

CLARK STATE COMMUNITY COLLEGE BOARD OF TRUSTEES SPECIAL MEETING

Minutes November 15, 2011

The Clark State Community College Board of Trustees met in special session in the Boardroom of the Sara T. Landess Technology and Learning Center on Tuesday, November 15, 2011. Chairman Andy Bell presided and called the meeting to order at 7:34 p.m.

Roll Call: Present: Jim Doyle, Sharon Evans, Peggy Noonan, Brad Phillips, Heather Tiefenthaler, Vice Chair Heather Corbin, Chairman Andy Bell, and President Rafinski

Excused: Bill Mercurio and Élise Spriggs

Others Present: Cynthia Applin, Director, Institutional Research and Planning; Jane Cape, Dean of Business and Applied Technologies; Randy Conover, Director of Facilities, Operations and Maintenance; Martha Crawmer, Dean of Arts and Sciences; Kris Culp, Vice President of Advancement; Dixie Depew, Controller; Barb Deschappelles, Executive Director, Information Technology; David Devier, Vice President of Academic and Student Affairs; Jim Franks, Executive Director/Dean of Corporate and Public Services; Joseph Jackson, Vice President for Business Affairs; Marvin Nephew, Director of Human Resources; Holly Snyder, Manager of Bookstore and Office Services Center; Mellanie Toles, Assistant to the President; and Kathy Wilcox, Dean of Health and Human Services

Recognition of Guests

President Rafinski welcomed and introduced the guests.

Public Comment

There were no public comments.

Approval of Minutes

Chairman Bell asked for a motion to approve the minutes of the Regular Meeting held on October 18, 2011. Trustee Tiefenthaler made a motion to approve the minutes as written. Trustee Doyle seconded, and the motion passed unanimously.

Human Resources Update

Filled Positions:

Non-Exempt:

- Research and Analysis Specialist, 1.0 FTE, Kayla Snider, effective October 24, 2011
- Retention/Transition Advisor, .46 FTE, Beverly Kaiser, effective October 31, 2011
- Custodian, 1.0 FTE, Craig Falke, effective October 31, 2011
- Administrative Assistant, 1.0 FTE, Gina Young, effective November 14, 2011

Promotions:

Non-Exempt:

- Veronica Leech from Financial Aid Specialist, Grade Level 4 to Financial Aid Grade, Level 5, effective November 1, 2011
- Gina Young from Accounts Receivable Technician to Administrative Assistant, effective November 14, 2011

Resignations:

Non-Exempt:

- Career Management Technician, Danielle Roberts, (1.0 FTE), effective November 10, 2011

Terminations:

Non-Exempt:

- Gear Up Technician, Heather Whitacre, (1.0 FTE), effective October 31, 2011
(Gear Up Program Grant Not Renewed)

Exempt:

- Grants Developer, Beth Shervey, (.75 FTE), effective November 18, 2011
(Adequate, viable grants not available due to the economic downturn)
- Gear Up Advisor, Kenna Haycox, (1.0 FTE), November 4, 2011
- Gear Up Advisor, Bernetha Pulliam, (1.0 FTE), November 30, 2011
- Gear Up Advisor, Brian Keith, (1.0 FTE), November 30, 2011
(Gear Up Program Grant Not Renewed)

Advertised Positions/Searches/Interviews:

Non-Exempt:

- Financial Aid Specialist (1.0 FTE)
- Systems Technician, Information Technology (1.0 FTE)
- Accounts Receivable Technician (1.0 FTE)
- Part Time Records Clerk (.50 FTE)

Exempt:

- Systems Administrator, Student Information System (1.0 FTE)

Board Finance and Facilities Committee Report

The Board Finance and Facilities Committee met on Friday, November 4, 2011, at 11:30 a.m. in the TLC Boardroom. Present were Committee Chairperson Heather Corbin; Committee members Jim Doyle and Sharon Evans; Board Chair Andy Bell; Trustee Peggy Noonan; President Karen Rafinski; and Vice President Joe Jackson. Guests included John McKinnon, Nicole Cottrell and Brad Billet, the

audit team from Clark Schaefer Hackett & Co.; Dixie Depew, Controller; and Kathy Klay, Financial Aid Director. Agenda items included:

- 2010 – 2011 Audit Review
- Fraud Risk Assessment
- Reserve Fund Appropriation Recommendations
- Capital Projects Status/Funding
- Space Plan
- Bid Award
 - Centralized Water Booster Station
 - Utility Relocation/Public Waterline Installation
- FY11/FY12 Capital Bill
- Real Estate

Minutes of the meeting have been distributed to all Trustees. The next Committee meeting is tentatively scheduled for Tuesday, April 3, 2012, at 7:30 a.m. in the TLC Boardroom.

Liaison Reports

Clark State Foundation/Circle of Friends

- The Foundation fund balance as of September 30, 2011 is \$13.5 million.
- The Finance Audit Investment Committee recently met with Security National Bank Trust Department to review investment performance, and is considering possible changes to the allocation formula.
- The Circle of Friends is celebrating a very successful fundraising Grand Opening Gala of the Hollenbeck Bayley Creative Arts and Conference Center.
- The Foundation has contracted with retired high school counselor Mary Manaloff to assist with Champion City Scholars at the high school.
- The Foundation will host Norwegian Christmas on Thursday, December 8, from 4:30 to 6:30 at the HBC.
- The Foundation will host the Holiday in the City viewing event on Saturday, November 26, from 5:30 to 7 on BEC 4th Floor.

Council of Governments

(The Council had not met since the last Board meeting, so there was no Liaison report.)

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 Rafinski, the following recommendations for exempt employees are being presented to the Board of Trustees for formal approval:

Terminations:

(Due to Grant Non-Renewal or Lack of Funding Opportunities)

Exempt:

- Grants Developer, Beth Shervey, (.75 FTE), November 18, 2011
(Adequate, viable grants not available due to the economic downturn)
- Gear Up Advisor, Kenna Haycox, (1.0 FTE), November 4, 2011
- Gear Up Advisor, Bernetha Pulliam, (1.0 FTE), November 30, 2011
- Gear Up Advisor, Brian Keith, (1.0 FTE), November 30, 2011
(Gear Up Program Grant Not Renewed)

Impact on students and/or student learning:

- Grants Developer: Indirect negative impact on students. Position responsible for researching and writing selected grants supporting student needs and success.
- Gear Up program has a direct impact on selected students in Springfield area high schools. No other means, to my knowledge, is available to continue service.

Implications for budget, personnel, or other resources:

- Grants Developer position is in 2011-2012 general budget. No impact.
- No impact to general fund budget for Gear-Up/grant funded positions

It was requested that the Board of Trustees move to accept the personnel recommendations as indicated.

2010 – 2011 Audited Annual Financial Report

The audit report for the College and the Foundation was submitted to the Auditor of State for review on October 14, 2011. Until this review is complete and the Auditor of State has certified the report with the Clerk of the Bureau, the report is not considered to be public information.

Statement of Net Assets – Total assets increased \$13.8 million (28.1%) due to an increase in Capital Assets, Accounts Receivable and Cash. Total liabilities increased \$7.9 million (55.6%) due to an increase in Bonds Payable. Total net assets increased \$5.9 million (16.9%) due to an increase in Capital Assets and Restricted and Unrestricted Net Assets.

Statement of Revenue Expense and Changes in Net Assets – Total operating revenues increased \$1.5 million (12.2%) due to an increase in Student Tuition and Fees generated by the increase in enrollment; Federal, State and Local Grants; and other operating revenues. Operating expenses increased \$3.2 million (10.6%) due to an increase in expenses for Instruction, Student Services, Institutional Support, Student Aid, Public Service, and Depreciation. Nonoperating revenues increased \$2.8 million (14.9%) due to an increase in State Appropriations and Federal Grants. Gain from operations before capital items increased from \$636,000 in FY 2010 to \$1.7 million.

An exit conference was held with the Board Finance and Facilities Committee. Representatives from Clark Schaefer Hackett & Co., met with the Committee and College staff to review the audit report and have a discussion on fraud risk assessment.

The Committee recommends that the full Board accept the audit report subject to Auditor of State Certification.

Impact on students and/or student learning: There is no direct impact as a result of this audit engagement. However, the prudent and efficient use of assets does have a resulting positive effect on student learning in the way of providing adequate state-of-the-art equipment and facilities as well as retaining qualified professional faculty and staff. Clean audits also reflect positively on the reputation of the College, which is beneficial during fundraising campaigns and issuance of debt (Moody's ratings).

Implications for budget, personnel, or other resources: The total cost of the audit was \$45,000. The portion attributable to the College (\$38,800) is included in the current year operating budget. The portion attributable to the Foundation (\$6,200) is included in the Foundation's operating budget.

It was requested that the Board of Trustees accepts the FY 2010-2011 audit report subject to Auditor of State Certification.

Bid Award – Water Booster Station and Utility Relocation/Public Waterline Installation

Bids were advertised beginning October 9, 2011, for the Centralized Water Booster Station and Utility Relocation/Public Waterline Installation projects.

The bid for the Centralized Water Booster Station project was for general, electrical and plumbing contracts with an estimate of \$275,000. The bid opening was held October 25, 2011, and the bid tabulation sheet was distributed to all Trustees prior to the meeting. (Copies of the document are available in the office of the Vice President for Business Affairs.) We are recommending that bids be awarded as follows:

- General Trades – Wenco, Inc., New Carlisle, \$178,944
- Electrical – Triec Electrical Services, Inc., Springfield, \$62,900
- Plumbing – Roger Storer & Son, Inc., Springfield, \$58,945

Total bid award came in at \$300,789 (9.4%) above the estimate.

The bid for the Utility Relocation/Public Waterline Installation project was for the general contract only with an estimate of \$375,000. The bid opening was held October 25, 2011, and the bid tabulation sheet is attached. We are recommending that the bid be awarded to:

- Leo B. Schroeder, Inc., Dayton, \$359,950 (4% below the estimate)

URS Corporation and the Vice President for Business Affairs performed due diligence on the apparent low bidders. This work included verifying that all required documentation such as bid guaranty, power of attorney, drug-free workplace enrollment, properly executed and signed bid forms, etc., was included in the bids submitted. Other due diligence performed included reviewing financial statements, current work, experience with similar projects, and project management to be assigned so that we could determine if they had the capacity to perform the work.

The Board Finance and Facilities Committee recommends approval to the full Board.

Impact on students and/or student learning: In support of our mission:

- Provide technologically state-of-the-art facilities, customer-oriented services, student life amenities, and expansion of facilities to accommodate new and/or growing academic programs

Directly impacts the following goals:

- Students are successful in gaining entry to and advancing in the workplace, resulting in pay commensurate with skills attained and personal goals
- The community recognizes the College as an energizing force to address common issues, a vital community resource and a source of community pride

Implications for budget, personnel, or other resources: No impact on the General Fund (i.e., operational) budget for construction project costs; project will be funded 75% from the Army Corps of Engineers and 25% from College Reserves (approved by the Board in April 2011).

It was requested that the Board of Trustees award the construction bids as noted above.

Annual Planned Allocation for Use of Reserve Funds

The Financial Condition policy of the Policies and Governance document establishes a target for reserve funds of 15% of the current operating budget. As of June 30, 2011, College Reserves are 33.7% of the 2011-2012 Educational and General Budget. Below is the proposed annual allocation plan for reserve funds in compliance with the Financial Planning/Budgeting section of this document. Please note that taking action on this plan does not authorize these expenditures.

	PLANNED ALLOCATION
UNAPPROPRIATED RESERVES	<u>1,695,521.00</u>
APPROPRIATED RESERVES	
Student Assistance (Dreamkeepers)	75,000.00
Severance	200,000.00
Unemployment Compensation	125,000.00
Equipment - Instructional	250,000.00
Equipment - Non-Instructional	150,000.00
Equipment - PAC	200,000.00
ADA Modifications	75,000.00
Capital Projects	
<i>Parking Lot/Sidewalk Improvements</i>	225,000.00
<i>Repair/Replacement Plan Projects</i>	175,000.00
<i>Vehicle Replacement</i>	50,000.00
<i>Painting Schedule</i>	50,000.00
<i>Creative Arts & Conference Center Technology/Equipment</i>	250,000.00
<i>Fire Training Tower</i>	500,000.00
<i>Water/Sewer Infrastructure Projects</i>	225,000.00
<i>PAC Interior Renovation</i>	300,000.00

Land Acquisition/Demolition	250,000.00
Legal/Audit Contingencies	150,000.00
Self Funded Dental Benefit	156,181.00
New Certificate and Degree Programs	250,000.00
Technology Replacement	500,000.00
Strategic Plan for Energy Management Implementation	1,000,000.00
Strategic Plan Projects	225,000.00
Service District Outreach	375,000.00
Facilities Planning	100,000.00
FY 2012/FY 2013 Fiscal Contingency	750,000.00
Campus Master Plan Implementation	<u>250,000.00</u>
SUBTOTAL APPROPRIATED RESERVES	<u>6,856,181.00</u>
TOTAL RESERVES	<u><u>8,551,702.00</u></u>

15% requirement = \$3,806,000

This plan was presented to the Board Finance and Facilities Committee at their November 4th meeting. The Committee recommends approval to the full Board.

Impact on students and/or student learning: The projects listed under Appropriated Reserves are initiatives that are not funded in the annual operating budget due to the fact that they are expenditures for capital or nonrecurring items.

Implications for budget, personnel, or other resources: None. Reserve funds are separate and distinct from operating funds.

It was requested that the Board of Trustees approve the annual allocation plan for the reserve funds as presented. Actual expenditure of appropriated amounts for these initiatives will require Board action in accordance with the College's Purchasing Policy.

Student Rights and Responsibilities Policy Revisions

The Student Rights and Responsibilities Policy and Procedures have been revised to include the formation of a Student Conduct Committee to hear cases involving alleged violations of the College Code of Student Conduct that may warrant suspension from the College. The committee is composed of two faculty, one staff, one administrator, and two students.

These documents have been reviewed by the Attorney General's Office, and their suggested changes have been incorporated.

Policy number 3358:5-13-10, Campus Environment

- A. Clark State Community College is an academic community in which all persons – students, faculty, administration and staff – share responsibility for its growth and continued welfare. As members of the College community, students can reasonably expect that the following rights shall be respected by all college offices, programs, employees and organizations.

Clark State Community College further encourages all members of the College community to endorse, support, and abide by the following statement of values which this community has deemed fundamental to its mission and integral to its growth.

1. Speech/Expression/Press

Students ~~have the right to~~ may express themselves freely on any subject provided they do so in a manner that does not violate this rule. Students, in turn, have the responsibility to respect the rights of all members of the College in exercising these freedoms.

2. Non-Discrimination

~~Students have the right not to be discriminated against by any~~ No agent or organization of Clark State Community College shall discriminate against any student for reasons of race, religion, ethnic or national origin, gender, sex, age, disability, marital status, political or social affiliation, or sexual orientation. In their individual roles as members of student organizations, students have the responsibility not to discriminate against others.

3. Assembly/Protest

Students ~~have the right to~~ may assemble in an orderly manner and engage in peaceful protest, demonstrations and picketing which does not disrupt the functions of the College, threaten the health or safety of any person or violate this rule.

4. Religion/Association

Students ~~have the right to~~ may exercise their religious convictions and associate with religious, political or other organizations of their choice in College facilities provided they do so in a manner that respects the rights of other members of the community and complies with this rule. Students have the responsibility to respect the rights of other members of the College community to free exercise of their religious convictions and to free association with organizations of their choice.

5. Privacy/Search/Seizure

Students have ~~the right of privacy and a reasonable expectation~~ to be free from unreasonable searches or unlawful arrest on College property. Students have the responsibility to respect the privacy of other members of the College community.

6. Academic Pursuits

Students shall have access ~~the right~~ to accurate and plainly stated information relating to maintenance of acceptable academic standing, graduation requirements and individual course objectives and requirements. Students ~~can~~ may expect instruction from designated instructors at appointed class times and reasonable access to those instructors. Students have the responsibility to attend class and to know their appropriate academic requirements.

7. Quality Environment

Students ~~have the right to~~ may expect a reasonably safe environment supportive of the College's mission and their own educational goals. Students have the responsibility to protect and maintain that environment and to protect themselves from all hazards to the extent that reasonable behavior and precaution can avoid risk.

8. Governance/Participation

Students ~~have the right to~~ may establish representative governmental bodies and to participate in college governance in accordance with the rules and regulations of the College. Students who accept representative roles in the governance of the College have the obligation to participate responsibly.

9. Due Process

Students ~~have the right to~~ shall be afforded due process before formal disciplinary sanctions are imposed by the College for violations of this rule. Students have the right to written notice and the opportunity for a hearing before any change in status is incurred for disciplinary reasons, unless a significant threat to persons or property exists.

10. Confidentiality

Students ~~have the right to~~ may access and control access to their education records as provided in the federal Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment. These include the rights to review and challenge the content of educational records, to control disclosure of personal and academic information to third parties and to limit the routine disclosure of all or some information defined as "directory information" by the act.

B. Students at Clark State Community College are expected to conduct themselves in a manner supportive of the educational mission of the institution. Integrity, respect for the person and property of others, and a commitment to intellectual and personal growth in a diverse population are values deemed fundamental to membership in the College community.

Clark State Community College considers the following behaviors, or attempts thereof, whether acting alone or with any other persona, in violation of this rule. Examples include but are not limited to: ~~or attempts thereof, by a student or student organization, whether acting alone or with any other persons, to violate this rule. The student, by enrollment assumes submission to this rule.~~

1. Physical harm or threat of physical harm or general conduct which threatens the mental or emotional health of any person or persons.
2. Physical or verbal, oral or written harassment, which is beyond the bounds of protected free speech that creates an intimidating, hostile or offensive educational environment.
3. Disorderly conduct including but not limited to public intoxication, lewd, indecent or obscene behavior or intentional disruption of lawful activities of the College.
4. Theft, damage to personal/College property or unauthorized entry, use or occupation of College facilities.
5. Forgery, alteration, fabrication or misuse of records, grades, diplomas, College documents, and identification cards.
6. Illegal purchase, use, possession or being under the influence of or distribution of alcohol, drugs, or controlled substances on college property or in College vehicles.
7. Non-compliance with directives of the College officials on safety and security issues.
8. Possession of firearms, explosive devices, fireworks, dangerous or illegal weapons or hazardous materials.
9. Interference with or misuse of fire alarms, elevators or other safety and security equipment or programs.
10. Violation of any federal, state or local law which has a negative impact on the well-being of the college or its individual members.
11. Violation of College policies, rules or regulations that are published in the student handbook or any other official College publications or agreements.
12. Academic misconduct including but not limited to plagiarism and cheating. For example, misuse of academic resources or facilities and misuse of computer software, data, equipment or networks.
13. Violations of a position of trust or authority at the College including the misuse or unauthorized use of Clark State or organizational names, representations, and/or images.
14. Disruptive classroom behavior and/or the obstruction of teaching, research, administration, or other lawful Clark State activities on or off campus.

Although the Board acts on policy only, the related procedures were distributed to Trustees for information purposes.

Impact on students and/or student learning: The Student Conduct Committee will provide an effective means to address potentially serious violations of the College Code of Conduct. The Committee will ensure that student issues are addressed in a fair and impartial manner which ensures the due process rights of students including the right to appeal the Committee's decision.

Implications for budget, personnel, or other resources: The Behavior Intervention Team (BIT) is in place to review alleged violations of the Code of Conduct and decide whether the violation warrants an informal hearing with the Dean of Student Affairs or a more formal process with the Student Conduct Committee. The Director of Student Life will arrange the hearings and keep the Dean of Student Affairs informed of the process.

It was requested that the Board of Trustees move to approve the revisions to the Student Rights and Responsibilities policy as presented.

Trustee Doyle made a motion to approve all of the action items listed above. Vice Chair Corbin seconded, and the motion passed unanimously.

Report of the President

President Rafinski reported the following:

- Two Norwegian Christmas celebrations will take place this year: one at the Greene Center on December 1 from 4:30 to 6:30 p.m., and one in Springfield at the HBC on December 8 from 4:30 to 6:30 p.m. All Trustees are welcome and encouraged to attend these events hosted by the Foundation.
- Trustees, faculty and staff are welcome to warm up and watch the Holiday in the City festivities on the 4th floor of the BEC on Saturday, November 26, from 5:30 to 7:00 p.m. The Foundation will host this event, and donors will be invited as well.
- The College will celebrate its 50th anniversary at the Charter Night celebration on February 21, 2011. The event will be held at the HBC.

Report of the Board Chair

Chairman Bell noted that the College purchased the books Making Good on the Promise of the Open Door: Effective Governance and Leadership to Improve Student Equity, Success, and Completion published by the Association of Community College Trustees for all Board members. He also commented that he hoped the rest of the Board found the strategic discussions this year as beneficial as he did, noting that the proof will be what we do with the information garnered next year.

Trustees' Open Forum

There were no comments.

Adjournment

Vice Chair Corbin made a motion to adjourn the meeting, and Trustee Evans seconded. The motion passed unanimously, and the meeting adjourned at 7:44 p.m.