Brawl over OCC chancellor ends in stalemate

A five-hour brawl Monday ended in a stalemate when Oakland Community College trustees failed to fire Chancellor Patay Calkins but did agree to give her an overdue performance evaluation by Oct. 16.

an overdus performance evalua-tion by Oct. 15 anice Simmons, one of two Calkins supporters, gaveled down motions to termi-nate Calkins, to begin a ruli-change allowing the five insur-gents to oust the board officers, and a parliamentary challenge to appeal the chair's decision.

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Wiser shocked trustees and the audience when she threw to the floor a plaque used by Simmons as a sounding board for the gavel, along with Simmons' nameplate. At another point, Wiser addressed the chancellor as "Dolly."
Wiser also tried to take over the meeting from Simmons, started a roll call vote and even declared,



Patsy Calkins

"The chanceller is removed."
Donald Tucker, legal counsel from the Bloomfield Hills firm of Howard and Howard, advised Simmons against considering several motions by the anti-Calkins group because:
"Both factions have brought itigation. Both allege the Open Meetings Act has been violated. Both have involved the Oakland

Circuit Court . . . R's proper to rule out of order all these motions until the allegations are resolved. Any such vote would be deemed null and vold. A rush to judgment will delay you procedurally. Trustec Carol Crew, a Calkins opponent, said, 'He (Tucker) butts in whenever he wants, and we the board can't? . . . We will go around you."

Here are the major developments as the battle enters its third month:
26 George Mosher and Richard Blonde, former trustees, filed a second petition form with the Oakland Election Commission to recall Wiser, Crew, Sandra Ritter, Pamala Davis and Douglass Wakefield. That panel on Sept. 12 rujected one petition form, but Blonde said corrections have been made. Once a form is approved, he recall group, Alliance for OCC's Future, will have 99 days to cellect 101,000 voters' signatures demanding a recall election.

**The anti-Calking faction filed a counter-suit against Simmona and trustee Anne Scott, changing the chair with violating the Open and enters at the returning to allow

图 'I'm dying to discuss it in public. I'm dying to discuss in public what we've been accused of discussing in private.'

Judith Wiser

a vote on Calkins' future. That case has been assigned to Circuit Judge Edward Sesnick.

Said Tim Patterson, Scott's attorney in an Open Meetings Act sult against the anti-Calkins quintet before Judge Jessica Cooper: "The allegations are improprend as should have been brought up in Anno's litigation. There are court rules."

If the board held a 70-minute closed essesion with attorneys from the firm of Dickinson Wright to discuss "interpretation" of Calkins' contract. Asked under what section of the Open Meetings Act such a closed meeting could be held, attorney George Anhford said, "I'm not going to answer, sit." (After consulting another lawer, Ashford later said the authority to class lay in the attorney-client privilege in the Freedom of Information Act.)

Scott boycutted the closed session. Part. way through, trustees ousted Calkins and the attorneys from Howard and Howard. Said Calkins: "I can't have an interpretation of my own contract. That's

absolutely ludicrous." Calkins asked for an open meeting on any charges against her. Reporters for two other newspa-pers said they would consult their counsel on challenging the closed meeting.

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If The board majority asked the Dickinson Wright firm to advise to an encoding the bylaws, which currently have no provision whereby the anti-Calkins faction can oust Simmons as chair before the end of her two-year term.

The board turned down a motion to "receive and file" an audit report from the firm of Delitte & Touche LLP, Ritter complained that an Internal Revenue Service audit of some payoll taxes wasn's reported to the board and want'reovered in the budget.

Replied Calkins: "We mout in question is \$170,000 in taxes over three years — less than two-tenths of a percent of one year's spending. Another administrator said the sum could even be weived by the IRS. Calkins said it was the first time

in 30 years the IRS had questioned the procedure.

The board rejected, 5-2, several staff appointments after Crew complained to Calkins, "There's no staffing plan. How can we approve these with no staffing plan?
. These are small things in the scheme of the '90 budget. Tell me the big picture so I can tell where you want to go."

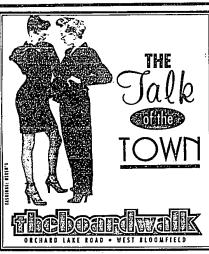
scheme of the '96 budget, Tell me the big picture so I can tell where you want to go."

On reconsideration, the board agreed to two faculty hirings; Michael Volbach in behavioral schenes at the Royal Oak campus, to replace an instructor on disability; and Kathleen Emmencker, English-as-a-second-language instructor at Orchard Ridge, to replace an instructor who resigned.

Calkins, a business educator from Texas, has been chancellor of the five-campus, two-year college since 1991. The board was due to evaluate her in June but failed to do so.

Among the '30,000 students, Calkins is perceived as a heroine for leading OCC's first successful millage campaign in 30 years. Under the evaluation procedure, she will receive a form by Sept. 25, list her accomplishments by Oct. 11, and receive the board's evaluation Oct. 16.

Under the Open Meetings Act, only the employee being evaluated may ask that that meeting be closed. So far, Calkins has said she wants an open procedure.



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