

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
October 28, 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 Proctor led the Pledge of Allegiance.

Approval of Minutes

IT WAS MOVED BY Trustee Buck and supported by Trustee Mathews that the minutes of the October 28, 2019 Regular Board of Trustees meeting be adopted.

Roll call vote:

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

The motion carried.

Additions/Deletions to the Agenda

The following additions/deletions were made to the agenda:

- Trustee Robert Proctor asked that he be able to speak under Board Comments.
- Trustee Mathews asked that a request to serve on an ACCT committee be added to the meeting agenda.

Limited Public Comment Regarding Agenda Items

There were no limited public comments regarding an agenda items.

Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. 2019 Five-Year Capital Outlay Plan and FY 2021 Capital Outlay Project Request
- B. FY 2019 Year-Ed General Fund Transfers
- C. ~~TLC Capital Project Funding Request (REMOVED)~~

Trustee Buck requested that the TLC Capital Project Funding Request be removed from the consent agenda.

IT WAS MOVED BY Trustee Meyer and supported by Trustee Abood that the Consent Agenda, removing the TLC Capital Project Funding Request, be approved.

Roll call vote:

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

The motion carried.

Action Items – TLC Capital Project Funding Request

IT WAS MOVED BY Trustee Hidalgo and supported by Trustee Abood that the TLC Project Funding Request be approved.

Trustee Buck stated that he had concerns about increasing the budget of this project in light of declining enrollment and possible impact it would have on future tuition increases.

Roll call vote:

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

Trustee Vaive abstained from voting because the original project was approved September 18, 2017, prior to her being elected to the Board.

The motion carried.

Monthly Monitoring Report

The following Monitoring Report was presented:

1. Monthly Financial Statements

Action Item – Comprehensive Annual Financial Report

Trustee Meyer briefly summarized the Comprehensive Annual Financial Reports reported to the Audit Committee.

IT WAS MOVED BY Trustee Meyer and supported by Trustee Buck that the Comprehensive Annual Financial Report be accepted.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Closed Session

IT WAS MOVED BY Trustee Buck and supported by Trustee Mathews that the Board enters into Closed Session for the purpose of discussing written legal opinions and to discuss contract labor negotiations parameter for the ESP contract.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

The Board entered into closed session at 6:29 p.m.

The Board returned to open session at 7:45 p.m.

Roll call:

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

Absent: None

Policy Development

Trustee Proctor presented the following revised Drug Free Workplace Policy:

DRUG AND ALCOHOL 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 Community 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 maintain 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 and alcohol

use and intoxication, consistent with federal, state, and local law, other policies adopted by the Board of Trustees, and rules and standards adopted by the College.

Consistent with state and federal law, Lansing Community College will maintain a campus free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, as defined in the comprehensive Drug Abuse Prevention and Control Act of 1970, 21. U.S.C. 812.

The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, and alcohol are prohibited on any property under the control of and governed by the Board of Trustees of Lansing Community College.

II. Scope

This policy applies to all ~~College~~ employees, ~~(including student employees)~~, ~~students, volunteers, guests, contractors, and their employees, and temporary workers~~ and visitors (1) on College property, (2) at College sponsored events, or (3) in the conduct of College business or ~~while pursuing~~ ~~conducting or engaging in an academic program~~. Substances covered under this policy include alcohol, illegal drugs, inhalants, prescription drugs and ~~over the counter medications~~.

III. Definitions

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

1. "Alcohol" ~~means any~~ ~~is a substance that is a~~ beverage containing alcohol. ~~or any food product in which alcohol is a primary ingredient.~~
2. An "illegal drug" is any substance that is ~~illegal~~ ~~unlawful~~ to use, possess, sell, or transfer ~~under state or federal law~~. ~~In cases where federal and state laws conflict, federal law applies~~. 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~~.
3. "Drug paraphernalia", ~~includes any items used or intended for use in making, packaging, concealing, injecting, inhaling, or otherwise consuming illegal drugs or inhalants~~. ~~means any equipment, product, material of any kind, or combination of equipment, products, or materials, which is specifically designed for use or primarily intended for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under either federal law 21 U.S. Code § 863 (d) or state law (MCL 333.7451)~~. It includes items primarily intended or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, methamphetamine, or amphetamines into the human body.
4. A "prescription drug" is any substance prescribed for an individual by a licensed health care provider and ~~used~~ in accordance with the prescription.

5. An "inhalant" is any substance that produces mind-altering effects when inhaled.
6. 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.~~
7. "College Premises Property" includes buildings, grounds, structures and real estate, and parking lots vehicles that are owned, rented, leased or otherwise utilized by or under the control of LCC; ~~LCC-provided vehicles and other vehicles being used for LCC-sanctioned purposes.~~

IV. General

All College employees, students, volunteers, guests, contractors, and visitors are expected to be free of illegal drugs or alcohol while on or using the College property.

A. Employees

All individuals ~~working on~~ employees of the College premises are expected to report for work fit for duty; that is, and to being 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 of the College to implement this policy. ~~maintain a drug-free work environment campus.~~ The College therefore ~~wants to~~ emphasizes that it has zero tolerance for staff employees who arrive at work under the influence 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. You are "under the influence" if any substance:

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

Accordingly, the following conduct and behaviors are strictly prohibited (1) on College property, premises or in any situation with a nexus to LCC employment (2) at College sponsored events, or (3) in the conduct of College business or conducting or engaging in an academic program:

1. Use, possession, purchase, sale, dispensation, distribution or manufacture of any illegal drugs substance, as previously defined with the following exceptions.

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

- a) May use prescription drugs or over-the-counter medications only if they do not impair the **employee's** ability to work safely.
 - b) Must follow applicable directions regarding use, including dosage limits and usage cautions.
 - c) ~~Must keep these substances in their original containers or bring only a single-day supply to work.~~
 - d) ~~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.~~
2. Being under the influence **by any substance** of ~~any illegal drug(s), inhalant(s), prescription drugs or over the counter medications~~, as previously defined.
 2. ~~Use, possession, purchase, sale, dispensation or distribution of inhalants.~~
 3. Use, possession, purchase, sale, transfer, or distribution of drug paraphernalia.
 4. Use, possession, purchase, sale, dispensation, or distribution of alcohol **is prohibited on campus except when a written request has been submitted for consideration and approved in writing** ~~without prior authorization~~ by the President or his/her **the President's** designee., ~~or being under the influence of alcohol.~~

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

Furthermore, as a condition of continued employment, any employee who is **charged with or convicted of** ~~for~~ a violation of any state or federal criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance **or alcohol**, ~~in the workplace, at College sponsored events, or in the conduct of College business or while pursuing academic program~~, shall notify the Executive Director of Human Resources, **in writing**, of the **charges or conviction** no later than five (5) days after such **charges or conviction(s)**. The Executive Director of Human Resources shall report ~~the conviction(s)~~ as required by the Drug-Free Workplace Act.

~~As required by~~ **In accordance with** the Drug-Free Workplace Act, **the Drug-Free Schools and Communities Act, and or applicable College policies**, any employees ~~found to be in violation of the above prohibition~~ shall be subject to (1) mandatory 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 or dismissal, as determined by the College **for the following reasons**:

1. **Failure to comply with mandated drug or alcohol testing.**
2. **Failure to timely report being charged with or convicted of a violation of any state or federal criminal statute involving manufacture, distribution, dispensation, use, or**

~~possession of any controlled substance or alcohol. in the workplace. or in any situation with a nexus to LCC employment, as noted above.~~

3. ~~Failure to abide by Any other violation of this policy.~~

In addition, an employee may be subject to criminal prosecution by federal, state, and local authorities.

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

B. Students

All students on College property are expected to abide by the Student Code of Conduct. Accordingly, the following conduct and behaviors are strictly prohibited on College property, at College sponsored events, and while pursuing an academic program:

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 actions as outlined in the Student Code of Conduct up to and including expulsion.

In addition, a student may be subject to criminal prosecution by federal, state, and local authorities.

C. Counseling and Rehabilitation Services

The College offers educational ~~programs, resources,~~ and referral services to employees and students aimed at preventing substance abuse, ~~alcohol 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 a Drug and Alcohol Prevention Program that is distributed annually ~~and ongoing~~ to all employees and students ~~and it is provided to new employees and students.~~ 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; ~~provides information about~~ available counseling or rehabilitation assistance; and ~~specifies~~ disciplinary sanctions imposed for violations of College policy, ~~the Student Code of Conduct, and federal, state and local laws.~~ The ~~DAAPP~~ may be accessed here at the College website.
<https://www.lcc.edu/campuslife/documents/daapp.pdf>

E. Alumni, Volunteers, Guests, Vendors, Contractors, Visitors to campus or similarly situated individuals.

Individuals listed in this category shall abide by the prohibitions listed in this policy.

V. Responsibility

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

Adopted: January 21, 2003

Revised: 12/15/2014, 10/28/2019

Reviewed: 03/19/18

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that the revised Drug Free Workplace policy be approved.

Roll call vote:

Ayes: Proctor, Buck, Meyer, Mathews, Hidalgo

Nays: Abood, Vaive

Absent: None

The motion carried.

Linkage Planning/Implementation

Community Linkage – President’s Report

President Knight presented the October 2019 President’s report to the Board.

Chair’s Report – ACCT Associate Committee Interest/Trustee Advisory Committee

IT WAS MOVED BY Trustee Meyer and supported by Trustee Buck that a letter of support is drafted for Trustees Vaive and Mathews to serve on an ACCT Committee Form and there is support for Trustee Proctor to serve on the ACCT Trustee Advisory Committee be approved.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Unfinished Business

There was no Unfinished Business.

Public Comment

Melissa Kaplan: Melissa Kaplan addressed the Board regarding upcoming LCC Performing Arts events.

Julie Allen: Julie Allen addressed the Board regarding the “I Have a Name” Performing Arts event November 16 and 17.

Ta’Sheena Williams & Emily Estrada: Ta’Sheena Williams & Emily Estrada addressed the Board regarding the Board’s approval to provide free menstrual products.

Dawn Cousino: Dawn Cousino addressed the Board regarding the Shot in the Dark photo shoot.

Board Comments

Trustee Mathews spoke about serving as an ACCT Trustee Ambassador and the panelist discussion she attended.

Trustee Vaive spoke about the ACCT sessions she attended. She also spoke about her tour of LCC’s Veteran Center and reminded everyone to get out and vote.

Adjournment

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

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

Nays: None

Absent: None

The motion carried.

The meeting adjourned at 8:45 p.m.

Submitted,


Executive Assistant & Liaison to the Board
Benita Duncan