

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
May 20, 2019

Regular Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 6:04 p.m.

Roll Call

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

Pledge of Allegiance

Trustee Buck led the Pledge of Allegiance.

Resolution and Special Recognitions

A resolution was presented to Trustee Andrew Abood for his gift of the “Upward Bound” Sculpture to the college. It read as follows:

*The **Board of Trustees** of Lansing Community College resolves:*

WHEREAS, TRUSTEE ANDREW P. ABOOD was first elected to the Lansing Community College Board of Trustees in November 2014 and has dutifully served the college and community since January 2015; and

WHEREAS, TRUSTEE ANDREW P. ABOOD was appointed and served on the Lansing Community College Board of Trustees as the Board Chair, from January 2017 through December 2018; and

WHEREAS, TRUSTEE ANDREW P. ABOOD has served as a Representative on the Board of the Michigan Community College Association with the mission of providing leadership to member colleges; and

WHEREAS, TRUSTEE ANDREW P. ABOOD was appointed and served on the Lansing Community College Foundation Board of Directors from January 2015 through December 2016; and

WHEREAS, TRUSTEE ANDREW P. ABOOD was instrumental in leading the college toward achieving enhanced student success, implementing Open Educational Resources (OER), substantially increasing employment and the utilization of qualified success coaches, case managers, professional tutoring services and other personnel; and

WHEREAS, TRUSTEE ANDREW P. ABOOD has been an upstanding member of the community, business owner and philanthropist for over 25 years and has continued his father's legacy by establishing his own law practice, Abood Law Firm, in 1997; and

WHEREAS, TRUSTEE ANDREW P. ABOOD is a passionate advocate for the growth of Lansing Community College academically, culturally and socially by leading substantial efforts in program quality improvements, art installations, facility upgrades and partnerships with nationally-recognized leaders; and

WHEREAS, TRUSTEE ANDREW P. ABOOD has offered to pledge funds, in honor of his mother Patricia L. Abood, to the Lansing Community College Foundation to be used to fund the construction of a landmark sculpture on the downtown campus, 'Upward Bound', that will stand more than 35 feet tall in the center of the Hill serving as an iconic centerpiece at the heart of a new diagonal walkway across campus; and

WHEREAS, TRUSTEE ANDREW P. ABOOD's gift to the college will leave a lasting legacy for his mother Patricia, the Abood Law Firm and will serve as both a campus connection and gathering place for students, faculty, staff and the community for years to come; and

WHEREAS, THE BOARD OF TRUSTEES wishes to extend our utmost appreciation and profound gratitude to **TRUSTEE ANDREW P. ABOOD** for his tireless work and gracious service to advance the mission of the college by ensuring that the experiences of our students, staff, faculty and community are meaningful, productive and successful; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees, in recognition of his generosity, dedication to creating A College Like No Other through placemaking, and his sincere commitment to Lansing Community College, on behalf of students, staff and a grateful community, recognize and thank Andrew P. Abood for his remarkable gift of the 'Upward Bound' sculpture to this college.

AND BE IT THUS RECORDED THIS 20TH day of May, 2019.

The Board took a brief recess. After recess, Trustee Hidalgo announced that Trustees Samantha Wilbur was married over the weekend and is now Trustee Vaive.

Approval of Minutes

IT WAS MOVED BY Trustee Buck and supported by Trustee Mathews that the minutes of the April 15, 2019 Regular Board of Trustees meeting be adopted.

Roll call vote:

Ayes: Buck, Abood, Vaive, Meyer, Mathew, Proctor, Hidalgo

Nays: None

Absent: None

The motion carried.

Additions/Deletions to the Agenda

The following additions/deletions were made to the agenda:

- Trustee Larry Meyer asked that Approval to Appoint the Provost and Senior Vice President (SVP) of Academic Affairs, be added to the Consent Agenda.
- Trustee Buck asked that an update on the Leslie Local Development Finance Authority be added to Board members report.
- Dr. Lisa Webb Sharpe asked that agenda item VIII. C, be corrected to read under financial implications; *“Beginning on January 1, 2020, our health insurance rates will increase by 2.9%, and the Michigan hard cap will increase by 2.0%. Both increases will remain in effect until December 31, 2020.”*

Limited Public Comment Regarding Agenda Items

Jim Luke: Jim Luke, Professor of Economic, addressed the Board regarding the revised Drug Free Workplace Policy. He expressed concern about the language revisions made to the policy and asked the Board to reconsider those revisions.

Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. Cooperative Purchasing
 1. College-Wide Office Supplies and Printer Paper
- B. No Bid Justification
 1. VMware Horizon Licenses
- C. Ratification of Health Care Agreements with College Labor Coalition Consisting of all (six) Labor Unions
- D. Request for Proposals
 1. Campus-Wide Flooring Contractors Maintenance Services
 2. Campus-Wide Hazardous Materials Abatement Services
 3. Campus-Wide Moving Services
 4. Downtown Campus – Concrete Replacement
 5. Gannon Parking Structure Repairs 2019

IT WAS MOVED BY Trustee Proctor and supported by Trustee Buck that the Consent Agenda be approved.

Roll call vote:

Ayes: Hidalgo, Meyer, Vaive, Abood, Mathews, Buck, Proctor

Nays: None

Absent: None

The motion carried.

Action Item – Approval to Appoint the Provost and Senior Vice President (SVP) of Academic Affairs

IT WAS MOVED BY Trustee Meyer and supported by Trustee Abood that the approval to appoint the Provost and Senior Vice President (SVP) of Academic Affairs be approved.

Trustee Buck stated that he received the material and notice about the appointment an hour and thirty minutes before tonight's Board meeting. He stated that his comments are not about whether Dr. Sally Welch is a good fit for this position, but about the process. He stated that since the Board is being asked to approve this appointment, the Board should have more involvement in the process. He stated he had concerns with the last Provost appointment and hoped those concerns would have been resolved.

IT WAS MOVED BY Trustee Buck and supported by Trustee Vaive that the motion be tabled to the next regular meeting in June. *(NOTE: This motion does not accomplish what the Trustees intended. A motion cannot be tabled until a next Board meeting; a motion can be "postponed" to a next Board meeting.)*

Trustee Buck and Vaive withdrew their motions.

Trustee Abood stated that he understood their motion and did not disagree with Trustee Buck's criticism because the Board got the information late. He stated that the Board, received emails over that last couple of weeks on the candidates and he is ready to act tonight.

Trustee Proctor tried to clarify the role of the Board in its bylaws. Trustee Proctor stated that the Board does not evaluate the VP's, and that its role is to approve what the Administration is recommending to the Board. He stated that the Board should not be involve in the process.

Trustee Buck stated that he does not understand the point of the Board approving the VP's if the Board has no role.

Trustee Vaive stated that if the administration is asking for the Board's vote, the Board is serving a role and its opinion matter. She stated that the Board was elected for a reason and that it is her understanding that something similar to this happened last time. She stated she is concerned that the college is setting a precedence it is okay for this to happen in this manner.

Trustee Buck stated that the administration has done this twice and he does not like the process and needs more time to decide.

Trustee Mathews stated that none of the Board members operates in a robotic manner and are astute to their roles. She stated that she would have to defer back to Trustee Proctor's statement that the role of the Board is to approve or decline the recommendation made by the administration. Trustee Mathews stated that the administration must work

with the person who fill this position and connect with then every single day in operating the college. She stated that the Board is not here every single day.

Trustee Buck stated that the Board is being asked to vote on something that is huge with only an hour notice and he cannot make an informed decision in that short amount of time. He stated that he feels like a rubber stamp to either approve or deny this appointment and does not think it is fair to the candidate or himself.

Trustee Meyer stated that the candidates went through a process that included interviews and forms that the Board was invited to attend. He stated the Board received information on what was going on and to delay it for a month would be unfair to the candidate. He stated that he would be voting against the motion to postpone.

Trustee Abood stated that Trustee Buck has a legitimate position and that as Trustees they should receive information timely. He stated that he knows Trustee Buck spent a lot of time reviewing his material to prepare for tonight's meeting, and in fairness to him, he should have received the information quicker. He stated that he does not think that what the Board does tonight sets precedence, but sends a message that the Board wants information on important decisions sooner. Trustee Abood stated that he does not feel the Board would get any more information than what they have received and was prepared to act tonight.

IT WAS MOVED BY Trustee Buck and supported by Trustee Vaive to postpone the main motion until the next regular Board meeting.

Roll call vote:

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

The motion failed.

The Board voted on the main motion MOVED BY Trustee Meyer and supported by Trustee Abood that the approval to appoint the Provost and Senior Vice President (SVP) of Academic Affairs be approved.

Roll call vote:

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

The motion carried.

Monthly Monitoring Report

The following Monitoring Reports were presented:

1. 2018-19 Completed Sabbatical Summaries
2. Monthly Financial Statements – EL 203

Policy Development

The following policy revisions were presented to the Board as a first read.

DRUG FREE WORKPLACE CAMPUS

I. Purpose

Lansing Community College is a drug-free ~~workplace~~ campus, and complies with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act and the Drug-Free Schools and Communities Act. The purpose of this policy is to ensure the safety of all employees, to promote productivity and to comply with the Drug-Free Workplace Act more fully set forth the College's commitment to maintaining a drug-free campus for work and study and to protect students and applicants for admission, as well as employees and applicants for employment, from prohibited drug use and intoxication, consistent with federal, state and local law, other policies adopted by the Board of Trustees, and rules and standards of conduct adopted by the College.

II. Scope

The College's Drug-Free Campus Policy applies to all members of the LCC Community, including students, alumni, employees, volunteers, guests, vendors, contractors, temporary employees, and visitors to campus. This policy applies to all employees (including student employees), contractors, and their employees, and temporary workers. Substances covered under this policy include alcohol, illegal drugs, inhalants, prescription drugs and over-the-counter medications.

III. Definitions

A "substance" includes alcohol, marijuana, illegal drugs, inhalants, and prescription and over-the-counter medications.

"Alcohol" means any beverage containing alcohol or any food product in which alcohol is a primary ingredient.

"Marijuana" means any product containing cannabis, or any of its derivative products, smoked or consumed.

An "illegal drug" is any substance that is illegal to use, possess, sell, or transfer. This includes a "prescription drug" when its possession or use is not in compliance with the prescription. This also includes medical marijuana because it is illegal under Federal law.

“Drug paraphernalia” includes any items used or intended for use in making, packaging, concealing, injecting, inhaling, or otherwise consuming illegal drugs or inhalants.

A “prescription drug” is any substance prescribed for an individual by a licensed health care provider and in accordance with the prescription.

An “inhalant” is any substance that produces mind-altering effects when inhaled.

An “over-the-counter medication” is a substance used in treating a disease or condition or relieving pain that may be obtained without a prescription. You are “under the influence” if any substance:

- 1. impairs your behavior or your ability to work safely and productively; or*
- 2. results in an impaired physical or mental condition that creates a risk to your own safety, the safety of others, or College property.*

“College Premises” includes buildings, grounds, and parking lots owned, leased or otherwise utilized by LCC; LCC-provided vehicles and other vehicles being used for LCC-sanctioned purposes.

IV. General

All individuals on College premises are expected to be drug free.

A. Employees

All individuals working on College premises are expected to report for work fit for duty and to be able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of any substance covered by this policy.

Off-the-job and on-the-job involvement with any covered substance, as previously defined, can have adverse effects upon the workplace, the integrity of the College’s ability to serve our students, the safety of other employees, the well-being of our employees’ families, and the ability to maintain a drug-free work environment campus. The College therefore wants to emphasize that it has zero tolerance for staff employees who arrive at work under the influence impaired by of any substance, as previously defined, and/or whose ability to work is impaired in any way by the consumption of any substance as previously defined. The College also has zero tolerance for those who use illegal drugs or consume inhalants on College premises. Accordingly, the following conduct and behaviors are strictly prohibited on College premises or in any situation with a nexus to LCC employment:

- 1. Use, possession, purchase, sale, dispensation, distribution or manufacture of any illegal drugs substance, as previously defined.*
- 2. Use, possession, purchase, sale, dispensation or distribution of inhalants.*

- ~~3. Use, possession, purchase, sale, dispensation or distribution of alcohol without prior authorization by the President or her/his designee, or being under the influence of alcohol.~~
3. 4. Being **impaired by any substance**, under the influence of any illegal drug(s), inhaled(s), prescription drugs or over-the-counter medications, as previously defined.
4. 5. Use, possession, purchase, sale, **transfer dispensation**, or distribution of drug paraphernalia.

Alcohol is prohibited on campus except when written requests are submitted for consideration and approved by the President or his/her designee.

~~Employees who take over-the-counter medications or legally prescribed drugs while at work:~~

- ~~1. May use prescription drugs or over-the-counter medications only if they do not impair the ability to work safely.~~
- ~~2. Must follow applicable directions regarding use, including dosage limits and usage cautions.~~
- ~~3. Must keep these substances in their original containers or bring only a single-day supply to work.~~
- ~~4. May not use machinery while taking prescription drugs or over-the-counter medications that impair the ability to work safely. This includes operation of equipment and/or vehicles.~~

Compliance with this policy, **including compliance with mandated drug-alcohol testing**, is a condition of employment.

As required by the Drug-Free Workplace Act **and the Drug-Free Schools and Communities Act.**, any employee found to be in violation of the above prohibitions shall be subject to (1) mandatory participation in **drug substance** abuse assistance or rehabilitation program as a condition of continued employment; and/or (2) disciplinary action, up to and including discharge or dismissal, as determined by the College.

Furthermore, as a condition of continued employment, any employee who is **charged with or convicted for of** a violation of any state or federal criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance in the workplace **or in any situation with a nexus to LCC employment** shall notify the Executive Director of Human Resources of the conviction no later than five (5) days after such conviction. The Executive Director of Human Resources shall report the conviction as required by the Drug-Free Workplace Act. Failure to timely report such conviction shall subject an employee to disciplinary action, up to and including discharge. Any employee who is convicted as described above may be subject to (1) participation in a ~~drug~~

substance abuse assistance or rehabilitation program as a condition of continued employment; and/or (2) disciplinary action, up to and including discharge.

~~The College offers educational and referral services to employees aimed at preventing substance abuse and assisting in rehabilitation, if desired, through referral to agencies offering such services. Interested employees should contact the Human Resources Office. All inquiries are confidential.~~

B. Students

All students on College premises are expected to abide by the Student Code of Conduct. Accordingly, the following conduct and behaviors are strictly prohibited on College premises or in any situation with a nexus to LCC:

- 1. Use, possession, purchase, sale, dispensation, distribution or manufacture of any substance, as previously defined.*
- 2. Being impaired by any substance, as previously defined.*
- 3. Use, possession, purchase, sale, dispensation, or distribution of drug paraphernalia.*

As required by the Drug-Free Schools and Communities Act, any student found to be in violation of the above prohibitions shall be subject to disciplinary action as outlined in the Student Code of Conduct up to and including expulsion.

C. Counseling and Rehabilitation Services

The College offers educational and referral services to employees and students aimed at preventing substance abuse and assisting in rehabilitation, if desired, through referral to agencies offering such services. Interested employees should contact the Human Resources Office. Interested students should contact the Center for Student Support. All inquiries are confidential.

D. Drug and Alcohol Prevention Program (DAAPP)

The College has an Alcohol and Drug Abuse Prevention Program that is distributed annually to all employees and students, and the College conducts a Biennial Review of the DAAPP. The DAAPP includes descriptions of drug and alcohol awareness programs; descriptions of health risks associated with the abuse of drugs or alcohol; available counseling or rehabilitation assistance; and legal and disciplinary sanctions that may be imposed for violations. The DAAPP may be accessed at this link <https://lcc.edu/campuslife/documents/daapp.pdf#search=daapp>

V. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or his/her designee and the Dean of Student Affairs or his/her designee.

Trustee Vaive stated that she had concerns that the policy revisions eliminate an employee's ability to bring their prescription drugs or over-the-counter medication to work.

Bentrelle Carroll, Director of the Office of Compliance, stated that was an oversight and they did not intend for the policy to prohibit prescription drugs.

Trustee Vaive asked about a prescription for medical cannabis.

Ms. Carroll stated that medical cannabis is still illegal and because LCC receives Title IV funding, it would still be illegal on campus.

Trustee Abood stated that when you look at the word prescription drug, the policy revision uses the phrase, “any substance”, which is not define. He stated that under IV. A., where it states, “*Off-the-job and on-the-job involvement with any covered substance*”, covered substance is not defined. Trustee Abood stated that the word “substance” appears to include prescription drugs because of the use of the word substance in its definition of prescription drugs. He stated that he could not support the suggested policy revisions.

Dr. Lisa Webb Sharpe stated that the goal of the policy revisions is to comply with what the US Department of Education requires.

Trustee Vaive stated that regarding those who have a prescription for medical cannabis, the college is alienating and discriminating members of community with epilepsy, cancer or other ailments, who cannot attend classes without a medication prescribed to them. She stated that the college cannot allow a policy that would discriminate individuals with legitimate medical conditions and make them feel unwelcomed at LCC. She stated that the college must make a space for all students with medical conditions to feel welcomed on this campus. Trustee Vaive suggested that the college looks at the University of Boulder Colorado and see what they are doing.

Trustee Buck, stated that the college is stuck between a rock and a hard place and he does not want to risk the college’s Title IV funding with the federal government. He stated that the college must follow the federal government’s laws and if the policy excludes people that is something that is out of the college’s controlled.

Linkage Planning/Implementation

Community Linkage – President’s Report

President Knight presented the May 2019 President’s report to the Board and showed a video highlighting the MLK Day of Service held April 12, 2019.

Chair Report – Appointment of Trustee to the Grand Ledge Local Development Finance Authority

Trustee Hidalgo announced the appointment of Trustee Angela Mathews to the Grand Ledge Local Development Finance Authority.

Committee Reports – Audit Committee Update/Approval to attend the ACCT Governance Leadership Institute (GLI).

Trustee Meyer stated he was withdrawing his request to attend the ACCT GLI.

IT WAS MOVED BY Trustee Meyer and supported by Trustee Hidalgo that the travel request for Trustees Angela Mathews to attend to ACCT Governance Leadership Institute August 8 – 10, 2019 be approved and not to exceed \$2,300.

Roll call vote:

Ayes: Buck, Vaive, Proctor, Hidalgo, Mathews, Abood, Meyer

Nays: None

Absent: None

The motion carried.

Committee Reports – Foundation Board Update

Trustee Ryan Buck provided the following Foundation Board update.

- The Foundation Committee of the Whole is scheduled to meet May 23 at 7:30 a.m.
- The Foundation's Director and the Chief Development Officer have both left to accept other positions.
- The Foundation will conduct interviews in August for a Foundation Director.

Committee Reports – Leslie Local Development Finance Authority

Trustee Buck stated the Leslie LDFA met last week and they are looking at ways to build their community, and attract people to live in their town. He stated that he would be connecting them with Dean Garcia about some opportunities with BCI.

Unfinished Business

There was no Unfinished Business.

New Business

The following items were presented as New Business for the June Board of Trustees Meeting.

- A. Public Hearing on the Fiscal Year 2020 Budget Proposal
- B. Consent Agenda
 1. Athletic Trainer
 2. BCI Instructor Pool
 3. College Policy
 - a. Drug Free Workplace (*REVISED*)

4. Request for Proposals
 - a. Campus-Wide Grounds Maintenance
- C. Action Item
 1. Fiscal Year 200 Budget Proposal
- D. Monitoring Reports
 1. Monthly Financial Statements

Public Comment

Mark Kelland: Mark Kelland, past President of the Academic Senate, thanked the Board for the relationships built while he served as the Academic Senate President. He introduced the new President, Professor Michelle Curtin.

Michelle Curtin: Michelle Curtin addressed the Board regarding the Academic Senate goals and continued partnership.

Alex Azima: Alex Azima addressed the Board regarding the importance of shared governance.

Willie Davis: Willie Davis addressed the Board regarding El Shabazz Academy becoming a charter school of Lansing Community College.

Denise Warner: Denise Warner addressed the Board regarding the decision to move the majority of the English for Speakers of Other Languages (ESOL) to the CEWD Division as non-credit courses beginning fall semester 2019. She stated the importance of making sure the ESOL programs in CEWD Division, and the ESOL programs in Arts & Sciences Divisions, don't become disparate and disconnected separate programs.

Sally Pierce: Sally Pierce addressed the Board stating that she is in support of the comments made by Denise Warner.

Eva Menefee: Eva Menefee addressed the Board regarding MAHE and its upcoming negotiations.

Carrie Gregg: Carrie Gregg, Director of the Academic Success Coaches, addressed the Board regarding open positions of the Academic Success Coaching team.

Board Comment

Trustees Meyer commented on LCC's commencement and its graduation speaker.

Trustee Proctor stated that he had concerns about being told students were being solicited by instructors to address the Board to carry out a message from a faculty member, rather than the faculty member being accountable and commenting themselves.

Trustee Mathews commented on the Police Academy Graduation, Early College Awards Ceremony, and the HS Awards Programs

Closed Session

There was no Closed Session

Adjournment

IT WAS MOVED by Trustee Vaive and supported by Trustee Mathews that the meeting be adjourned.

Ayes: Abood, Buck, Hidalgo, Mathews, Meyer, Proctor, Vaive

Nays: None

Absent: None

The motion carried.

The meeting adjourned at 8:49 p.m.

Submitted,



Executive Assistant to the Board
Benita Duncan