

LANSING COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
May 21, 2018

**Regular Meeting**  
Adopted Meeting Minutes

## **Call to Order**

The meeting was called to order at 5:02 p.m.

## **Roll Call**

Present: Abood, Buck, Hidalgo, Mathews, Meyer, Proctor, Smith  
Absent: None

## **Pledge of Allegiance**

Trustee Smith led the Pledge of Allegiance.

## **Approval of Minutes**

IT WAS MOVED BY Trustee Smith and supported by Trustee Mathews that the minutes of the April 16, 2018 Regular Board of Trustees meeting be adopted.

Roll call vote:

Ayes: Abood, Mathews, Meyer, Hidalgo, Buck, Smith, Proctor  
Nays: None  
Absent: None

The motion carried.

## **Additions/Deletions to the Agenda**

The following additions/deletions were made to the agenda:

- Trustee Proctor asked that the MCCA Board Report be added to the meeting agenda under Board Members Reports.

## **Limited Public Comment Regarding Agenda Items**

Mark Kelland: Mark Kelland addressed the Board regarding the ADA and Reasonable Accommodations policy agenda item. He stated the Executive Director of Human Resources and the Office of Risk Management and Legal Services are charged with the publication of procedures, rules, and guidelines. He stated that since some of the policy applies to academic and faculty, the Provost should also play a role.

Jim Luke: Jim Luke addressed the Board regarding the No Bid Purchase Order for Various Book Publishers to procure textbooks and supplemental class materials for CHEM 151, CHEM 152, MATH 109, MATH 112, ACCG 210 and ACCG 211. Mr. Luke stated that to ascertain there are no alternatives depends on the effort and planning. He stated he is familiar with the three programs and would agree at the moment there aren't alternatives that wouldn't sacrifice student learning. He stated there are alternatives however if the college plans. He further stated that although this expense comes out of course fees, it is money coming out of the student's pocket. Mr. Luke stated that the college must plan ahead and commit to development resources so the college can lower these fees next year.

## Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. College Policies
  - 1. Children on Campus (*REVISED*)
  - 2. Employee Personnel Files (*REVISED*)
  - 3. Family and Medical Leave of Absence (*REVISED*)
  - 4. Standards of Conduct (*REVISED*)
- B. No Bid Purchase Orders
  - 1. Kalan Higher Education Corporation
  - 2. Various Book Publishers

IT WAS MOVED BY Trustee Smith and supported by Trustee Hidalgo that the Consent Agenda be approved.

Roll call vote:

Ayes: Hidalgo, Smith, Mathews, Proctor, Meyer, Abood, Buck  
Nays: None  
Absent: None

The motion carried.

## Monthly Monitoring Report

The following Monitoring Reports were presented:

- 1. Access
- 2. Academic and Workforces Development Excellence
- 3. Staff Treatment
- 4. Monthly Financials

## Policy Development

Trustee Proctor briefly reviewed the policies being forwarded by the Policy Committee as a first read. The committee will be forwarding these policies for approval at the June meeting.

### **AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS AND SECTION 504 OF THE REHABILITATION ACT/MICHIGAN'S PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

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#### **I. Purpose**

Lansing Community College is committed to providing and maintaining a barrier-free environment so that individuals with disabilities can fully access employment, programs, services, and all activities of the College.

Lansing Community College is committed to providing equal employment opportunities and equal education for all persons regardless of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position or that is unrelated to the person's ability to participate in educational programs, courses services or activities offered by the college

The college prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

#### **II. Scope**

This policy applies to all persons seeking reasonable accommodations under the American with Disabilities Act (ADA) and section 504 of the Rehabilitation Act, the Michigan's Persons with Disabilities Civil Rights Act, or any other statutes addressing disabilities from the College.

The College's Center for Student Access and the College's Human Resources Department respectively assist students and employees as well as others by maximizing ability and opportunity for full participation at the College.

#### **III. General**

The Executive Director of Human Resources and the Office of Risk Management and Legal Services are charged with the publication of Procedures, Rules, Guidelines, and Contact Persons relative to this policy.

~~A. Students who are seeking classroom and academic accommodations should be directed to the Office of Disability Support Services (ODSS) Staff. The ODSS staff also serves as a resource for answering questions that LCC faculty and staff have when working with students with disabilities. ODSS is located in the Counseling Services Department, 2300 GVT and can be contacted by calling (517) 483-1904.~~

~~Students alleging discrimination based on a disability and/or failure to accommodate a disability should be directed to the Office of Equal Opportunity and Diversity Programs.~~

~~B. Faculty and staff at Lansing Community College shall follow these three steps to request an accommodation:~~

- ~~1. The faculty and staff must self-identify himself/herself to the ODSS as a person with a disability~~
- ~~2. The faculty and staff should make a written request to the ODSS for an accommodation, and~~
- ~~3. The faculty and staff must provide appropriate documentation of his or her disability and the need for an accommodation if so requested by the College.~~

~~Nothing in this document shall be construed to waive the College's right to contest whether an employee or applicant is disabled or is entitled to an accommodation.~~

~~Employees may self-identify as a person with a disability. Self-identification as a person with a disability alone is not sufficient to obtain an accommodation. Rather, the appropriate procedures must be followed to request and, if appropriate, obtain an accommodation.~~

~~C. Requests for Accommodation~~

~~A person with a disability may or may not need an accommodation. If a faculty or staff member believes that he/she needs an accommodation, he/she may request an accommodation by completing a Faculty/ Staff Request for Accommodation form (Attachment A) and an Employee Medical/Documentation form (Attachment B.) (Documents A and B may be obtained in the Office of Human Resources or the ODSS)~~

~~D. Medical Documentation~~

~~At any time during the accommodation request process, the College may ask the faculty or staff member for documentation (or additional documentation) of the disability and/or of the need for an accommodation. The faculty or staff will be required to provide that documentation.~~

~~E. Confidentiality~~

~~Medical documentation, as well as Faculty/Staff Request for Accommodation forms, will be maintained in a separate, confidential file apart from the main personnel file(s.) Such documentation will be kept confidential, except as necessary to administer the accommodation process. Accordingly, such documentation will be shared only with those individuals involved in the accommodation process, on an as-needed basis, except as otherwise authorized by law.~~

~~F. Supervisor~~

~~When a faculty or staff member approaches his/her supervisor with a request for accommodation, the supervisor should discuss the need for accommodation with the employee. In addition to discussing the specific accommodation requested by the employee, the supervisor should discuss other possible accommodations and assess the effectiveness each would have in allowing the employee to perform the essential functions of the position.~~

~~The faculty or staff and the supervisor should discuss the following issues:~~

- ~~1. The essential job functions;~~
- ~~2. The faculty or staff's ability to accomplish essential job functions with or without a reasonable accommodation;~~
- ~~3. If an accommodation is needed, possible types of reasonable accommodation~~

~~The supervisor should not request information regarding:~~

- ~~1. How the employee became a person with a disability~~
- ~~2. Disabilities for which the employee is not seeking accommodation~~
- ~~3. Information, which is unrelated to whether, the person has a disability or what accommodation is needed~~

~~The supervisor should make sure the employee has completed the appropriate request and accommodation forms. These forms should be forwarded to ODSS. What constitutes a reasonable accommodation will vary depending on the circumstances of each case. In evaluating alternatives for accommodation, the preferences of the employee will be~~

~~considered, but the ultimate decision regarding what type of accommodation, if any, will be provided is made by the College.~~

~~G. Office of Disability Support Services~~

~~The Office of Disability Support Services (ODSS) maintains records of accommodations made for persons with a disability. The staff are available for consultations with faculty, staff or supervisors who are making assessments of accommodation requests. In cases where a requested accommodation involves action or expenses beyond the supervisor's authority or in cases in which the faculty, staff and supervisor cannot agree on an accommodation, the College may do the following:~~

- ~~1. Identify additional alternatives;~~
- ~~2. Gather necessary medical documentation;~~
- ~~3. Where appropriate, gather cost or other technical impact information from resources including:
  - ~~1. The department and/or employee~~
  - ~~2. Physical Plant Office~~
  - ~~3. The Human Resources Office~~
  - ~~4. The EEOC, Department of Justice~~
  - ~~5. Rehabilitation agencies~~~~
- ~~4. Evaluate whether any accommodation is needed and, if it is, whether an accommodation is reasonable and should be made (this evaluation may include preparing cost estimates);~~
- ~~5. Recommend a reasonable accommodation, if appropriate;~~
- ~~6. Discuss the recommendation with the department/unit;~~
- ~~7. Obtain appropriate funding for the accepted accommodation, if needed; and/or~~
- ~~8. Follow up on approved requests.~~

~~H. Appeals~~

~~If an employee disagrees with the department's accommodation determination, the employee may appeal the determination to the Office Equal Opportunity and Diversity Programs.~~

~~I. Retaliation~~

~~Retaliation against an employee or applicant who requests an accommodation is prohibited. Individuals who feel that they have been retaliated against may contact the Office of Equal Opportunity and Diversity Programs.~~

**IV. Responsibility**

Responsibility for the interpretation and administration of this policy is delegated to the Equal Opportunity Officer.

~~The Office of Human Resources works with the Department to facilitate placement of employees with work restrictions and/or in rehabilitation situations. Such placements may exceed the College's legal duties under the ADA, the MPDCRA and/or the Rehabilitation Act. The nature of the relevant work restrictions may be shared with employing departments so that appropriate discussions about placement can take place. The College does not guarantee such placements nor does it waive its right to limit its responsibility to accommodate a person with a disability to the duties imposed by the applicable state and federal statutes.~~

~~The College's Director of Student Success serves as the ADA Coordinator. The Vice President of Academic Affairs is responsible for preparing procedures to implement this policy.~~

## **EQUAL OPPORTUNITY AND NONDISCRIMINATION POLICY STATEMENT**

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### **I. Purpose**

~~A. Lansing Community College is committed to a policy of providing equal employment opportunity and equal education for all persons regardless of race, color, sex, age, religion, national origin, creed, ancestry, familial status, marital status, height, weight, sexual orientation, disability, or veteran's status or other status as protected by law.~~

A. Lansing Community College is an educational institution that embraces and promotes diversity, equity and inclusion in all aspects of its operations.

Lansing Community College is committed to providing equal employment opportunities and equal education for all persons regardless of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position or that is unrelated to the person's ability to participate in educational programs, courses services or activities offered by the college.

~~B. Equal employment opportunity is a legal, social and economic responsibility of the college and is provided in accordance with applicable federal and state laws and Lansing Community College policy. The college policy and practice at all levels assures the active and positive implementation of federal and state equal employment opportunity laws, executive orders, rules and regulations and College equal employment opportunity policies and guidelines.~~

- B. The college prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

## II. Scope

~~This nondiscrimination policy applies to admissions, employment, access to and treatment in the college programs and activities. This policy applies to all persons employed by LCC, enrolled as a student, seeking admission to the college and/or requesting employment at or having contracts with the College.~~

This policy applies to employees, applicants for employment, students, and persons applying for admission to the college, vendors, visitors, volunteers or anyone person or entity engaged in business or seeking to engage in business with the college.

## III. General

- A. ~~The College is committed to and reaffirms support of equal opportunity in employment, education and non-discrimination in employment and academic policies, practices and procedures and will examine periodically all employment and academic policies for discrimination on the basis of race, color, religion, sex, national origin, creed, ancestry, familial status, age or disability, marital status, height, weight, sexual orientation, disability or veteran's status or other protected status and take remedial action to correct such discrimination if it is found to exist.~~
- B. ~~The College values diversity and seeks talented students, faculty and staff from diverse backgrounds. The College does not discriminate in the administration of educational policies, programs or activities; admissions policies; scholarship and loan awards; athletic or other college administered programs or employment.~~

## III. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the College's Director of Equal Opportunity Officer and Diversity Programs (517/483-5232) is the Executive Director Human Resources. responsible for preparing procedures to implement this policy.

*\*NEW*

### POLICY TITLE: EQUAL EMPLOYMENT OPPORTUNITY POLICY

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## I. Purpose

Lansing Community College is committed to providing equal employment opportunities for all persons regardless of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's

status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position or that is unrelated to the person's ability to participate in educational programs, courses services or activities offered by the college.

**II. General**

- A. Faculty and staff shall be selected, promoted and transferred based on their qualifications and ability to perform without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.
- B. All other personnel actions, including, but not limited to compensation, employee benefits, terms and conditions of employment, staff reduction, promotion will be administered without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.
- C. No employee of Lansing Community College shall:
  - 1) Fail or refuse to hire, recruit, or promote; discharge; or otherwise discriminate against a person with respect to employment, compensation, or a term, condition, or privilege of employment because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.
  - 2) Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of an employee or applicant because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.
- D. Lansing Community College prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

### III. Responsibility

Responsibility for the interpretation and administration of this policy is delegates to the Equal Opportunity Officer and the Executive Director of Human Resources.

#### ~~POLICY TITLE: ORGAN DONOR~~

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#### ~~I. Purpose~~

~~Lansing Community College desires to encourage voluntary organ donation from its staff and faculty so that the health and quality of life of others may be benefited.~~

#### ~~II. Scope~~

~~This policy applies to all LCC employees with one year of current service.~~

#### ~~III. General~~

~~The employee must submit medical certification to support the use and expected duration of the leave. Up to thirty work days will be granted for the organ donation and recuperation time. The employee may use his/her existing paid leave days. If necessary, an unpaid status will be made available.~~

~~Leave used for organ donation will not be considered Family and Medical Leave. However, if more than thirty days is required, the provision of the Family Medical Leave Act may apply.~~

~~This policy covers donation of bone marrow or major organs only.~~

#### ~~IV. Responsibility~~

~~The College's Executive Director of Human Resources is responsible for the oversight of this policy.~~

#### ~~POLICY TITLE: RETIREE BENEFITS POLICY~~

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#### ~~I. Purpose~~

The purpose of this policy is to provide a list of benefits that are available to retirees, as defined by this policy.

**II. Scope**

~~Any College employee who retires through MPSERS/ORP and~~

~~1) is 60 years of age and has earned a 20 year service award at the College~~

~~or~~

~~2) is 60 years of age and has 10 or more years of full-time active service at LCC~~

~~or~~

~~3) is under 60 years of age and has 25 years FTE (full time equivalent) service with the college and leaves the college to accept MPSERS benefits~~

**III. General**

- ~~1. Computer Access: The retiree will be provided an account which provides dial-in access to the World Wide Web, an e-mail account, computer training provided to faculty and staff as space is available and access to limited HELP desk information for dial-in and e-mail accounts.~~
- ~~2. Facility Access: The retiree will be provided with an ID card for access to the library; pool (during open swim, subject to applicable fee); on campus, LCC sponsored sporting events at no charge. Open computer lab access at specified times for retirees as posted by lab staff~~
- ~~3. Tuition for the retiree, spouse, and IRS qualified dependent not to exceed 8 credits per family, per semester. A retiree or family members may be dropped to prevent displacing paying students. Registration and all other fees will be paid by the retiree or family members.~~
- ~~4. Publications: campus publications (Open Line; Foundation Focus; Campus Connection; Lookout) will be mailed to retirees if requested. Retiree will be asked to notify the College when they no longer wish to receive publications.~~

~~This policy is subject to change upon reasonable notice to the recipients.~~

**IV. Responsibility**

~~The College's Executive Director of Human Resources is responsible for the oversight of this policy.~~

## SICK LEAVE POLICY

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### I. Purpose

The purpose of this policy is to articulate sick leave provisions for employees who are unable to work due to their illness or the illness of an immediate family member. For purposes of this policy, a member of the employee's immediate family is defined as spouse, mother, father, sister, brother, daughter, son, grandfather, grandmother, grandchild, step-parent, step-child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, and other members of the employee's household.

### II. Scope

This policy applies only to regular, full-time and part-time employees who are not covered by any collective bargaining agreement or an individual written employment agreement with the College.

### III. General

1. Sick leave is defined as an approved absence of an employee from work by reason of verified illness or accident which is non-work related and not compensable under the Worker's Compensation Act. All sick leave and paid time off (PTO) will be paid at the employee's current regular rate of pay.
2. A full-time employee who is absent from work due to illness is eligible to receive accrue paid sick leave at his/her regular rate of pay on the basis of one (1) day of sick leave for each month of employment, up to a maximum of 150 days.
3. Part-time support and part-time administrators who work at least 20 hours per week are eligible to accrue paid time off (PTO), on the basis of number of hours per year of service, up to a maximum of 200 hours.
4. Full-time eEmployees who are absent from work due to illness shall be permitted to use sick leave days before they are earned accrued, up to a maximum of the number of days necessary to carry the employee through the qualification period for long term disability insurance. However, in a case
5. where-When an employee terminates before the end of the fiscal year, their the employee's sick leave days will be prorated. Sick leave credit for new employees shall accrue from the date of employment. An employee beginning work on or before the fifteenth (15<sup>th</sup>) of any month shall earn sick leave credit for that month. If work is begun on the sixteenth (16<sup>th</sup>) or after, no credit shall be given for that month. Part-time employees accrue hours for all hours worked or paid.

6. Upon approval, full-time employees may use up to a maximum of 6 sick leave days due to the illness of an immediate family member.
7. Upon approval, part-time employees may use paid time off (PTO) days for personal or immediate family related illnesses.
8. In cases where an employee frequently claims personal illness or when his/her ability to perform assigned duties appears to be impaired, the ~~Board~~ College may require a medical or psychological statement certifying that the employee is capable of performing his/her assigned duties. When such a medical or psychological statement is required, the physician or psychologist will be selected and paid by the ~~Board~~ College.

#### IV. Responsibility

~~The College's Executive Director of Human Resources is responsible for the oversight of this policy.~~ Responsibility for the interpretation and administration of this policy and the establishment of the procedures governing sick leave is delegated to the Executive Director of Human Resources or his/her designee. The procedures can be found at (insert www. link).

## STAFFING POLICY

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### I. Purpose

~~This policy is intended to define how faculty and staff are categorized in and selected for regular and temporary positions and job assignments. It does not apply to changes in job duties of a given position.~~ This policy ~~continues to~~ reaffirms the College's commitment and adherence to equal opportunity and ~~affirmative action~~ diversity, equity and inclusion in the appointment to positions and/or hiring of our internal staff. It also enhances the College's flexibility to utilize the knowledge, skills and abilities of our current staff. ~~This policy does not apply to changes in job duties of a given position.~~

### II. Scope

This policy applies to full-time ~~and part-time~~ regular and ~~special assignment~~ temporary positions ~~created and job assignments made after May 1, 2006.~~ with the following exception: In instances where positions are covered by a collective bargaining agreement (CBA) that contains terms and conditions in conflict with this policy, the CBA terms and conditions will control.

### III. General

#### A. Definitions:

1. A **Regular** position or job assignment is one that is expected, although not guaranteed, to continue indefinitely.

2. A **Temporary** position or job assignment is one that has a definite end date. A temporary position may be converted to a regular position if the ~~function becomes institutionalized after~~ **need for the position continues beyond** three years.
3. An **Interim** job assignment is a temporary assignment to a Regular position.
4. **Reassignment/Transfer is the** assignment of a current employee to a different position based on qualifications, performance and institutional need.
5. **Promotion is the** assignment ~~is~~ to a higher-salary position.

B. Selection Process

1. A regular job assignment will be made through a competitive search process or through a reassignment/transfer. Transfers to regular positions will be limited to individuals in regular job assignments. A reassignment/transfer will occur only after giving consideration to all employees currently in regular job assignments that have relevant qualifications for the position.

This language ~~will~~ **does** not limit the right of the College to make unilateral transfers that are in the best interest of the College.

2. Temporary job assignments can be made through appointment, ~~although competitive searches must be initiated within one year of the appointment~~ **through a call for interest, or through a competitive search.**
3. If a temporary job assignment is being converted to a regular job assignment, a competitive search will be conducted, with the following exceptions:
  - a. If an individual with a regular job assignment moves to a temporary position **classified at the same level** that eventually becomes a regular position, that individual may, at the discretion of College management, be assigned to the regular position.
  - b. An individual is placed into a temporary position through a competitive search and ~~remains in the position for three years or more. If~~ the position is **later** converted to a regular position, that individual may, at the discretion of College management, be assigned to the regular position.
  - c. ~~An individual was appointed (without a competitive search) to a temporary position and has been in it for more than ten years. If the position is converted to a regular position, that individual may, at the discretion of College management, be assigned to the regular position.~~

Examples:

1. ~~A department chair is appointed "Director of the Mason Center", a new temporary position. After 10 months the College decides to make it a~~

~~regular position. That individual may, at the discretion of College management, be assigned to the position without a competitive search.~~

~~(See Section III.B.3.A.)~~

- ~~2. In 1985, a part-time counselor was assigned to a temporary, grant-funded full-time counselor position and is still in the position. At the end of the fiscal year, the position will be converted to a regular position. The incumbent may, at the discretion of College management, be assigned to the regular position without a competitive search. (See Section III.B.3.C.)~~
- ~~3. An individual has been working in a full-time regular administrative position. The College decides that this position should be a faculty position. The incumbent may, at the discretion of College management, be transferred to the faculty position after giving consideration to all employees currently in regular job assignments who express interest in the position. (See Section III.B.1.)~~

#### Notes

~~As with competitive searches, the Office of Equal Opportunity and Diversity Programs, to assure that the College adhere to our policy of nondiscrimination and that the institution continues to make progress toward its goal of a diverse work force, will monitor all assignments and transfers.~~

## IV. Responsibility

~~The College's Executive Director of Human Resources is responsible for the oversight of this policy.~~ Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or his/her designee.

## WORKING FROM HOME POLICY

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### I. Purpose

To establish clear and consistent guidelines for Lansing Community College employees working from home. This policy is consistent with the strategic plan goal of providing an environment conducive for technological/computer literacy. Telecommuting) creating an environment for innovation, intelligent risk taking, and organizational agility.

### II. Scope

This policy applies to all College employees who receive prior approval from their supervisor to work from home.

### III. General

Regardless of the location of their workstation or the time of day actual work is accomplished, all full-time college employees are ~~expected~~ required to work a

minimum of forty hours per week and all part-time employees are expected to work their designated number of hours per week. Employees are expected to follow supervisor-approved work schedules; management **the respective Executive Leadership Team (ELT) or his/her designee** has the final decision regarding an individual's work schedule and location.

- ~~Employee must obtain supervisor authorization in advance regarding work schedule, location, and duration. Failure to obtain supervisor's authorization in advance regarding work schedule, location, and duration may result in disciplinary action. The suggested guideline for advance authorization is one workday (the supervisor may require more or less advance notice.)~~
- ~~Employee must be accessible to customers, colleagues, and supervisor during scheduled work hours.~~
- ~~The college is under no obligation to provide resources needed to work at home, unless telecommuting is a job requirement.~~
- ~~Employee must attend required scheduled meetings (exceptions can be made with prior approval from supervisor.)~~
- ~~Work-at-home approval may be withdrawn at anytime.~~
- ~~Every employee's Electronic Calendaring System must reflect his/her work schedule (e.g., accessible schedule, off site times, etc.)~~
- ~~Employees cannot work from home during medical leave without their physician's written authorization.~~
- ~~The suggested guideline is for all employees to be on campus a minimum of 60% of business hours.~~

#### **IV. Responsibility**

~~The College's Executive Director of Human Resources is responsible for the oversight of this policy.~~ **Responsibility for the interpretation and administration of this policy and the establishment of the procedures governing working from home is delegated to the Executive Director of Human Resources or his/her designee. The procedures can be found at (insert www. link).**

### **WORKPLACE CONSENSUAL RELATIONSHIPS**

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#### **I. Purpose**

The purpose of this policy is to address concerns where a consensual relationship exists between a Faculty member and his or her student or a

supervisor and his or her subordinate. The type of consensual relationship addressed by this policy is one of a romantic or sexual nature.

## II. Scope

This policy applies to all College employees, including temporary, ~~and interim,~~ **and specialized professional services** employees, volunteers, as well as Board members. This policy also applies to independent contractors who have a direct supervisory relationship to any College employees.

## III. Definitions

- A. Consensual relationship: One entered into willingly by both parties, free of any coercion.
- B. Romantic relationship: One characterized by displaying or expressing erotic love or strong affection.
- C. Sexual relationship: One involving sexual contact of any degree.
- D. Direct Supervision: Is defined as a direct line of authority no matter how far removed (an employee who reports to a Manager who reports to a Director who reports to the Vice President is in a direct line of authority to the Vice President).
- E. Line of authority: As indicated on the ~~chart of~~ **official organization chart**.

## IV. General

### ~~Consensual Workplace Relationships:~~

~~Faculty, staff,~~ **Employees** and supervisors are expected to be fully aware of their professional responsibilities in consensual workplace relationships, and avoid apparent or actual conflict of interest, favoritism, or bias. Romantic and sexual relationships between a faculty member and his or her student or between **a** supervisors and his or her subordinates are full of the potential for exploitation. The respect and trust accorded a faculty member by his or her student or a supervisor by his or her subordinate, as well as the power exercised in an academic or evaluative role, makes voluntary consent by the student or subordinate suspect, even when both parties initially have expressed consent. The development of a romantic or sexual relationship renders the faculty member or supervisor and the College vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students, and between supervisors and subordinates under their direct supervision; and vulnerable to charges of sex discrimination if the faculty member or supervisor affords unwarranted favorable treatment to the student or subordinate. As such, romantic and sexual relationships between faculty and his or her student (i.e. there is some current academic nexus between the faculty member and student, or such a nexus has existed within the

preceding four months), and between a supervisor and his or her subordinate under their direct supervision are prohibited and must be avoided. Violation of this policy is considered professional misconduct and may be grounds for discipline, up to and including termination.

If a romantic and/or sexual relationship ~~already~~ exists or develops between a faculty member and his or her students; or between a supervisors and his or her subordinates under ~~their~~ his or her direct supervision, there must be prompt disclosure of the relationship. The faculty member or supervisor should provide written notification to Human Resources **as soon as the faculty member or supervisor becomes aware of an actual or potential prohibited conflict of interest based on a consensual relationship (e.g., a student's enrollment in a class section assigned to the faculty member or an individual's candidacy for a position under the supervisor's direct supervision).** ~~For relationships in existence as of the effective date of this policy, disclosure must occur within thirty (30) days of this effective date. Relationships that develop after the effective date of this policy must be disclosed immediately.~~ Failure to comply with these disclosure requirements constitutes a violation of policy and may be grounds for discipline, up to and including termination.

Upon receipt of the written disclosure, College leadership will determine the best course of action to **avoid or** eliminate the conflict of interest. This will most often consist of making alternative arrangements for supervision of the subordinate or education of the student. Employees who disclose relationships in conformance with this policy will not be subject to discipline based on the existence of a consensual relationship.

## V. Responsibility

~~The College's Department of Human Resources is responsible for the oversight of this policy.~~ **Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or his/her designee.**

## VI. Waiver

The Board may waive this policy by resolution of the Board through a recommendation of the President.

## Linkage Planning/Implementation

### Community Linkage – President's Report

President Knight presented the May 2018 President's report to the Board.

### Board Reports – Foundation Board Update

Trustee Buck highlighted the Foundation Board Report in the board packet.

## Board Reports – MCCA Board Update

Trustee Proctor submitted a written report to the Board.

## Unfinished Business

There was no Unfinished Business.

## Public Comment

Eva Menefee – Eva Menefee, MAHE President, addressed the Board regarding the college's accessibility initiative. Ms. Menefee stated she is working on the accessibility project and their 32-day plans will begin in the fall. She stated that she does not see how faculty members will have the time to complete this initiative and be unpaid. She asked a faculty member how long they took to make their video accessible and they said it took 40 hours to convert their video. Ms. Menefee stated that the accessibility project is gig to take a lot of time and the college is asking faculty to do this unpaid. Ms. Menefee stated that she loves LCC and is proud to be an employee here, but does not like it when it is not fair.

Leslie Johnson – Leslie Johnson, a writing faculty, addressed the Board regarding the college's decision to move the Writing Center. Ms. Johnson thanked LCC for the ability to teach writing for 20 years. She stated that it is clear that expertise is not valued at LCC, and decisions are made without hearing from the most informed expert staff about projects, programs and department involved. She said upper administration twice decided about CTE programs with MAHE without consulting CTE staff or bothering to ask if the change would negatively affect their work. She stated that no support was given for the changes made and the decisions made additional work for CTE staff. She further stated that the Writing Center has operating procedures without consulting the Writing Center's coordinator Jill Reglin. Ms. Johnson stated that the college put the Writing Center under the direction of Cindy Storie without consulting Jill Reglin. She stated she hopes the college considers the changes that come from its decisions because the college stands to lose something special.

Paul Jurczak – Paul Jurczak, full-time faculty in philosophy, addressed the Board regarding OER and part-time faculty. Mr. Jurczak stated that the vast majority of LCC faculty are part-time employees. He stated that the average part-time faculty member is making less than \$20k per year and they can make a lot of money elsewhere. He stated that much of what goes on with OER takes time and the college must think about the processes and the part-time employees involved.

Jill Reglin – Jill Reglin, faculty member and Coordinator of the Writing Center, addressed the Board regarding the college decision the move the Writing Center. She stated that on March 28, she was told that the Writing Center would become a part of the Learning Commons as of July 1, 2018. She said neither the Writing Center nor the English department had been involved in any decisions leading to this decision. Ms. Reglin,

stated that although they were told that data driven decisions were important at LCC, the Writing Center wasn't presented data upon which this decision was made or asked to provide data from the Writing Center. She stated she understands that the college can reorganize without consulting faculty, but it seems her expertise is not valued at the college. She further stated that she finds the deliberate choice to do so professionally disrespectful and disheartening. Ms. Reglin said she is committed to working with her new supervisor, the Director of the Learning Commons, to move forward. She stated that she has good ideas for how the new Writing Support Services are can provide innovative high impact services to student writers. Ms. Reglin stated the decision making for which she has been excluded has left a hole in her confidence in the things the college values such as, shared governance, collaborative decision-making, and faculty input.

Sally Pierce – Letter read by Sally Pierce. Ms. Pierce asked the administration to budget for projects that need extra funding for the accessibility mandate and reimaging of academic remediation. To do them requires time and involvement of faculty and staff that will mean wages. She stated that in her own class, she has PDF files that cannot be read by the audio reader and she is not sure they can be converted to a word document. She said there are many tired and worried faculty members and she is anxious. Ms. Pierce stated that she wondered if a student aide could help with the captioning and has encouraged her colleagues to ask for support. She asked the Board for its support of the faculty and staff and to help figure out what needs to be done, create reasonable time estimates and make sure funds are available.

Sandy Leong – Sandy Leong addressed the Board regarding the accessibility project. She stated she understood the importance of the accessibility project and was glad LCC was doing it. She stated she works part-time 28 hours a week in career advising. She stated that given the time constraints of her job, she is concerned about the timeline for making materials accessible at LCC and other colleagues share the same concerns. Ms. Leong stated that since her job was primarily involves providing direct student service and has limited project time, how is she going to have the time to make her forms accessible by July 2019. She stated she has used the opportunity to learn how to make materials accessible, but it is the level of support and time factor that concerns her. She stated that the learning process is not easy and making materials accessible is very time consuming.

Mary Cavolcardell – Mary Cavolcardell, a part-time faculty member, addressed the Board regarding the accessibility project. She recently received a packet about editing course material for all students and that the task will require days, if not weeks, of work. She feels this directive has crossed the line. She said she was told this initiative is the right thing to do, and this is a hard thing to hear. She said she was told there is no budget to pay faculty to make these things accessible, yet budget has been spent on flat screen TV's in Arts & Science and Gannon, which is a total waste of money. She stated that faculty cubicles do not have storage or even a coat closet. There is constant attention paid to the landscaping, while classrooms are filthy. She asked if ignore 80% of LCC's faculty it was the right thing to do to? She stated that the faculty needs do not seem to be on any list.

Arthur Wohlwill – Arthur Wohlwill addressed the Board regarding the accessibility project. He stated that needed for this project and that he has had a lot of help from Andy George. Mr. Wohlwill stated a friend who is blind, went to MSU, and took genetics. He said that MSU had several volunteer students who helped teach students with disabilities. He stated that he was looking at the schools with the best accessibility and U of M is the best. He further stated that the accessibility project requires a lot of support and it would be great to have a model.

Leslie Johnson – Leslie Johnson addressed the Board again regarding the accessibility project. She stated if you asked a sophomore what mattered, it is the significant interaction with faculty member and if you asked a senior what matter, it is the significant interaction with the faculty member. She said she has heard faculty called lazy, stubborn and resistant. She stated she has been told faculty make too much and do not matter. Ms. Johnson stated that faculty might bring up objections for the proposed changes, because they want the best for LCC students. She stated that the most recent example is the accessibility initiative. She said that any attempt to request additional support has been ignored. Ms. Johnson said that as someone who has served on the accessibility team, she feels development of a policy is important. She stated faculty are not stubborn, they are exhausted and now being told to complete work on a timeline that interferes with teaching. She stated they are asking for shared governance.

Jim Luke – Jim Luke addressed the Board regarding OER. He stated he supports the comments made. Mr. Luke stated that in January, Dr. Knight asked for innovative activities were LCC leads the way and for things that could get LCC in the national news. Mr. Luke stated there is news about developments in the open education front. He stated with some partial support from A&S division and EDF, he put a proposal together. He stated he made two presentations at premier conferences at the end of April to talk about OER. He said LCC has current efforts underway to build an OER publishing platform based on some open resource software called PressBooks. He stated that LCC is in elite company with some major university systems/consortia in planning to setup its own publishing platform. He said that although LCC has access to the platform via partnerships with major universities, LCC is the only community college on a path to create its own. Mr. Luke stated other schools are interested in LCC's blueprints and plans and hope LCC can remain the leader and commit to make this a reality. He said that faculty are excited and most of the OER award proposals plan on publishing on the Open Learn Lab. He stated at the moment the budget and organizational support for this is unclear and at worst continuing at a minimal semester-to-semester effort.

Trustee Mathews stated she had heard comments such as faculty concern, reasonable time limits, unpaid, exhausted, vague, and lazy. She said those are words are disheartening to her and a difficult to hear. She asked what the timeline and implementation for this project was. She also asked what was being proposed to help with this work to alleviate the burden, since the accessibility project is suppose to be beneficial to students.

Trustee Abood excused himself at 5:58 pm.

Dr. Knight asked how long the Provost Elaine Pogoncheff and Senior VP Dr. Lisa Webb Sharpe to address the questions. Dr. Sharpe explained the history of the accessibility issue and that LCC doing this because it is the law. She said it started with the blind student who came to the board meeting. She stated that LCC has a large accessibility workgroup that has been working for some time on this issue. Dr. Sharpe named the members of the workgroup and stated the team has done excellent work pushing ahead and piloting ideas to ensure making materials accessible would work. She stated the team has created videos, checklist and FAQ's. Dr. Sharpe stated this is a huge effort touching the entire college, going beyond hearing and vision. She said the goal is to catch everything, but they know there will be items that the college will come across that must be completed. Dr. Sharpe stated this initiative was part of the college wide January kickoff, has been communicated in the Star and letters were sent to faculty members home. She stated that the CTE has been promoting this through their training sessions and that HR is working on a training that will launched within the next three weeks. She said the timeline is July of 2019 and that the college wants to be ready to go in fall of 2019. Dr. Sharpe stated that at no point around the accessibility table has the college said that people cannot have resources. She stated that in going through the budget process, they asked the committee for funding requests and Leslie Johnson's request was included. She further stated that the college said it would provide support people available to help with the work. She said the sense around the table, with the exception of one person, was that we could accomplish this work with the resources we have. She stated they think that the timeline can be accomplished. She further stated that Provost Pogoncheff could speak to operating plans

Trustee Proctor asked how the college arrived at the timeline and what factors went into the calculations. Dr. Sharpe responded that they looked at the amount of time it took Linda Hamlin to convert the materials.

Provost Elaine Pogoncheff stated she wanted to speak to the academic part of the plan. It was a consensus agreement of the committee how we could do it on the web, forms software systems, etc. She reiterated that the college would still have assistance for students who need special accommodations. She has reiterated in several forums that it is the program's responsibility for converting the materials. It is up to the program to establish standard content for transferability. The program is responsible for creating program-operating plans. They are part of the strategic planning process. We have an academic operating plan. The academic divisions develop divisional operating plans. Then the programs develop their operating plans. The plans are to be changed as priorities change. I have suggested the programs look at operating plans in conjunction with the associate deans and deans and re-determine their priorities. Nothing is set in stone. The accessibility project is a group project at the program level. It is not up to the individual instructor to redesign everything they teach. The program is to determine standard content as a group. As a group, you determine the standard content. That's how it is supposed to work. The deans and associate deans are working to make this happen. As far as assignment, negotiation of the work needed has to be done with deans, associates deans, etc. as done in the past. We have never said that people will not be paid. At a MAHE HR meeting, Dr. Sharpe specifically talked about that. If an adjunct faculty need hours in order to do this, we will pay them. The supervisor must approve

what you have set forth. To reiterate, we are waiting to hear what resources are not available. She announced in January that any new materials they are adding to their courses should be accessible so they did not have to backtrack and redo those. The college asking for a good faith effort. I have comments from programs who said we are all done. We know there are areas that will require extra help. We will accommodate that. ELearning has offered two days of drop in sessions for faculty. We are providing what we know people are asking for. If there is additional, than we need to hear that in a written request.

Trustee Smith commented this is not something that has been thrown together. She said the timeline is the biggest issue and accessibility is key. She stated this is a new process, and there is a learning curve. She publically ask that the deans and executive team be sensitive to what has been said. She asked if the Board could be provided updates as they move forward in the process on how things are going. She asked for things to be put in writing and that if an individual is not asking for what they need, they cannot complain about what they are getting. She said she has trouble hearing that staff and faculty say they are being taken advantage of. She stated that the college would try to do what is best and try to look and see if adjustments need to be made to the deadline. She said the project would require time. Trustee Smith referenced Google and putting hours in. The told the faculty, they are not just worried about duplication and that the faculty make success happen every day. She stated she is saying this so the faculty will know the Board heard them.

Trustee Meyer commented on the program and career showcase at campus. He said it was a wonderful showcase and his 8<sup>th</sup> grade grandson with him. He stated that it was well done.

Trustee Buck addressed accessibility. He wants to see it worked out. He said there is a clear disconnect between what has been presented. He stated that accessibility delayed is access denied and a timeliness is important. He asked if the July 2019 date was the right date. He stated that he would leave it at the President's hands to make it work and ask the employees to keep working with the college.

## **Closed Session**

There was no Closed Session

## **Board Evaluation of Meeting**

There were no Board comments.

## **Adjournment**

IT WAS MOVED by Trustee Meyer and supported by Trustee Smith that the meeting be adjourned.

Ayes: Abood, Buck, Hidalgo, Mathews, Meyer, Proctor, Smith  
Nays: None  
Absent: None

The motion carried.

The meeting adjourned at 6:26 p.m.

Submitted,



Executive Assistant to the Board  
Benita Duncan