



## BOARD OF TRUSTEES REGULAR MEETING

Minutes  
September 15, 2020

The Clark State Community College Board of Trustees met in regular session virtually via LifeSize due to the COVID-19 pandemic on Tuesday, September 15, 2020. Chairman Brad Phillips presided and called the meeting to order at 6:00 p.m.

### Roll Call

*Present:* Andy Bell, Jim Doyle, Sharon Evans, Kyle Hall, Maurice McDonald, Mike McDorman, Peggy Noonan, Chairman Brad Phillips, and President Jo Alice Blondin

*Excused:* Vice Chair David Ball

*Others Present:* Dan Ayars, Director of Facilities, Operations and Maintenance; Aimee Belanger-Haas, Dean of Business and Applied Technologies; Travis Binkley, Assistant Dean of Advising and Enrollment Services, Greene Center; Kierre Brown, Instructor, Business and Applied Technologies; Callie Cary-Devine, Project Director, Student Support Services; Katherine Cass, Instructor, Health, Human and Public Services; Dr. Sterling Coleman, Director of Library Services; Julia Daniels, Assistant to the Dean of Health, Human and Public Services; Sean Dodge, Institutional Research Analyst; Lisa Dunn, Academic Counselor, Enrollment Services; Eric Ebbs, Client Support Technician/Staff Senate President Elect; Dr. Theresa Felder, Senior Vice President of Student Success; Dr. Matt Franz, Vice President of Information Technology and Emergency Management; Ron Gordon, Dean of Enrollment Services; Carla Hetric-Daniel, former student; Robyn Hennigan, Senior Technical Instructor, Business and Applied Technologies; Dr. Tiffany Hunter, Vice President of Academic Affairs; Kara Jackson, Associate Professor, Health, Human and Public Services; Natalie Johnson, Associate Dean, Greene County Locations; Nicole Johnson, Success Coach, Enrollment Services/SOAR participant; Michael Lander, Assistant Professor, Business and Applied Technologies/SOAR participant; Senti Longkumer, Assistant Dean of Arts and Sciences; Naomi Louis, Dean of Arts and Sciences; Bradley Miner, student; Kathy Nelson, Controller; Kelly Neriani, Senior Institutional Research Analyst; Shani Newton, Success Coach, Greene Center/SOAR participant; Patience Olajide, Assistant Professor, Health, Human and Public Services; Toni Overholser, Director of the Foundation; Cindra Phillips, Director, Center for Teaching and Learning; J.R. Riechers, Assistant Technical Director, Performing Arts Center/SOAR participant; Doug Schantz, Associate Vice President of Business Affairs; Laura Siemon, Human Resources Assistant; Dr. Rhoda Sommers, Dean of Health, Human and Public Services; Nicolas Sparrow, Student Senate President; Amy Sues, Dean of Institutional Effectiveness, Planning, Assessment and Accreditation; Mary Adelaide Taylor, Interim Director, Nursing Program; Mellanie Toles, Executive Assistant to the President and Coordinator of Special Projects; Trish Voisard, Staff Accountant; Larry Wakefield, Vice President for Business Affairs; Laura Whetstone, Director of Human Resources; Nina Wiley, Dean of Student Engagement and Support Services; and Mia Yaniko, Education Section Chief, Ohio Attorney General's Office

### Recognition of Guests

Chairman Phillips welcomed guests.

## **Public Comment**

There were no public comments.

## **Conflicts of Interest**

No conflicts of interest were reported.

## **Brief Data Story**

Travis Binkley, Assistant Dean of Advising and Enrollment Services at the Greene Center, reported that in Fall 2018, Clark State started following the Guided Pathways by the Community College Research Center and launched our Strategic Enrollment Plan as designed by Dean Ron Gordon and the Strategic Enrollment Management Plan Committee (SEMPC). In Guided Pathways, Mr. Binkley leads pillar three, which is about keeping students on a path to graduation, and in the SEMPC, he chairs the Goal 3 group, which focuses on improving retention rates and emphasizes the use of student planning more efficiently to allow students to plan for multiple semesters. With these two major initiatives underway, we had no way of tracking academic plans immediately, but over the 2018-19 academic year, we figured out how to track academic plan creation and approvals. In fall 2019, we started assigning a success coach to every Clark State student. Prior to that time, success coach cohorts were not assigned in Colleague. In fall 2019, we started with the goal of 50% of the success coach cohorts having an academic plan by the end of the semester. In spring 2020, we increased this number to 65% of their cohorts. In a recent data pull of academic plans from the fall 2016 new student cohort, we found a correlation of 0.144 between graduating in four years and having an academic plan. This means that students who have an academic plan are more likely to graduate in four years. This was the first cohort to have access to an electronic student plan. Approximately 37% of the students in the first cohort had an academic plan. Since this cohort, we have implemented several strategies to increase the number of students with academic plans. By increasing the number of electronic plans, we are able to review more data for the initiatives in Guided Pathways and in the Strategic Enrollment Plan.

## **Student Success Story**

Dean Nina Wiley introduced former student Carla Hetric-Daniel, who graduated from the Social Services Technology program and is now pursuing her bachelor's degree in Social Work at Indiana Wesleyan University.

Ms. Hetric-Daniel reported that she chose to come to Clark State in 1978 at the age of eight. Both her father and mother were students at the time, and unfortunately her father passed away in Rhodes Hall in February that year. Despite the devastating circumstances, her mother continued on to graduate from the nursing program in June that year and went on to make a wonderful life for her family. Ms. Hetric-Daniel indicated that TRIO Program employees Lisa Dunn and Callie Cary-Devine made such a positive difference in her life and really helped her find a sense of direction. Nina Wiley also supported her participation in Phi Theta Kappa and helped see her through some very challenging things during her time as a student, including a divorce, surgeries, and the death of her grandmother. She commented that Clark State faculty and staff are phenomenal, wonderful people, and she is glad to be an alumnus.

Chair Phillips thanked Ms. Hetric-Daniel for sharing her story, as it is always heartening to hear how Clark State has been able to make a difference in students' lives, and wished her well in her future endeavors.

## **Approval of Minutes**

Chair Phillips asked for a motion to approve the minutes of the Regular Board Meeting held on June 23, 2020. Trustee Evans made a motion to approve the minutes as written; Trustee McDonald seconded, and the motion passed unanimously.

## **Board Finance and Facilities Committee Report**

The Board Finance and Facilities Committee met on Wednesday, September 9, at 7:30 a.m. virtually via Lifesize. Those present included: Andy Bell, Committee Chair; Committee Members David Ball, Jim Doyle, Sharon Evans, and Peg Noonan; Brad Phillips, Board Chair; Dr. Blondin, President; Dr. Theresa Felder, Senior Vice President, Student Success; Dr. Matt Franz, Vice President, Information Technology; Dr. Tiffany Hunter, Vice President, Academic Affairs; Larry Wakefield, Vice President for Business Affairs; Doug Schantz, Associate Vice President for Business Affairs; Adele Adkins, Executive Director, Performing Arts Center; Laurie Means, Executive Director, Marketing; Toni Overholser, Director, Foundation; Kathy Nelson, Controller; and Susan Kelly, Recorder. Agenda items included:

- Call to Order
- Roll Call
- Approval of June 9, 2020, Meeting Minutes - ACTION
- August Financial Report
- Greene Center/REACH/Ohio Hi-Point Quarterly Financials
- Restricted Budget Adoption - ACTION
- June Financials/Reserves Estimate/Audit Status (extension w/ Clark, Schaefer & Hackett)
- Multi-Year Budget Update
- Moody's Update
- CARES Act Funding (Federal/State/CSCC tracking)
- Other Federal/State Funding Status
- Sodexo Contract Update
- OFCC – Rhodes Hall Phase III Project
- Employee Benefits Renewal – ACTION
- Enrollment Management Services Update
- Sex Discrimination Policy Revisions – ACTION
- Energy Plan and Master Plan Update
- Open Discussion
- Next Meeting – October 9, 2020, 7:30 a.m. virtually via Lifesize

## **Financial Report through August 2020**

A report reflecting Revenues and Expenses through August 31 was distributed to Trustees prior to the meeting. The following was noted:

State Share of Instruction (SSI) – The FY 2021 budget is based on course completion (50%), success points (25%), and completion milestones (25%). The State announced last spring to expect a significant cut to our base SSI for FY 2021. Based on preliminary State projections we based our budget on an expected 18% cut to SSI. Since then, the State has only cut State Colleges 4.38%

Student Tuition and Fees Revenue represents Fall Semesters through August 31. Fall revenue is currently behind, but we will have a better sense after deregistration and the start of D and B Term in the month of

September. Other student Fees are up due to lab fees and bad debt expense (revenue offset), which will not be recognized until January.

Workforce Non-Credit Training revenue is currently below budget.

Performing Arts Center (PAC) shows and rentals are below budget. Due to the effects of COVID19 and our modified operations, we do not expect revenue to pick up significantly until Spring possibly. Expenses are also down due to our modified operations.

The expense budgets show overall spending down compared to the budget. There are variations in some categories due to timing. Overall, nothing is of concern so far. Academic Support and General Expenses are high due to early spending in Maintenance Contracts. By object code, Library computer data services has been spent early. Occupancy Expenses are high due to early spending in Maintenance Contracts.

There are some minor overages listed. By object code under Benefits and by function under General Expenses, the listed overage is due to an unbudgeted benefit which we will address in October when we present our Fall budget adjustment. You will also note an overage in General Administration. We expect CARES to cover \$1.1M in expenses this year, and it is reflected here. We expect to make transfers in Fall that will alleviate this overage.

Bookstore is showing revenue above budget for the year. Commercial Transportation Training Center is on track in revenue. Parking revenue is also on track. Food service expenses are minimal due the closing of the Eagles Nest due to the pandemic but vending options are still available.

### **Greene Center Quarterly Financial Report**

The Greene Center report was originally created to show the revenue and expenses related to the Greene Center after acquisition of the building and expansion to the new location. Most expenses are tracked separately, but the revenue is not. It is based on a percentage of Greene Center credit hours to total credit hours.

#### Revenue:

Budget for State Share of Instruction for the Greene Center has been calculated at 12.2% of the overall disbursement for Clark State Community College. This is based on budgeted credit hours for the Greene Center for fiscal year 2020.

Budget for Student Tuition is computed using expected enrollment for FY 2019-20.

Actual Student Tuition is based on actual credit hours reported from Institutional Research and multiplied by \$160.33 per credit hour. High School credit hours are included at \$41.64 per credit hour.

#### Expenditures:

Expenditures were rolled-up to match categories currently used for financial reporting.

### **REACH Center Quarterly Financial Report**

The REACH Center report is set up similarly to the Greene Center report. The REACH Center report shows the revenue and expenses related to the REACH Center. Expenses are tracked separately, but the revenue is not. It is based on REACH Center credit hours.

### Revenue:

Budget for State Share of Instruction for the REACH Center has been calculated at 1.3% of the overall disbursement for Clark State Community College. This is based on budgeted credit hours for the REACH Center for fiscal year 2020.

Budget for Student Tuition is computed using expected enrollment for FY 2019-20.

Actual Student Tuition is based on actual credit hours reported from Institutional Research and multiplied by \$160.33 per credit hour. High School credit hours are included at \$41.64 per credit hour.

### Expenditures:

Expenditures were rolled-up to match categories currently used for financial reporting.

### **Ohio Hi-Point Career Center Quarterly Financial Report**

The Ohio Hi-Point Career Center (OHP) report is set up similarly to the REACH and Greene Center reports. The OHP report shows the revenue and expenses related to the OHP location in Logan County. Expenses are tracked separately, but the revenue is not. It is based on OHP credit hours.

### Revenue:

Budget for State Share of Instruction for OHP has been calculated at 1.9% of the overall disbursement for Clark State Community College. This is based on budgeted credit hours for OHP for fiscal year 2020.

Budget for Student Tuition is computed using expected enrollment for FY 2019-20.

Actual Student Tuition is based on actual credit hours reported from Institutional Research and multiplied by \$160.33 per credit hour. High School credit hours are included at \$41.64 per credit hour.

### Expenditures:

Expenditures were rolled-up to match categories currently used for financial reporting.

### **Human Resources Update**

The following actions are for non-exempt employee positions only. The open/advertised positions cover all faculty and staff, both exempt and non-exempt.

#### *New Hire:*

- Brittany Briggs, Instructional Support Specialist, Academic Affairs, effective 8/14/20

#### *Personnel Move:*

- Kathleen Day, from Administrative Support, Business and Applied Technologies, to Mail Services Clerk, Business Affairs, effective 7/6/20

#### *Retirement:*

- Sue Bayes, Assistant to the Vice President, Academic Affairs, effective 1/1/21

*Resignations:*

- Alvin Tucker, Academic Support Specialist, Student Affairs/Greene Center, effective 7/31/20
- Donna Hill, Project Jericho Outreach Specialist, Advancement, effective 7/10/20

*Memoriam:*

- Wali Shamsid-Deen, Client Support Technician, Information Technology, 7/15/20

*Open/Advertised Positions:*

- Project Jericho Creative Assistant
- Project Jericho Outreach Specialist

**Enrollment Management Services Update**

In 2018, the College began working with Enrollment Management Services (EMS), a healthcare consulting firm that assists employees in understanding their healthcare options. The following chart illustrates EMS's impact over time:

EMS Measures	Yearly Values			
	2018 (July - Dec)	2019	2020 (Jan - Aug)	Total Over Time
Annual Premium Impact	\$49,538	\$178,635	\$119,096	\$347,269
Annual Opt-Out	\$35,014	\$100,038	\$65,761	\$200,813
EMS Service Fee	\$30,000	\$60,000	\$40,002	\$130,002
Net Cash Flow	-\$15,476	\$18,597	\$13,333	\$16,454
Reduced Utilization	\$483,500	\$567,000	\$397,353	\$1,447,853

Premium savings from enrollment changes have offset the new investment costs of the Opt-Out and EMS Service Fee. The cash flow shows positive over time, for a total of \$16,454. The most meaningful impact for the College has been the reduced claims utilization that comes with the enrollment changes (approximately \$1.5 million to date).

**Performing Arts Center Endowment Report**

The Foundation agreed to invest the Performing Arts Center (PAC) Endowment funds that were transferred from the College as a restrictive endowment fund known as the Clark State Performing Arts Center Endowment Fund. Eligible investments are spelled out in the agreement. The income generated from these funds must be used for the purpose of operating, programming and maintaining the PAC. The Foundation agreed to issue quarterly reports to the Clark State Board of Trustees regarding the status of the investment of the funds. Following is a recap at 6/30/20:

Investment @ Cost (2002 - 2004)	\$1,267,243
Interest Earnings (June 2002 to present)	\$1,293,031
Commonfund Management Fees (June 2002 to present)	\$(89,732)
Foundation Management Fee (2007 to present)	\$(158,409)
Transfer to College for Hollenbeck-Bayley Center (June 2012)	\$(220,000)
Expenditures for Performing Arts Center (August 2009 to present)	\$(230,047)
Market Gain/(Loss) (June 2002 to present)	\$333,737
Balance 6/30/20	\$2,195,823

Quarterly (April-June) Rate of Return	5.09%
Barclays Aggregate Bond Index (April-June)	2.90%
June Return	1.33%
Barclays Aggregate Bond Index (June)	.63%

The Foundation Board approved transferring these funds into the High Quality Bond Fund at their June 2003 meeting. In August 2006, the Foundation Board approved assessing a management fee to endowment accounts it manages. This figure (\$158,409) represents the 1.25% management fee of the PAC Endowment. Marc Bernhardt, from The Commonfund, met with the Foundation's Finance/Audit/Investment Asset Management Advisory Services Sub-Committee on April 23, 2020, to review fund performance and asset allocation and answer questions the Committee had.

### **Board Human Resources Committee Report**

The Board of Trustees' Human Resources Committee met virtually on Monday, August 13, at 1:30 p.m. and on Tuesday, August 25, at 2:00 p.m. with Committee Chair Jim Doyle; Committee Members Sharon Evans, Mike McDorman, and Maurice McDonald; and Board Chair Brad Phillips in attendance.

Agenda items included:

- Review of Final 2019-2020 Incentive Plan Payout
- Review of President Blondin's 2020-2021 Proposed Goals List
- Discussion and Finalization of Payout Amount for 2020-2021
- Discussion and Finalization of Topics/Goal Areas for 2020-2021
- Discussion and Finalization of Total Number of Goals and Amount for Each
- Other

### **Board Government/Community Relations Committee Report**

The Board of Trustees' Government/Community Relations Committee met virtually via Lifesize on Tuesday, August 11, at 4:00 p.m. Those present included: Committee Chair Mike McDorman; Committee Member Kyle Hall; Board Chair Brad Phillips; Dr. Jo Alice Blondin, and Toni Overholser. Lisa Dodge with Sean Dunn and Associates also attended to present to the Committee. The agenda included the following items:

- New Speaker of the Ohio House of Representatives
- Future Budget Cuts
- Possible "Skinny" Capital Bill
- Immunity
- Audit Extension
- Current CARES Act Monies
- HEALS/HEROES/Future Federal Funds
- Updated Title IX Policy and Procedures
- Addiction Studies Baccalaureate Degree Reconsideration Request
- Other

## College Name Change

Clark State Community College's Board of Trustees, administration, faculty, staff, and students have been engaged in a discussion and actions regarding a name change to Clark State College since the Fall of 2018. The College has conducted a survey (Spring 2019) of employees and students, with the majority favoring a name change to Clark State College. The process initially began with a change from "Divisions" to "Schools" in Spring 2019.

Beginning in Fall 2019, the administration, through the shared governance system, began working with the Faculty, Staff, and Student Senates, who all passed resolutions to recommend a name change from Clark State Community College to Clark State College. All Senates passed these resolutions by Spring 2020. Due to the COVID-19 pandemic, the President postponed bringing the name change to the Board of Trustees until Fall 2020.

Below please find a draft of the resolution that will be presented for action at the October 2020 Board meeting, as well as a detailed internal and external communication plan regarding the name change crafted by John Fimiani of Upward Brands. This item is for information and preparation for the October vote.

### *Resolution of the Clark State Community College Board of Trustees*

Whereas, the Springfield and Clark County Technical Education Program opened in 1962 and began to offer technical training for residents of Springfield, Ohio, and surrounding communities; and

Whereas, the Charter for the organization of the Clark County Technical Institute was effective February 18, 1966; and

Whereas, Clark County Technical Institute became Ohio's first technical college to be sanctioned by the Ohio Board of Regents, the name changed from Clark County Technical Institute to Clark Technical College by action of the Ohio Board of Regents on February 17, 1972; and

Whereas, the Charter changed from Clark Technical College to Clark State Community College on June 17, 1988, and the College began offering Associate of Arts and Associate of Science degrees that same year; and

Whereas, Clark State Community College has been approved to offer two applied baccalaureate degrees, in Manufacturing Technology Management and Web Development and Design, to serve regional industries and address skills gaps; and

Whereas, Clark State Community College's mission is to engage and empower diverse learners by providing high-quality educational programs and services that emphasize student and community success; and

Whereas, Clark State Community College conducted a brand identity survey that demonstrated that a majority of students, employees, and community members were strongly in favor of the name change from Clark State Community College to Clark State College; and

Whereas, "Clark State College" better reflects the highest degree attainable at the College; and



Whereas, Clark State's mission and community outreach clearly outline its commitment to serving the four-county service district of Clark, Greene, Champaign, and Logan Counties, and this commitment will not be affected by the name change from Clark State Community College to Clark State College; and

Whereas, Clark State Community College will not waver from its mission to offer a high-quality, accessible, and affordable education as Clark State College; and

Therefore, be it resolved that the Clark State Community College Board of Trustees does hereby authorize a name change from Clark State Community College to Clark State College. Be it further resolved, pursuant to Ohio Revised Code 3358.07, that the name change request shall be submitted to the Ohio Department of Higher Education for formal approval.

By action of the Board of Trustees on October 20, 2020.

### **Enrollment by Category Report**

Data charts reflecting the 2019-2020 student enrollment were distributed to Trustees prior to the meeting. The charts detailed enrollment by several categories (race, age, military group, location, academic program) and College Credit Plus (CCP) enrollment by high school. The conversion rates for the last four years for CCP were also included.

The demographic data is fairly consistent with the previous year's data. Sixteen percent of our students are minority (African American, Hispanic, Native American). The average age is 24, and 65 percent of the students are younger than 25 years old. We continue to see growth in the number of military spouses, with the addition of our spousal discount. Our veteran population also continues to be strong.

Online enrollment continues to grow and represents the largest "location" for headcount. In Fall 2019, 44 percent of enrolled students took at least one class online, and 20 percent of students took all of their classes online, both of which are slightly up from the previous year. We also continue to see strong numbers in our high school student headcount and credit hours, and nearly 40 high school students graduated from Clark State in the spring. The Global Impact Stem Academy (GISA) is our largest high school partner, and over half the 2020 high school graduates were GISA students. Their students begin taking college courses at the high school in their sophomore year, and many are almost completely on the Clark State campus by their senior year. Shawnee High School has continued to offer almost a full associates degree in their high school, and they continue to have a high level of participation in the CCP program. Other highly enrolled CCP schools are Miami Valley CTC, and Bellefontaine, Kenton Ridge, and Bellbrook High Schools. Even though students are accumulating more college credit while in high school, the conversion rate to a Clark State undergraduate student continues to be steady at about 10 percent.

The top majors at Clark State are Registered Nursing, Practical Nursing Certificate, Associate of Arts, Associate of Science, Social Services Technology, and Registered Nursing-LPN to RN Transition. Enrollment is also strong in Management, Physical Therapist Assistant, Criminal Justice, Emergency Medical Services/Paramedic, Accounting, and Cybersecurity. There will be a continued focus on increasing enrollment in our certificate programs, both one-year and short-term.

Additionally, 79 percent of our students were enrolled part-time in Fall 2019. From a financial aid standpoint, 78 percent of undergraduate students completed a FAFSA, and 54 percent were awarded Pell/Federal Supplemental Educational Opportunity. Also in Fall 2019, 44 percent of our undergraduate students filling a FAFSA were first generation, 45 percent had dependent children, and 24 percent were married.

## **Foundation Update**

- CARES Act Emergency Grants totaling \$1,450,000 were distributed to students between April 15 and August 27, 2020.
- The Foundation will kick-off our annual campaign with a new event in October. We will host our first walk/run event, virtually. Fundraisers will be able to solicit support online in order to raise funds for scholarships. Each participant will receive a Clark State t-shirt and a pair of Clark State socks. Prizes will be awarded to the top three fundraisers. The event will not only allow us to raise money, but it will also highlight our message throughout the communities we serve.
- Project Jericho kicked off the year with Lifebook Camp, which is state mandated for youth living in foster care for more than 6 months and where participants document their personal histories. The annual summer arts camp was canceled due to the pandemic. However, one element was able to proceed in compliance with physical distancing mandates. The project included the design of a public art piece in a neighborhood on south side of Springfield; Project Jericho partnered with Conscious Connect and a Columbus-based artist to paint a mural on a 30'x 30' basketball court. The project was also paired with a book club (The Crossover).
- One of Project Jericho's team members, Donna Hill, has moved on to a different position. The process of hiring two new team members is in progress.
- The Scholars Program is conducting mandatory meetings with all 247 high school students, via video or phone. Mentoring sessions will be conducted virtually, at least for the first half of the school year. We have created a new position, Scholarship and Mentor Coordinator, which will assist with mentor and scholarship coordination. The position is currently posted, and we hope to have the position filled by the first week in October.

## **Performing Arts Center and Hollenbeck Bayley Creative Arts and Conference Center Update**

- Members of the Performing Arts Center (PAC) and Hollenbeck Bayley Creative Arts and Conference Center (HBC) worked the past few months in Student Affairs, making over 4,000 calls for different campaigns. A number of staff members have also proctored student placement tests.
- In July and August, the PAC held three small live outdoor performances while adhering to all of the health and safety guidelines around COVID-19. Because of this series' popularity, we are continuing it every Friday night in September.
- On August 21, 2020, Governor DeWine issued orders to allow venues to open with reduced capacity and strict health and safety protocols. On September 2, 2020, the Clark County Combined Health District approved the PAC's safety plan.
- On October 16, 2020, the PAC will have its first live performance since venues were shut down on March 13, 2020. The PAC is partnering with the Springfield Symphony Orchestra for the hour-long concert with only twenty players on stage.
- Katherine Hoptry started her tenure as Chair of the Friends of the Performing Arts and Conference Center Committee on September 1, 2020. Ms. Hoptry is also a member of the Clark State Foundation Board.

## **Marketing Update**

- Funds from the Perkins Collaborative Resource Network federal grant the College received this spring will be used to create a virtual tour that focuses on career and technical students. Clark State has contracted with OmniSight Interactive who was on campus September 9 for a day of shooting. We expect the virtual tour to be completed in mid to late October.

- The Marketing office has been working with Upward Brand Interactions on a communication strategy for a proposed name change from Clark State Community College to Clark State College. Upward has provided targeted messaging for each audience along with channels to reach those audiences and appropriate timing.
- Last year, the College contracted with Sparkbox to redesign the Clark State website, which was completed in October 2019. The second phase of the project was a redesign of the Clark State Performing Arts Center website. That project is now complete with the Clark State Performing Arts Center website going live July 8.

## **Organizational Chart**

The College's Organizational Chart as of September 1, 2020, was distributed to Trustees prior to the meeting.

## **Action Items**

The following items were presented for Board approval:

### ***Personnel Recommendation – Exempt Employees***

In accordance with established hiring procedures and after approval by President Blondin, the following recommendations for exempt employees are being presented to the Board of Trustees for formal approval:

#### New Hire:

- Sentimenla Longkumer, Assistant Dean, Arts and Sciences, effective 9/1/20

#### Termination:

- Charles "Mike" Cuffman, Assistant Dean, Arts and Sciences, effective 6/17/20

Impact on students and/or student learning: The Assistant Dean, Arts and Sciences, provides leadership in areas of K12 partnerships, student concerns, transfer initiatives, assessment of learning outcomes, and general day-to-day school activities.

Implications for budget, personnel, or other resources: Funding for the above personnel action is in the 2020-2021 budget.

It was requested that the Board of Trustees approve the personnel recommendations as presented.

### ***Personnel Recommendation – Instructional Faculty***

In accordance with established hiring procedures and after approval by President Blondin, the following recommendations for instructional faculty are being presented to the Board of Trustees for formal approval.

#### New Hires:

- Kierre Brown, Instructor, Business and Applied Technologies, effective 8/14/20
- Lisa Sheehan, Assistant Professor, Health, Human, and Public Services, effective 8/14/20

- Dr. Patience Olajide, Assistant Professor, Health, Human, and Public Services, effective 8/14/20
- Deanne Thatcher, Instructor, Health, Human, and Public Services, effective 8/14/20

Retirement:

- Dan Heighton, Professor, Business and Applied Technologies, effective 9/1/20

Resignations:

- Sarah Henegar, Instructor, Arts and Sciences, effective 8/13/20
- Olga Boberg, Instructor, RN, Health, Human, and Public Services, effective 8/13/20

Impact on students and/or student learning: All Instructor positions are vital to students and student learning by providing the necessary instruction and support in the various disciplines.

Implications for budget, personnel, or other resources: All of the above personnel actions are in the 2020-2021 budget.

It was requested that the Board of Trustees approve the personnel recommendations as presented.

***Employee Insurance Benefits Renewal***

The College provides four (4) employer-sponsored, and four (4) voluntary/employee-paid, insurance plans as benefits for all eligible (.50 Full-Time Equivalent and above) exempt, non-exempt, and instructional faculty members. The College also provides a flexible spending account through FlexBank, now Navia. The College joined the Jefferson Health Plan consortium, along with Edison State, Cincinnati State, and Shawnee State on July 1, 2020.

The medical insurance renewal rate through the consortium is 10.5%, for the upcoming plan year. As approved by the board at the June meeting, the College absorbed the total cost for both the College (6%) and employees (4.5%) for three months: July, August, and September. As of October 1, 2020, the employee costs will increase by 4.5%, shifting from the College to the employees. There will be another open enrollment period next spring, with a plan effective date of July 1, 2021, thus, fully migrating all members of the consortium to the same plan year moving forward.

	<b>2019-2020 Budgeted Costs</b>	<b>2020-2021 Budgeted Costs</b>
Medical Insurance	\$2,278,860.00	\$2,459,383.00
Dental Insurance	\$202,315.00	\$202,157.00
Vision Insurance	\$29,486.00	\$30,399.00
Life and AD&D	\$55,049.00	\$54,677.00

Open enrollment for all of our employee insurance benefits is September 7 – September 11, 2020, with a renewal date of October 1, 2020. There is a premium discount for non-tobacco/nicotine users of \$25.00 per pay period, reflected in the rates below.

<b>Traditional PPO Plan</b>					
Coverage	% of FT Hours	Total Monthly premium	CSCC Cost/Month	EE Cost Month	EE cost per pay
Single	100%	\$685.76	\$581.52	\$104.24	\$52.12
EE+SP	100%	\$1,440.09	\$1,221.20	\$218.89	\$109.45
EE+CH	100%	\$1,165.78	\$988.58	\$177.20	\$88.60
FA	100%	\$2,202.96	\$1,715.47	\$307.49	\$153.75

<b>High Deductible Health Plan</b>					
Coverage	% of FT Hours	Total Monthly premium	CSCC Cost/Month	EE Cost Month	EE cost per pay
Single	100%	\$684.50	\$581.82	\$102.68	\$51.34
EE+SP	100%	\$1,430.09	\$1,215.58	\$214.51	\$107.26
EE+CH	100%	\$1,158.95	\$985.11	\$173.84	\$86.92
FA	100%	\$2,006.19	\$1,705.26	\$300.93	\$150.47

<b>Medflex PPO Narrow Network Plan</b>					
Coverage	% of FT Hours	Total Monthly premium	CSCC Cost/Month	EE Cost Month	EE cost per pay
Single	100%	\$615.34	\$516.07	\$99.27	\$49.64
EE+SP	100%	\$1,292.22	\$1,083.75	\$208.47	\$104.24
EE+CH	100%	\$1,046.08	\$877.32	\$168.76	\$84.38
FA	100%	\$1,815.24	\$1,522.39	\$292.85	\$146.43

<b>Medflex High Deductible Narrow Network Plan</b>					
Coverage	% of FT Hours	Total Monthly premium	CSCC Cost/Month	EE Cost Month	EE cost per pay
Single	100%	\$584.96	\$497.22	\$87.74	\$43.87
EE+SP	100%	\$1,216.09	\$1,033.68	\$182.41	\$91.21
EE+CH	100%	\$986.58	\$838.59	\$147.99	\$74.00
FA	100%	\$1,703.77	\$1,448.20	\$255.57	\$127.79

Impact on students and/or student learning: No impact on students and/or student learning

Implications for budget, personnel, or other resources: The 2020-2021 renewal premium for medical was 10.5%, with the College bearing 6% and employee costs increasing by 4.5% as of October 1, 2020.

It was requested that the Board of Trustees approve the employee insurance benefits renewal as presented.

**Restricted Budget Adoption**

Following are the restricted budgets for fiscal year 2020-2021. Descriptions of each of the projects funded by these various restricted sources were distributed to Trustees prior to the meeting. The total represents a \$2,262,488 (15.0%) increase from the restricted budget adopted in Fall 2019.

**STATEMENT OF RESTRICTED INCOME AND CHARGES FROM JULY 1, 2019, THROUGH JUNE 30, 2020**

GRANT NAME	GRANTOR'S BUDGET
Clark County - Holiday Party	11/20 - 12/20 \$ 12,000
Clark County - Juvenile Court	7/20 - 6/21 36,003
Clark County - Mental Health Court	7/20 - 6/21 12,375
Clark State Foundation - Major Gifts/TLC	7/20 - 6/21 250,000
Davidson Endowment Earnings	7/20 - 6/21 78,309
DJFS Curriculum Development	7/20 - 6/21 6,173
DJFS - Job Readiness	7/20 - 6/21 143,000
DJFS - Project Jericho	7/20 - 6/21 266,419
DJFS - Project Jericho - Miami Valley	7/20 - 6/21 304
DOD/OEA/SOCHE/DICE	7/20 - 12/20 259,799
Kennedy Center - Arts Alive	7/20 - 6/21 1,230
Logan County Electric Cooperative - ABLE Program	7/20 - 6/21 750
Logan County Jail - ABLE Program	7/20 - 6/21 7,175
National Science Foundation - Cyber Pro DREAMs	7/20 - 6/21 239,632
National Science Foundation - Mentorlinks	7/20 - 6/21 382
National Science Foundation - Whatcom C3P	7/20 - 6/21 134,259
National Security Agency - DoD Cyber P3	7/20 - 8/20 25,728
OAC - Arts Alive	7/20 - 6/21 726
OAC - Project Jericho	7/20 - 6/21 4,767
ODHE - Articulation and Transfer Travel	7/20 - 6/21 1,710
ODHE - Capital Component	7/20 - 6/21 2,240,526
ODHE - Ohio Means Internships	7/20 - 6/21 3,222
ODHE - Strong Start to Finish	7/20 - 3/21 5,000
ODHE - Student Support Services/Interpreters	7/20 - 6/21 17,574
ODHE - Success Initiative/Sinclair	7/20 - 6/21 2,480
ODHE - Tackling Transfer Regional Award	7/20 - 12/21 375
ODHE - Tech Prep/GEAR UP	7/20 - 6/21 1,613
ODHE - Workforce Alignment Short Term Certificate	7/20 - 6/21 84,375
Ohio Department of Education - GED Testing	7/20 - 6/21 6,138
Ohio Department of Education - Momentum - We Are IT	7/20 - 6/21 332
Ohio Department of Education - Ohio Board of Nursing	7/20 - 6/21 16,163
Ohio Department of Education - State Fire Marshal Grant	7/20 - 6/21 50,000
Ohio Department of Public Safety	7/20 - 6/21 4,050
Ohio Manufacturing Education Collaborative	7/20 - 6/21 11,192
Ohio Mental Health	7/20 - 6/21 291
Private - ABLE and GED Preparation New Carlisle	7/20 - 6/21 4,173
Private - Arts Alive	7/20 - 6/21 10,251
Private - Cengage Learning Royalties	7/20 - 6/21 9,030
Private - EASE Initiative	7/20 - 6/21 10,594
Private - Google (Tides Foundation)	7/20 - 6/21 13,668
Private - International Management Association	7/20 - 6/21 3,931

Private - Nuts, Bolts and Thingamajigs	7/20 - 6/21	2,892
Private - Ohio Action Coalition	7/20 - 6/21	-
Private - Ohio Sports Turf Association	7/20 - 6/21	3,500
Private - PAC Partnerships	7/19 - 6/20	-
Private - PAC Sponsorships	7/20 - 6/21	10,000
Private - Project Jericho Donations	7/20 - 6/21	5,242
Private - Project Jericho Wilson Sheehan Foundation	7/20 - 6/21	2,500
Private - Project Jericho Zonta	7/20 - 6/21	1,255
Private - Restorative Justice Initiative	7/20 - 6/21	1,337
Private - Rothschilds for Safety City	7/20 - 6/21	200
Private - Tech Prep Fees	7/20 - 6/21	7,084
Private - Think Tank	7/20 - 6/21	150
SDE - Adult Diploma Program	7/20 - 6/21	3,044
SDE - Aspire (ABLE) GED Program	7/20 - 6/21	136,500
SDE - Perkins	7/20 - 6/21	251,777
Springfield City Schools/Perrin Woods and Little Libraries	7/20 - 6/21	1,016
Springfield-Clark Career Technology Center - Career Readiness	7/20 - 6/21	-
Springfield Foundation - Glass Art Education	7/20 - 6/21	2,096
Springfield Foundation - Grant Writing	7/20 - 6/21	2,500
Springfield Foundation - Performing Arts Center	7/20 - 6/21	14,928
Turner Foundation - Explorations	7/20 - 6/21	10,816
Turner Foundation - Project Jericho Support	7/20 - 12/20	12,904
US Department of Defense - Cybersecurity Workforce Education-CNAP	7/19 - 6/19	-
US Department of Education - Cares Student	7/20 - 6/21	634,129
US Department of Education - Cares Institutional	7/20 - 6/21	1,328,849
US Department of Education - Cares Strengthening Institutions	7/20 - 6/21	124,950
US Department of Education - Cares State Allocation	7/20 - 12/20	475,538
US Department of Education - Federal Workstudy	7/20 - 6/21	119,080
US Department of Education - GEAR UP	7/20 - 6/21	-
US Department of Education - Federal Workstudy Experiment	7/20 - 6/21	250,000
US Department of Education - Pell	7/20 - 6/21	8,600,000
US Department of Education - Pell Administrative Allowance	7/20 - 6/21	20,887
US Department of Education - SEOG	7/20 - 6/21	103,371
US Department of Education - Title III	10/20 - 6/21	271,325
US Department of Education - TRIO 2016-2020	9/20 - 12/20	84,855
US Department of Education - TRIO 2020-2024	9/20 - 8/21	291,756
US Department of Labor - AACC Virtual Apprenticeship Network	7/20 - 6/21	48,650
US Department of Labor - HRSA Opioid Workforce Expansion Program	7/20 - 6/21	530,060
US Department of Veterans Affairs	7/20 - 6/21	7,220
USDA - Community College Alliance for Agriculture Advancement	7/20 - 6/21	7,950

TOTAL

\$ 17,344,082

The following are new grants and contracts from budgets adopted this year:

- Federal Workstudy Experiment (award amount estimated)
- Title III
- CARES Act Student
- CARES Act Institutional
- CARES Act Developing Institutions
- CARES Act State Allocation

The following budgets adopted a year ago were spent down during the year:

- College Completion
- Springfield Foundation Workforce STNA Lab
- ODHE-STEM Public-Private Pilot Program

The amount for the Clark State Foundation Major Gifts is for the Sara T. Landess Technology and Learning Center and represents donors' multiple year pledges.

Most other projects listed represent either carry-forward balances from 2019-2020 or continuing projects with new funding.

Impact on students and/or student learning: These projects impact various initiatives in the College's Strategic Plan.

Implications for budget, personnel, or other resources: Up to \$17,344,082 will be received by the College and disbursed for the projects listed in accordance with stipulations of the grantors.

It was requested that the Board of Trustees move to accept the restricted funds as presented. By accepting these restricted funds, Trustees also accept the restrictions imposed by grantors.

### ***Sex Discrimination Policy Revisions***

The Sex Discrimination Policy was updated due to new regulations set forth by U.S. Department of Education. The "Title IX" term was removed from the title to more accurately reflect the broad coverage of the policy, which covers all faculty, staff, students, temporary employees, vendors, and third parties vendors and visitors. A summary of the more sweeping changes is listed below:

- Colleges will now be required to allow cross-examination of the complaining and responding parties, as well as any witnesses, during a live hearing led by institution officials.
- Colleges are only obligated to respond to reports of sexual harassment that occurred off-campus only if the location is in use by an officially recognized student or institution organization.
- The definition of sexual harassment is narrower than previous guidance.
- Colleges are not obligated to handle complaints of sexual harassment that occur outside the United States.
- Colleges can no longer use a "single investigator model," and instead require three separate officials to work through separate pieces of a single Title IX complaint process: a Title IX coordinator, an investigator, and a decision maker.
- Title IX processes may be conducted virtually. Live hearings will be recorded, by transcript or audio visually, and will be made available to parties and maintained in college records for at least seven years.



### 3358:5-3-04 Sex Discrimination and Title IX Policy

(A) Clark State Community College is committed to providing a safe, collegiate, working and learning environment that promotes personal integrity, civility, and mutual respect and that is free of discrimination, harassment, or adverse treatment on the basis of sex, which includes all forms of sexual misconduct. Sex discrimination violates a person's an individual's fundamental rights and personal dignity. Clark State Community College considers sex discrimination in all its forms to be a serious offense. This policy refers to all forms of sex discrimination, including but not limited to: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties.

1. Title IX of the Education Amendments of 1972 to the Higher Education Act of 1965 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. **Education program or activity includes locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the sexual harassment occurs.** To ensure compliance with Title IX and other federal and state civil rights laws, the College has developed policies and procedures that prohibit sex discrimination in all of its forms.
2. Clark State Community College does not discriminate on the basis of race, color, religion, gender/sex, gender identity or expression, national origin (ancestry), military status, disability, age (40 years of age or older), genetic information, sexual orientation, status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, or status as a foster parent and any other protected group status as defined by law or College policy in its educational programs, activities, admissions, or employment practices as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and other applicable statutes.

(B) Clark State Community College encourages anyone who has experienced sex discrimination in any form, whether or not that person is a minor, to promptly report the incident, to seek all available assistance, and to pursue corrective action through the College against the offender, regardless of whether or not that person is a minor. The College encourages anyone who has experienced sex discrimination, whether or not he or she is a minor, to report the incident to the appropriate Title IX Coordinator listed in the associated procedures. The Title IX Coordinator can assist with all aspects of the reporting procedure and will conduct an investigation into a complaint as appropriate. Clark State is required to report to law enforcement, child protective services, or similar agency any case of sexual abuse of a minor by faculty, staff, or volunteers affiliated with the College.

(C) Definitions

1. **Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment to the College's Title IX Coordinator or an official of the College who has authority to institute corrective measures on behalf of the College.**

2. Coercion: The use of pressure to compel another ~~individual~~ **person** to initiate or continue sexual activity against ~~an individual's~~ a **person's** will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. ~~An individual's~~ **A person's** words or conduct are sufficient to constitute coercion if they wrongfully impair another ~~individual's~~ **person's** freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.
3. Complainant: ~~The individual who initiates a complaint or report regarding conduct which falls under this policy.~~ **A person who is alleged to be the victim of conduct that could constitute sexual harassment.**
4. Consent: Permission that is clear, knowing, voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.  
Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must cease. Prior consent does not imply current or future consent even in the context of an ongoing relationship. Consent must be sought and freely given for each instance of sexual contact.
5. ~~Dating Violence: Violence or threat of violence by an individual who has been in a social relationship of a romantic or intimate nature with the complainant. Whether there was such a relationship will be determined based on the complainant's statement and with consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship.~~
6. ~~Domestic Violence: Conduct that would meet the definition of a felony or misdemeanor crime of violence committed by the complainant's current or former spouse or intimate partner, an individual with whom the complainant shares a child in common, an individual who is or has cohabitated with the complainant as a spouse or intimate partner, or individual similarly situated to a spouse under domestic or family violence law, or anyone else protected under the domestic or family violence law of the jurisdiction in which the offense occurred.~~
7. **Formal Complaint: A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment.**
8. Gender Expression: How ~~an individual~~ a **person** presents themselves (female, male, androgynous, or as another gender) as evidenced by their manner of dress, speech or other physical expression.
9. Gender Identity: ~~Individual's~~ **Peron's** internal knowledge of their own gender. ~~An individual~~ **A person** may identify as a gender that does or does not appear to correspond to the sex (male or female) assigned to that ~~individual~~ person at birth, or the individual may identify as neither female nor male.

10. Gender-Based Harassment: Harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature.
11. Incapacitation: Physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts ~~an individual's~~ **a person's** decision-making capacity, awareness of consequences, and ability to make informed judgments.
12. Non-Consensual Sexual Contact: Any intentional sexual touching, however slight, with any body part or object, by any ~~individual~~ **person** upon another that is without consent and/or by force or coercion. Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts or objects, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.
13. Non-Consensual Sexual Intercourse: Any sexual penetration, however slight, with any body part or object, by any ~~individual~~ **person** upon another that is without consent and/or by force or coercion. Sexual penetration includes vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact); no matter how slight the penetration or contact.
14. Respondent: ~~The individual who is alleged to have engaged in behavior in violation of this policy.~~ **A person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.**
15. Retaliation: An adverse action taken against ~~an individual~~ **a person for the purpose of interfering with any right or privilege secured by Title IX or because the person has reported a complaint, testified, assisted, participated, or refused to participate in any manner in any investigation, proceeding, or hearing involving allegations of sex discrimination in violation of this policy.** ~~of that individual's participation in a protected activity. The College strictly prohibits retaliation against any individual for making any good faith report or for filing, testifying, assisting, or participating in any investigation or proceeding involving allegations of discrimination in violation of this policy.~~
16. ~~Sexual Assault: Non-consensual sexual contact and non-consensual sexual intercourse.~~
17. Sex Discrimination: Occurs when ~~an individual~~ **a person** has been treated inequitably based on sex, sexual orientation, gender, gender identity, or gender expression. Sex discrimination can be committed by anyone regardless of sex, gender, gender identity, gender expression and/or sexual orientation.
18. Sexual Exploitation: Occurs when ~~an individual~~ **a person** takes non-consensual or abusive sexual advantage or benefit, or to benefit or advantage anyone other than the

~~individual~~ **person** being exploited, and that behavior does not otherwise constitute one of the other sexual violence offenses.

Examples of sexual exploitation include, but are not limited to:

- a. Voyeurism;
- b. Exposing one's genitals to another ~~individual~~ **person** without consent;
- c. Prostituting another ~~individual~~ **person**;
- d. Non-consensual video- or audio-recording or photographing of sexual activity;
- e. Going beyond the boundaries of consent (such as permitting others to observe you having consensual sex with an ~~individual~~ **person** who is not aware of the observation);
- f. Knowingly exposing another ~~individual~~ **person** to a sexually transmitted infection or virus without the other ~~individual's~~ **person's** knowledge and consent.

~~19. Sexual Misconduct: Broad range of unwelcome behaviors focused on sex and/or gender that may or may not be sexual in nature.~~

~~16. Sexual Harassment: Unwelcome conduct of a sexual nature. It includes unwelcome and unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature when one or more of the following conditions are present: Conduct on the basis of sex that satisfies one or more of the following:~~

- a. Quid pro quo: ~~Submission to such conduct is made explicitly or implicitly a term or condition of instruction, employment, or participation in any College activity; Submission to or rejection of this conduct by an individual is used explicitly or implicitly as a factor in academic or personnel decisions affecting the individual; An employee conditioning the provision of an aid, benefit, or service of the College on a person's participation in unwelcome sexual conduct.~~
- b. Hostile environment: ~~Such conduct is sufficiently serious that it unreasonably interferes with or limits an individual's ability to participate in or benefit from the employment or educational environment or creates an intimidating, hostile, or offensive working or educational environment. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity.~~
- c. **Sexual assault: An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. The FBI uniform crime reporting system provides:**
  - i. **Sex Offenses – Forcible. Any sexual act directed against another person, without that person's consent including instances where the person is incapable of giving consent.**
    - **Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against that**

person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

- **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - **Sexual Assault With An Object** - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - **Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary mental incapacity.
- ii. **Sex Offenses – Non-forcible unlawful, non-forcible sexual intercourse.**
1. **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  2. **Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- d. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the complainant's statement and with consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship.
- e. **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that

person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- f. **Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to**
  - i. **fear for their safety; or**
  - ii. **suffer substantial emotional distress.**

~~Examples of sexual harassment include but are not limited to unwanted sexual advances; promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request; repeated and unwelcome sexual flirtation, advances; direct propositions of a sexual nature; verbal abuse of a sexual nature; prowess or sexual deficiencies; leering, whistling, touching, pinching, patting, physical assault; coerced sexual acts; suggestive, insulting, obscene comments or gestures; sexually explicit statements, jokes, or anecdotes; and displaying pornographic or sexually oriented materials.~~

~~17. Sexual Violence: Physical sexual acts perpetrated against an individual's~~ **a person's will or when an individual a person is incapable of giving consent.**

~~18. Stalking: A course of conduct directed at a specific individual that would cause a reasonable person under similar circumstances and with similar identities to the complainant to fear for her, his, or others' safety, or to suffer substantial emotional distress. A course of conduct includes two or more acts, including but not limited to, those in which the alleged perpetrator directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the complainant, or interferes with the complainant's property.~~

**18. Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent.**

(D) This policy applies to all the following individuals, including those who may be minors:

1. Non-Exempt and Exempt Staff employees
2. Faculty and Adjunct Faculty
3. Temporary Employees
4. Students
5. Vendors, Visitors, and other Third Parties

(E) ~~The College will not tolerate sex discrimination, whether engaged in by fellow employees, supervisors, students, or by other non-employees who conduct business with the College. The College shall investigate any incident of alleged sex discrimination and shall take any action it deems appropriate after evaluating all of the circumstances. The College encourages reporting of all incidents of sex discrimination, regardless of the age of the complainant or respondent, or who the offender may be, in accordance with established administrative procedures. The College will not tolerate sex discrimination, whether engaged in by fellow employees, supervisors, students,~~

or by other non-employees who conduct business with the College. The College shall investigate any incident of alleged sex discrimination and shall take any action it deems appropriate after evaluating all of the circumstances.

(F) This policy shall be administered as set forth in the associated procedures.

(G) The office of human resources shall be assigned the responsibility of developing, implementing, and maintaining the sex discrimination and title IX policy and procedures.

**Effective:** ~~November 1, 2019~~ **October 1, 2020**

**Prior Effective Dates:** 12/1/88, 7/1/98, 3/19/99, 4/1/14, 10/15/15, 1/1/18, 9/1/18, **11/1/19**

Impact on students and/or student learning: Provides students an opportunity to seek resolution through an informal or formal grievance process. The regulations provide due process protections for individuals accused of sexual misconduct. This includes detailed notice requirements, access to evidence, cross-examination, and an advisor.

The regulations recognize that the interests of a complainant and respondent differ in the grievance process. Supportive measures are provided equitably not equally. Supportive Measures include counseling, campus escort, mutual restrictions on contact between the parties, modified school or work schedule, and other similar measures.

Implications for budget, personnel, or other resources: There are no implications for the budget.

It was requested that the Board of Trustees approve the revisions to the Sex Discrimination Policy as presented.

***Trustee Bell made a motion to approve the personnel recommendations for exempt employees and instructional faculty, approve the employee insurance benefits renewal, accept the restricted funds (as well as accepting the restrictions imposed by grantors), and approve the revisions to the Sex Discrimination Policy as presented. Trustee Noonan seconded the motion, and it passed unanimously.***

### ***Faculty Code of Ethics Policy Revisions***

The following policy includes the necessary changes to the Sex Discrimination and Title IX procedures, regarding the relationships between students and faculty, to be in compliance with the changes set forth by the Department of Education.

### **3358:5-13-05 Faculty Code of Ethics**

(A) Commitment to the Students

- (1) Educators measure their success by the progress of each student toward realization of the predetermined objectives of each course. The educator works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of goals.
- (2) In fulfilling their obligation to the student, the educator:

- (a) Shall respect the dignity of the student, acknowledge his/her right to express differing opinions, and foster and defend intellectual honesty and freedom of inquiry and instruction.
- (b) Shall make known to the student the objectives of the course and shall attempt to accomplish these objectives through student interaction both inside and outside the classroom.
- (c) Shall exercise prudence and make a reasonable effort to protect the student from conditions harmful to learning or to health and safety.
- (d) Shall conduct themselves in their professional relationship in such a manner that they do not expose the student to unnecessary embarrassment or disparagement.
- (e) Shall willingly teach all students enrolled in a course and evaluate them on academic performance in accordance with predetermined objectives and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.
- (f) Shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
- (g) Shall not use professional relationships with students for private advantage.

**(3) The College's educational mission is promoted by professionalism in faculty- student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the College's educational mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power, to that end:**

- (a) Faculty members exercise professional responsibility and power over students. This faculty-over-student power is manifested primarily in the instructional context, which includes course work, advisorships, student evaluation, recommendations and similar processes.**
- (b) Romantic/dating relationships between faculty members and students are wrong and unacceptable when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or**



**advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors.**

**(c) Therefore, the College will view it as unethical and unacceptable if faculty members engage in romantic/dating relationships (consensual or otherwise) with students enrolled in their classes or subject to their supervision even when both parties appear to have consented to the relationship. Romantic/dating relationships outside the instructional context, while not specifically prohibited, are discouraged, and are very unwise.**

**(B) Commitment to the Public**

- (1) Members of the academic community share with all other citizens the responsibility for the development of sound public policy and assume full political and civic responsibilities. Outside of one's professional field, the educator accepts the same responsibility, which all other individuals bear for their acts and utterances.
- (2) In fulfilling their obligation to the public, the educator:
  - (a) Shall not misrepresent the institution with which they are affiliated and shall take care to take adequate precautions to distinguish between their personal and institutional views.
  - (b) Shall not knowingly distort or misrepresent the facts concerning educational matters in direct or indirect public expression.
  - (c) Shall not use institutional privileges for private gain or to promote political candidates or partisan political activities.
  - (d) Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, nor offer any favor, service, or thing of value to obtain special advantages.

**(C) Commitment to the Profession**

- (1) The educator believes that the quality of the services of his/her profession directly influences the nation and its citizens. He/she, therefore, exerts every effort to raise professional standards, to improve his/her service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions, which attract persons worthy of the trust of careers in education.
- (2) In fulfilling his/her obligation to the profession, the educator:
  - (a) Shall not discriminate on the grounds of race, color, creed, or national origin for membership in professional organizations, nor interfere with the free participation of colleagues in the affairs of their association.

- (b) Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.
- (c) Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues.
- (d) Shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law.
- (e) Shall not misrepresent his/her professional qualifications.
- (f) Shall not knowingly distort evaluations of colleagues.

(D) Commitment to Professional Employment Practices

- (1) The educator regards the employment agreement as a pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. They believe that sound professional personal relationships with governing boards are built upon personal integrity, dignity, and mutual respect.
- (2) In fulfilling their obligation to professional employment practices, the educator:
  - (a) Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation.
  - (b) Shall not knowingly withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
  - (c) Shall give prompt notice to the College of any change in availability of service, and the College shall give prompt notice of change in availability or nature of a position.
  - (d) Shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the College.
  - (e) Shall conduct professional business through channels that have been approved by the College.
  - (f) Shall not delegate assigned tasks to unqualified personnel.
  - (g) Shall not permit commercial exploitation of his/her professional position.

**Effective:** ~~October 15, 2015~~ **October 15, 2020**

**Prior Effective Dates:** 10/4/02, 3/18/15, **10/15/15**

Impact on students and/or student learning: The revised verbiage in this policy will enable faculty to have easier access to where the information can be located.

Implications for budget, personnel, or other resources: None

It was requested that the Board of Trustees approve the revised Faculty Code of Ethics policy, as presented.

***Trustee Bell made a motion to approve the revised Faculty Code of Ethics Policy, as presented. Trustee Evans seconded, and the motion passed unanimously.***

### ***Appointment of ACCT Delegate and Alternate***

Clark State Community College is a member of the Association of Community College Trustees (ACCT). ACCT is governed by a Senate, which has the full authority of the membership, and is composed of the voting delegates of the Voting Members of the Association.

Governing and advisory boards of accredited not-for-profit community-based postsecondary educational institutions that primarily offer programs other than baccalaureate, graduate and professional degrees, including boards of state systems that include such institutions, are eligible to become Voting Members of the Association.

According to ACCT bylaws, Voting Members shall be represented at Senate meetings only by voting delegates, and each institution receives one voting delegate for each 20,000 of headcount enrollment. Voting Members may designate for each voting delegate an alternate who may serve as the voting delegate in the absence of any voting delegate from the same Voting Member.

The Senate shall hold at least one meeting annually. Such annual meeting of the Senate shall be the Annual Meeting of the Association (i.e., the annual Leadership Congress).

In accordance with ACCT bylaws, Voting Members shall certify to the president of the Association the names of their voting delegates and alternates before the designated deadline for such certification.

It is recommended that Brad Phillips be appointed as the college delegate and Andy Bell be appointed as the alternate delegate.

Impact on students and/or student learning: None

Implications for budget, personnel, or other resources: None

It was requested that the Board of Trustees affirm the appointment of Brad Phillips as the college delegate and Andy Bell as the alternate delegate to the ACCT governing board.

***Trustee Doyle made a motion to affirm the appointment of Brad Phillips as college delegate and Andy Bell as alternate delegate to the ACCT governing board. Trustee McDonald seconded the motion, and it passed unanimously.***

### **Report of the President**

President Blondin introduced this year's SOAR participants: Mary Cornell, Paige Huskey, Nicole Johnson, Michael Lander, Shani Newton, and John Riechers. She noted that the group has met once and will meet

again Friday to discuss StrengthsFinder. Dr. Blondin commented that she is very excited to work with them this year, and she would like to schedule Board Chair Phillips to meet with them soon.

President Blondin deferred to the Faculty, Staff, and Student Senates for updates.

Student Senate President Nicolas Sparrow reported that Senators are working with Student Ambassadors and others to pool resources and maximize student support, including offering virtual activities and events. Student Senate plans to conduct surveys to determine the activities students are interested in this year. Thursday is Constitution Day, and Student Senators will be on campus talking to students about how their voice matters and emphasizing the importance of voting; they will also be assisting with voter registration. Student Senate joined the American Student Government Association this semester, which will provide training, research, and resources for years to come.

Faculty Senate President Robyn Hennigan reported that the Senate has met twice so far this academic year, and they were busy working over the summer to change the language in the college information section of all course syllabi to make it more succinct; the changes were approved by Faculty Senate and will be discussed with Faculty Assembly on September 21. Ms. Hennigan indicated that Dr. Franz has been very responsive in providing technology support to allow for effective online teaching, and the faculty really appreciate it. During fall semester, faculty are piloting office hours by appointment rather than being available only during specified time periods, and they are tracking results to determine the impact it has on students. Senators are working with Dr. Hunter on this among other things, and they are very appreciative that her support is allowing them to try new methods and accomplish things quickly.

Staff Senate President Elect Eric Ebbs reported that Senators are working to fill several Staff Senate vacancies by next week. Their goals for the year include increasing awareness about Staff Senate and its activities on campus, surveying staff to determine what type of training they are interested in, and investigating current hiring practices to reduce any form of discrimination during the hiring process.

President Blondin reported the following:

- She recently participated in an excellent phone conversation with John Gray, Director of Policy for Vice President Mike Pence; Rudy Olivo, Deputy Director of Strategy for Vice President Pence; and the presidents of Vernon College in Texas; Central Piedmont in North Carolina; and Miami-Dade in Florida. The conversation was focused on community colleges' roles in training the future workforce and possible policy positions that the administration would take. A second call is to be scheduled in the near future, and she looks forward to participating.
- A recent article in the Dayton Daily News highlighted the College's efforts to provide access to students and be strategic in response to the COVID-19 pandemic; it also encouraged potential students to register for classes.
- The Association of Community College Trustees (ACCT) conference will be held virtually October 5 – 8, and she encouraged Trustees to attend, if possible.

### **Report of the Board Chair**

Chair Phillips indicated that he, Dr. Blondin and Dr. Franz will be delivering a virtual presentation on the College's COVID response during the ACCT conference in October. He noted that implementing Achieving the Dream and the level of preparation for online learning undertaken will result in a real paradigm shift, enabling Clark State to be better and more efficient. These are really positive changes for the College moving forward.

## **Trustees' Open Forum**

Trustee Evans commended Dr. Blondin for her vision to start the Special Open Door Sessions to discuss race, particularly given what is going on in the country right now, noting that it is a bold move to allow the opportunity for that kind of dialogue. She commented that participants have been extremely transparent regarding their experiences, and she is looking forward to future sessions. Trustee Bell agreed, adding that he is very proud of those who have led and participated in the difficult, but very worthwhile conversations.

## **Executive Session ~ Compensation of Public Employees and Pending or Imminent Court Action**

Trustee Doyle made a motion to enter Executive Session to consider the compensation of public employees and to discuss pending or imminent court action. Trustee Hall seconded, and the motion passed 8-0 by a roll call vote. Executive Session commenced at 7:05 p.m.

Trustee McDorman made a motion to exit Executive Session and return to Regular Session at 7:52 p.m. Trustee Doyle seconded, and the motion passed unanimously.

## **President's Incentive Plan**

Trustee Bell made a motion to approve President Blondin's incentive plan for Academic Year 2020-2021. Trustee Hall seconded, and the motion passed unanimously.

## **Adjournment**

Trustee Evans made a motion to adjourn the meeting, and Trustee Hall seconded. The motion passed unanimously, and the meeting adjourned at 7:54 p.m.