

LANSING COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
December 16, 2019

**Regular Meeting**  
Adopted Meeting Minutes

## Call to Order

The meeting was called to order at 6:30 p.m.

## Roll Call

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

Trustee Vaive attended by video conference.

## Pledge of Allegiance

Trustee Buck led the Pledge of Allegiance.

*After the Pledge of Allegiance Trustee Mathews asked if she could recognized the cast members of the LCC "I Have a Name" performance. Trustee Mathews recognized the cast and staff involved in putting the production together.*

## Approval of Minutes

IT WAS MOVED by Trustee Abood and supported by Trustee Mathews that the minutes of the December 16, 2019 Regular Board of Trustees Meeting be adopted.

Roll call vote:

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

Nays: None

Absent: Vaive

The motion carried.

*Trustee Vaive was disconnected during approving the minutes. After being reconnected She asked that under Board Comments the minutes reflect her enthusiasm for the STEAM fest that took place on campus.*

Trustee Vaive stated that she spoke to many people from the community who said they were thrilled that LCC had such a wonderful free event for their children. She further stated that she looked forward to attending next year.

IT WAS MOVED BY Trustee Meyer and supported by Trustee Buck to approved the minutes with corrections.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

## Additions/Deletions to the Agenda

The following additions/deletions were made to the agenda:

- Trustee Mathews asked to add a wrap up video of LCC's 400 Years of African-American History Commission Act celebration to Board Members Report.
- Trustee Buck stated that he will be giving the Foundation Board Report.

## Limited Public Comment Regarding Agenda Items

There were no Public Comments.

## Action Items – Consent Agenda

The following items were presented under the consent agenda:

~~A. 2020 Regular Board of Trustees Meeting Calendar (REMOVED)~~

B. Lease Agreements

~~C. Lease Agreement between Lansing Community College and the City of Lansing for Metered Parking Spaces (REMOVED)~~

~~D. Lease Agreement between Lansing Community College and the City of Lansing for Parking Ramp Spaces (REMOVED)~~

~~E. Lease Agreement between Lansing Community College and the Lansing Electrical Joint Apprenticeship and Training Trust (REMOVED)~~

F. Ratification of Lansing Community College – Educational Support Personnel Collective Bargaining Agreement

G. Request for Proposal

1. Business and Community Institute Training Materials and Supplies

H. Resolution to Opt Out of Development and Tax Increment Financing Plan

1. For the City of Lansing's Michigan Avenue Corridor Improvement Authority, Exempt College Millage from Capture, and Matters Related Thereto

2. For the City of Lansing's Saginaw Street Corridor Improvement Authority, Exempt College Millage from Capture, and Matters Related Thereto

Trustee Buck asked that 2020 Regular Board of Trustees Meeting Calendar and the Lease Agreements be removed from the consent agenda.

IT WAS MOVED BY Trustee Abood and supported by Trustee Buck that the Consent Agenda, removing the 2020 Regular Board of Trustees Meeting Calendar and the Lease Agreements, be approved.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

#### **Action Item – 2020 Regular Board of Trustees Meeting Calendar**

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that the 2020 Regular Board of Trustee Meeting Calendar be approved.

Trustee Buck asked if the Board could move the December board meeting to the second Monday of the month, December 14, 2020.

IT WAS MOVED BY Trustee Proctor and supported by Trustee Buck to change the December regular Board of Trustee meeting from the December 21 to December 14, 2020.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Roll call vote on the main motion to approve the 2020 Meeting Calendar:

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

Nays: None

Absent: None

The motion carried.

### **Action Item – Lease Agreements (B. 1, 2, 3)**

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that Lease Agreements (B. 1. 2. 3.), be approved.

Trustee Buck stated that he had concerns with some of the language being proposed. He stated that he learned that the proposed language was drafted by the City of Lansing. Trustee Buck asked if the college has substitute language.

Dr. Lisa Webb Sharpe stated that they made Trustee Buck's recommended changes and will send the new language over to the City of Lansing and hopefully the City will be amendable to taking it to the Council. She stated that the college inserted its language as it relates to nondiscrimination, added the definitions defining the word landlord and tenant, along with clearing up some of the inconsistency within their boilerplate language. She also stated that the college added a severability clause and indemnification clause to each lease.

Trustee Buck asked that the leases be approved as presented in the packet and that the changes be brought forward at the next Board meeting.

Scott Dwyer recommended that the motion include the recommended language changes being discuss today and being forwarded on to the City of Lansing.

Trustee Buck also added that he wanted to make sure the Nondiscrimination Clause comported with the college's Equal Opportunity and Nondiscrimination Policy. In particular LCC's policy's scope including students, persons applying for admission, visitors, volunteer, among others. He stated that he was okay with amending his main motion to include the recommended language changes. Trustee Proctor who supported the main motion stated that he had no problems with the amendment.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

### **Monthly Monitoring Report**

The following Monitoring Reports were presented:

1. Monthly Financial Statements

### **Policy Development**

Trustee Proctor presented the proposed amendments to the Acceptable Use Policy:

## **ACCEPTABLE USE**

---

### **I. Purpose**

This policy describes guidelines for the use of the College's technology resources and use of College wide data. Use of College-owned technology resources is a privilege extended by Lansing Community College to students, employees, and other authorized users as a tool to promote the mission of the College and to enhance technological/computer literacy.

### **II. Scope**

This policy applies to all users (employees, students, trustees, alumni, contractors, and guests) of Lansing Community College technology resources and data, including those using the College's network via a personally owned device.

### **III. General**

#### **A. Applicable Statutes**

Lansing Community College and all users will comply with all federal state and local governing laws. These laws include, but are not limited to:

FERPA – Family Educational Rights and Privacy Act of 1974  
FTC Red Flag Rule – Federal Trade Commission Identity Theft Prevention  
GLBA – Gramm-Leach-Bliley Act of 1999  
HIPAA – Health Insurance Portability and Accountability Act of 1996  
ADA – Americans with Disabilities Act of 1990  
PCI DSS – Payment Card Industry Data Security Standard  
Digital Millennium Copyright ACT (DMCA) of 1998

#### **B. General Usage**

The use of Lansing Community College's technology resources, including, but not limited to, computers, fax machines, email, cell phones, printers/copies, audio/visual equipment, software applications and all forms of Internet/intranet access, is for College business and for authorized purposes only.

Employees are permitted brief and occasional personal use of College technology resources if it does not result in expense or harm to the College, interfere with their job responsibilities, or otherwise violate this policy. Appropriate care must be given for technology resources issued to or used by students and employees and returned in the same condition with minimal wear.

No protected data, (SSN, credit card, FERPA, HIPPA), or other confidential information should be stored on non-College systems or any mobile device, and secure communication channels must be used whenever such data is accessed.

Use of the College's resources is a privilege granted by the College and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Sending chain letters or participating in the creation or transmission of unsolicited commercial email ("spam") that is unrelated to legitimate College purposes;
- Engaging in private or personal business activities, including excessive use of instant messaging or chat rooms, except as allowed by this policy;
- Accessing email messages, networks, servers, drives, folders, or files to which the individual has not been granted access or authorization from someone with the right to make such a grant. It violates College policy for any user, including system administrators and supervisors, to access email and computer systems files to satisfy personal curiosity about the affairs of others, unless such access is directly related to that employee's job duties;
- Email messages received must not be altered without the sender's permission. Users are also prohibited from knowingly falsifying email messages (e.g., by altering and forwarding email to another user without acknowledging the alteration, placing unauthorized or misleading attachments on another's email message, etc.);
- Making unauthorized copies of, or changes to, College files or other College records or data;
- Making unauthorized copies of software or third party files, or otherwise violating software licensing agreements or copyright laws;
- Destroying, deleting, erasing, corrupting or concealing College files or other College data, or otherwise making such files or data unavailable or inaccessible to the College or to other authorized users of College systems, except as provided by the Data Retention and Disposal Schedules;
- Misrepresenting oneself or the College;
- Engaging in unlawful or malicious activities. (e.g., deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the College's networks or systems or those of any other individual or entity, etc.)
- Except as protected by applicable law, using abusive or threatening language or comments in communications; spreading knowingly false and/or malicious information about any other person, the College or any other entity; transmitting sexist, racist or similarly discriminatory remarks or images; or unlawfully harassing, intimidating, or stalking anyone.
- Sending, accessing, viewing, uploading, or downloading pornographic materials;
- Using peer-to-peer applications that violate content copyright;
- Causing congestion, disruption, disablement, alteration, or impairment of College networks or systems;
- Circumventing, attempting to circumvent, defeating, or attempting to defeat any security system, application, and/or procedures, including

- unauthorized activities or attempts aimed at compromising system or network security, such as hacking, probing, or scanning; attempting to break into another user's accounts or to obtain another user's passwords; sharing Usernames or passwords with another person or utilization of another person's Username or password;
- Failing to log off any secure, controlled-access computer or other form of data system to which you are assigned, if you leave such computer or system unattended;
  - Threatening any person(s) or property;
  - Employees must not use College technology resources to solicit or provide products or services that are unrelated to the College, or to distract, intimidate, or harass coworkers or third parties, or to disrupt the workplace;
  - Except as otherwise permitted by law, employees and others acting for the College are prohibited from using College technology resources to support or oppose a political party, candidate or ballot proposal;
  - Accessing and/or utilizing any pay-to-play Internet gambling site;
  - Accessing reviewing or transmitting protected or confidential College information for purposes other than completing job duties;
  - **Installing or connecting servers or wireless access points to the College's network without prior written authorization.**
  - **Employee bulk email auto-forwarding of all received emails to a non-LCC email address without advance approval of the Chief Information Officer or designee.**

Violations of this policy may result in loss of computer privileges and/or disciplinary action under the Student Code of Conduct and/or employee disciplinary action up to and including discharge of employment. In addition, the user may face both civil and criminal liability from the College, from law enforcement officials or from individuals whose rights are harmed by the violation.

### **C. Authorized Monitoring and Access to Technology Resources**

The College scans and monitors the content of traffic transmitted over the College's network and data stored on College systems using electronic tools. The sole purpose of monitoring and scanning activity is to reduce risk to the College, to protect the College's technology resources and data, and to enforce this and other College policies and applicable laws.

When responding to Freedom of Information Act requests, internal investigations, or court-ordered documentation requests, the College will search email messaging systems and other electronic storage devices as needed. Therefore, there should be no presumption of privacy or confidentiality when using College technology resources. The College will provide complete or redacted versions of records of business transactions and communications as required. College staff participating in investigations as part of their job duties will endeavor to safeguard the privacy of all parties and will themselves follow the guidelines provided in this policy.

**D. Personal Electronic Equipment**

Any user connecting a personal computing device, data storage device or image recording device to any College-owned computer or network resources assumes all risks associated with such connection and accepts responsibility for any damages or loss (to the user, the College or any third party) resulting from such connection.

The College is not responsible for repair or replacement of non-College hardware.

**E. Student Computing**

College computer labs and devices/equipment for checkout from the Library and Information Technology Services are available on campus for students to complete their course work. Students are expected to follow the rules for any lab or the department which houses the computer they use. Students must possess a current College Starcard to access the computer labs.

Failure to follow this policy will be considered a violation of the Student Code of Conduct and will be reported to the Office of Student Compliance.

**F. Indemnification Provision**

Lansing Community College makes absolutely no warranties of any kind, either express or implied, for the Internet services it provides. The College will not be responsible for any damages suffered by users, including, but not limited to, any loss of data resulting from delays, non-deliveries, user errors, or service interruptions.

The College is not responsible for the accuracy or quality of information obtained through its Internet services, including email. Users assume responsibility for any damages suffered as a result of information obtained through these sources.

The user agrees to indemnify and hold harmless Lansing Community College, the Board of Trustees, and College employees from and against any claim, lawsuit, cause of action, damage judgment, loss, expense, or liability resulting from any claim, including reasonable attorneys' fees, arising out of or related to the use of the College's hardware, software, and network facilities. This indemnity shall include, without limitation, those claims based on trademark or service mark infringement, trade name infringement, copyright infringement, defamation, unlawful discrimination or harassment, rights of publicity, and invasion of privacy.

**IV. Responsibility**

Responsibility for the interpretation and administration of this policy is delegated to the Chief Information Office or his/her designee.

Adopted: 3/18/2002

Revised: 12/12/2011, 12/17/2012, 12/15/2014, 12/17/2018, 1/27/2020



IT WAS MOVED BY Trustee Proctor and supported by Trustee Hidalgo to suspend the Board Bylaw 1.6.6, that a policy is approved on the second read.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

IT WAS MOVED BY Trustee Abood and supported by Trustee Buck that the recommended revisions to the Acceptable Use Policy be approved.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

## **Linkage Planning/Implementation**

### **Community Linkage – President’s Report**

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

Michelle Curtain, President of the Academic Senate gave a brief update on the Academic Senate Report presented to the Board.

### **Committee Reports – Audit Committee Update**

Trustee Meyer presented the Audit Committee Meeting Calendar for 2020.

February 3, 2020  
March 2, 2020  
April 6, 2020  
May 4, 2020  
June 1, 2020  
September 8, 2020  
(Tuesday, due to Labor Day)  
October 5, 2020  
November 2, 2020  
December 7, 2020

IT WAS MOVED BY Trustee Meyer and supported by Trustee Buck that the 2020 Audit Committee meeting calendar be approved.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

### **Committee Reports – Foundation Board Update**

Trustee Buck provided the following Foundation Board Update:

1. The Foundation hosted its annual Holiday Open House in the Gannon Building Michigan Room. This year they did a giving wall with stories of how the Foundation has helped LCC students. Trustee Buck had a few tiles available for purchase.
2. The fall giving goal for the CARES funds was \$10,000 and the Foundation exceeded that goal by \$11,000.

### **Board Reports – 400 Years Celebration Wrap Up Video**

Trustee Mathews stated that although the 400 Years of African-American Commission Act, was established to highlight the accomplishments of African Americans, LCC sponsored events were inclusive of other cultures and everyone was invited to come and celebrate. She thanked the people who worked on the committee. There was a short video played that highlighted LCC's yearlong events and activities.

### **Chair Report**

Chair Hidalgo read the following statement:

*“On September 16, 2019, faculty member Leslie Johnson formally requested that the Board open an investigation to determine whether a comment made by Trustee Robert Proctor during the May 20, 2019 meeting of the Board of Trustees violated Board Bylaw section 1.7.3 and section 1.7.4. To ensure a full and unbiased review of Ms. Johnson’s allegation and pursuant to the authority vested to the Board Chair, pursuant to section 1.7.9, an independent consultant was engaged to investigate those allegations. Following an investigation that included numerous interviews, as well as a comprehensive review of relevant documents, and an analysis of first amendment law, the independent consultant determined that there had been no violation of Board Bylaw sections 1.7.3 or 1.7.4”.*

Chair Hidalgo asked Trustee Mathews read the following statement:

*“Statement affirming the right of the public to freely address the board. The LCC Board of Trustees recognizes the fundamental right of the public to exercise their First Amendment right of free speech during Board meetings. LCC not only*

*desires, but encourages, interested members of the public to express their thoughts, ideas, and concerns regarding LCC. LCC fully recognizes that a public that is fully engaged and regularly and freely participates offers the Board diverse perspectives from which to evaluate its practices. This strengthens LCC as a whole and helps ensure complete inclusiveness. The Board of Trustees reaffirms its existing commitment to encourage public comment and appropriate discourse. The Board endeavors at all times to treat those offering public comments with respect, with self-discipline, and with proper decorum. Consistent with its ongoing practice, the Board also reaffirms that no member of the public, including those who are employed by LCC, who, in good faith participates in Board meetings shall continue to do so without fear of reprisal."*

*"I'd like to add to this that although the freedom of speech is given to the public, the Board reserves the right as well to the freedom of speech and therefore a Board member can express their thoughts and what they feel they must share. Freedom of speech is not only for the public, but for the Board of Trustees. I'm hoping that in the future the public and the Board can continue to be respectful to one another and respect whatever truth that Board member may have."*

Trustee Vaive stated *"public comment is a vitally important part of this process. Whether you are a group of people with a coordinated message or one person with an individual concerns, what you have to say matters. Public comment is your time, but it is for all of us. No one in an elected capacity can fully do their job without hearing the voices of the community. This is the time when you are not only allowed to, but I hope encouraged to speak your mind and be heard. I hope that everyone in this community feels comfortable and welcome with speaking at public comment no matter what they have to say. We will not always get everything right up here, and if you disagree, I want to know. While student success is the main goal of this board right now, ultimately we work for you. You, the community, and the voters, are our constituents, and maybe not as often as we should, but every six years we answer to you. We cannot know what you need, think, feel, or experience unless you let us know. So again, I truly hope everyone in this community continues to come to the board and continue to use public comment in whatever way benefits them and this community."*

Chair Hidalgo stated *"I agreed with my colleagues, that the board does listen, so feel free to come speak to us. I know that my colleagues are all passionate about helping our students and learning from what you have to tell us. So again, thank you."*

## **Unfinished Business**

There was no Unfinished Business.

## **New Business**

New Business items for the January 27, 2020 Board of Trustees Meeting:

A. Consent Agenda

1. Omni Update

B. Monitoring Reports

1. Monthly Monitoring Report

C. Chair's Report

1. Conflict of Interest Disclosure Statement

2. Review of Annual Board Planning Calendar

3. Review of Monthly Monitoring Report Method and Schedule.

## Public Comment

Alex Azima: Alex Azima addressed the Board regarding his disagreement with Trustee Proctor's own formal response to the accusations made against Trustee Proctor at the June 2019 and September 2019 Board of Trustees meetings.

Trustee Mathews stated that she is glad there is due process and that in this situation it allowed the truth to be revealed. She stated that the Board Chair read a statement that exonerated Trustee Proctor of any wrong doings. She stated that the Board Chair's statement demonstrates that when something is brought to the Board, it is taken seriously in a fair and equitable manner. She further stated that it is disturbing to her and individuals do not have the right to assassinate someone's character. Trustee Mathews stated that public comment is great and the Board wants to hear it, but we should be careful with our words, how we word things, and what we put out there. She stated that with character, we should make sure we are not putting words out there that can come back and speak something horrible and deadly. Trustee Mathews stated that the Board Chair read a statement and that statement was the truth and it stands regardless to how anyone would want it to be. She stated "so let that truth stand regarding the investigation."

## Board Comment

Trustee Abood stated there was a ceremony on November 22 and that he was fortunate enough to have all of his family, nine siblings, and grandchildren at a dedication event for his Mom. He stated that LCC knocked it out of the park. He further stated that his family appreciated everything LCC did on that day and that LCC is an opportunity for people to give.

Trustee Meyer stated, on the behalf of the Board and the community, the contributions that Trustee Abood's family has made to this community has been extraordinary. He stated that the Upward Bound sculpture adds to the campus and looks spectacular at night. He said the Upward Bound sculpture is an incredible contribution that says a lot. He stated that Trustee Abood's generosity to this community is appreciate and we thank him very much.

## Adjournment

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

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

The motion carried.

The meeting adjourned at 7:57 p.m.

Submitted,



Executive Assistant & Liaison to the Board  
Benita Duncan