.

14 Senate bills and 37 Assembly bills were listed on the Board's agenda. Nichole Muñoz-Murillo, Assistant Vice Chancellor for Advocacy and State Relations, reported that the only CSU sponsored bill, AB 940 (McCarty) – College Mental Health Services Program, passed out of two policy committees with overwhelming bi-partisan support without dissent. It would provide funds for campus mental health services: \$10 million for the CCC, \$7 million for the CSU, and \$3 million for the UC. Other legislative priorities are financial aid reform, strengthening support for student basic needs, and improving transfer pathways. She highlighted two bills proposed by Assemblymember Berman that aim to facilitate transfer and be more student-friendly: AB 928 – Student Transfer Achievement Reform Act of 2021 and AB 1111 – Common Course Numbering System (for the CCC). The CSU remains in communication with the bill's author and so far has a pending position on both.

Trustee McGrory reiterated his criticism that in SB 22 (Glazer) [funding for educational facilities] higher education was bundled with K-12, because schools have different funding mechanism. He would like to see a bond measure for the UC and CSU alone. He also relayed the objection of the Statewide Academic Senate (ASCSU) to AB 927 (Medina), which would make baccalaureate degree programs permanent in the CCC [it is currently a pilot project].

Trustee Sabalius lauded the univocal support for the CSU sponsored bill AB 940 by campus constituents (ASCSU, CFA, and CSSA). Unlike previous legislative attempts to mandate a certain ratio of mental health counselors on campuses, this legislative proposal would provide state funding. He further pointed out that AB 928 (Berman) is co-sponsored by the students (CSSA), but opposed by the faculty (ASCSU), and he wondered how the Chancellor's Office can work with the bill's author to reconcile these divergent positions.

AVC Nichole Muñoz-Murillo explained that the CSU's position is pending and the staff plans to remain engaged. While the Chancellor's Office appreciates the intent to improve transfers, there are problems with the suggested implementation.

Lieutenant Governor Kounalakis explained why her office co-sponsors both AB 928 and AB 1111. The latter will make it easier for students to navigate the system by uniformly identifying courses across the CCC, and the Governor proposed to allocate \$10 million to finance the streamlining effort. She appreciates that AB 928 is student-centered and aims to simplify the transfer process. She cited data showing that approximately 75% of entering students indicated their plans to transfer to a four-year institution after completing community college; yet, only 4% actually were able transfer after two years.

10. The Committee on Educational Policy

- a. received as an information item a report on *Post-Pandemic Academic Programs*.

Fred Wood, Executive Vice Chancellor for Academic and Student Affairs, provided an overview of the academic challenges, changes and adaptations, and future perspectives as the result of the COVID-19 pandemic.

Trustee Sabalius shared that –unless re-appointed to a third term as Faculty Trustee– this will be his last regular Board meeting, and he wanted to use the occasion to highlight the tremendous effort of the faculty in converting all classes to online instructions. By providing countless hours of uncompensated workload as well as through engagement in professional development during the summer and winter break, the faculty assure continuous learning of our students and their degree completion, which was the largest in CSU history. He called on the Chancellor, the Presidents, and campus administrators to respect the faculty’s expertise and to consult them in the decision making to position the CSU for the post-pandemic era.

Trustee Arambula expressed his surprise that early registration shows that some online classes are filling quicker than in-person classes. Alison Wrynn, Associate Vice Chancellor for Academic Programs, Innovation and Faculty Development, surmised that students might appreciate the greater flexibility of online courses. Student Trustees Khames and Raynes subsequently confirmed that assumption, since students save time and money when not commuting to campuses or when living with their parents. Yet, others students crave the social interaction of in-person classes.

Trustee Armabula further asked who is authorized to acknowledge credit for prior learning and whether this would be a campus or a system decision. Sheila Thomas, Assistant Vice Chancellor for Self-Support Strategy and Partnerships and Dean of Professional and Continuing Education, replied that the Chancellor’s Office is in close collaboration with the CCC and Veterans Services, and it will provide a set of best practices and general guidelines. Yet, the ultimate decision is being made on each campus. In response to a follow-up question by Trustee Faigin, she acknowledged that the possibility to attain credit for life experience is not well known among students and still under-utilized.

Trustee Adamson wondered whether the CSU can stay on track to meet the need for nurses in the state. AVC Wrynn explained that the CO closely cooperates with the Board of Registered Nursing, and that it was possible to replace some of the limited clinical practice opportunities with simulation learning. She expressed her hope that these possibilities will continue after the pandemic.

Chair Kimbell inquired if the CSU explores partnerships with industry to provide more internships and also to share the cost for these, akin to the apprenticeship program in Germany, that is fully funded by state and industry. AVC Thomas reported that the CSU has one such multi-campus programs with industry, but she can imagine that there would be additional potential in the area of cybersecurity. Chair Kimbell stated that this is not much considering our large system, and she feels that industry should step up to contribute their share in the education of their future workforce. Trustee Steinhauser encouraged the CSU to

work with schools to align the resources in order to expand the apprenticeship and internship opportunities.

Trustee Raynes asked if mental health counselling and tutoring sessions will continue to be offered online, since that provided greater accessibility for students. Luoluo Hong, Associate Vice Chancellor for Student Affairs and Enrollment Management, hopes that some level of student services will continue to be available as an online option, based on what we have learned from last years' experience and in coordination with the Associate Students. She also noted a greater interest on the part of staff to provide online services, because they came to appreciate the flexible work schedule. It also offers student engagement opportunities on other campuses across the system.

Trustee Faigin asked whether we can replicate the success and acceptance of remote learning and scale up the size of online classes. AVC Wrynn explained that there are certain class sizes for pedagogical reasons. However, it might be possible to offer recorded lectures to a large number of students, followed by smaller size discussion sessions.

Vice Chair Fong stated that fourteen CSU campuses serve as COVID vaccination sites, and she wondered whether there are plans for the other nine campuses to follow suit to assist their communities. Chancellor Castro replied that all campuses collaborate with their respective county to provide access to vaccination. Additionally, the CSU works with the Governor's Office to create a marketing campaign to promote vaccinations within higher education.

The Board adjourned for the day at 15:00 pm.

On May 19, at 9:00 am, the Board reconvened.

11. The Committee on University and Faculty Personnel

- a. approved as an action item the *Executive Compensation for the President of Fresno State.*

“Dr. Saúl Jiménez-Sandoval [will] receive an annual salary of \$348,423 effective on May 19, 2021. [...] Dr. Saúl Jiménez-Sandoval has been serving as interim president and there will be no change to his compensation as president.

Additionally, Dr. Saúl Jiménez-Sandoval will be required to live in the university's presidential residence located in Fresno, California, as a condition of his employment as president.

In accordance with existing policy of the California State University, Dr. Saúl Jiménez-Sandoval will receive [among other standard benefits] an auto allowance of \$1,000 per month.”

12. The Committee of the Whole

- a. approved as an action item the *Conferral of Commendation on Karen Nakai.*
- b. approved as an action item the *Conferral of Title of Trustee Emeritus on Silas H. Abrego.*
- c. approved as an action item the *Conferral of Title of Trustee Emeritus on Peter J. Taylor.*

At 9:45 am, Chair Kimbell called the full **Board of Trustees Meeting** to order.

13. The **Board of Trustees**

- a. received the following *Reports*:

Lillian Kimbell, *Chair of the Board of Trustees*, reported progress in the fight against the COVID-19 pandemic in the state, and the CSU has contributed with over 1.2 million vaccinations at its sites. She reiterated that the CSU will require a COVID vaccinations for its students, faculty, and staff in the fall. Another threat to our community emerged in the form of anti-Asian hate crimes. In response, Vice Chair Wong produced a public service announcement for Asian Pacific Heritage Month, which was shown during the meeting.

Chair Kimbell commemorated the 91st birthday of Dolores Huerta. A campus celebration at CSU Bakersfield was planned for her 90th birthday last year, but had to be postponed due to the campus closure. Lastly, Chair Kimbell announced that the CSU has reached the landmark of having 4 million alumni.

Joseph Castro, *Chancellor*, reported various changes in campus impactions. He shared impressions of his recent virtual campus visits to Humboldt State, the Maritime Academy, and San José State.

The Chancellor gave his assurance “that campus policing –in policy and in action– reflects the core values of our great university.” Despite abusive police behavior across the nation, university police departments “perform the essential function of protecting the safety and well-being of our students, faculty, staff, and guests.” Therefore, “the CSU will not defund, disarm, or dissolve our police departments.” Instead, it will “do the hard work – together– to ensure that critical police services are performed in a manner that is consistent with our shared values.” Chancellor Castro reported that “in just the last 12 months our university police departments have taken important steps in this regard,” some of which include the wearing of body cameras, the development of a series of systemwide policies including a use-of-force policy, and all CSU police officers have completed a state-approved de-escalation training. Furthermore, “the campus Presidents and the Chancellor have agreed to require the formation of Police Advisory Committees at each of our 23 campuses, and he welcomes and encourages students, faculty, and staff to actively participate in these important and inclusive campus discussions,” which should “lead to recommendations at each campus that are carefully crafted to respond to local needs and concerns.”

Robert Collins, *Chair of the Academic Senate CSU (ASCSU)*, relayed a number of concerns of the faculty regarding AB 928 (Berman), which is opposed by the Academic Senates of all three segments of the state’s higher education system. Faculty consider this proposal as “legislative intrusion” and creating “redundancies in curricular discussions” since appropriate oversight and policy recommending committees already exist. It is the consensus of faculty in all three systems, that “transfer is not broken – it is underfunded, particularly in the area of advising.”

Chair Collins summarized some of the twelve resolutions that the ASCSU passed during its plenary in May. He closed by announcing the election results for next ASCSU Executive Committee, which includes his re-election as Chair of the Academic Senate.

Zahraa Khuraibet, *President of the California State Student Association (CSSA)*, delivered her last report in her role. She announced three CSSA resolutions that call for the addition of Southwest Asian and North African (SWANA) as its own category in CalStateApply, the inclusion of caste into the CSU's anti-discrimination policy, and the support for fossil fuel divestment.

President Khuraibet urged the campus and system leaders to include multiple students in the advisory committees on campus policing and to make student concerns the "heart and center of these discussions."

She closed her report by reminding us not to forget those students who are suffering and whose voices are not being heard because they left the CSU before graduation due to hardships and those who simply do not have a platform to voice their challenges and struggles.

Michelle Power also delivered her final report as *President of the Alumni Council*. The Alumni Council participated in Alumni Advocacy Month to lobby for a fully funded CSU. "Later this month, we will join The-Class-of-4-Million Social Media Campaign to further share our CSU stories. In June, the virtual systemwide alumni events continue with a focus on alumni living on the East Coast."

In closing, she shared "the Alumni Council's appreciation to Chancellor Castro for identifying additional ways alumni can be involved with the university's priorities."

- b. approved by consent as an action item the previously passed *Committee Resolutions*.

Before adjourning, Chair Kimbell thanked Michelle Kiss for her outstanding work as the Trustee Secretariat, and she expressed the Board's relief that Michelle will remain in the Chancellor's Office in her new position as Chief of Staff for the Chancellor. The new Trustee Secretariat will be Shannon Matthews.

14. The **Board of Trustees** met in **Closed Session** to discuss *Executive Personnel Matters*.

The Board of Trustees meeting was officially adjourned on Wednesday May 19, at 1:30 pm.