

# CLARK STATE COMMUNITY COLLEGE BOARD OF TRUSTEES REGULAR MEETING

**Minutes**  
**October 17, 2006**

The Clark State Community College Board of Trustees met in regular session in the Boardroom of the Library Resource Center on Tuesday, October 17, 2006. Chairperson Faye Flack presided and called the meeting to order at 6:35 p.m.

**Roll Call:** Present: Jennifer Baader\*\*, Andy Bell, Gary Buroker, Sharon Evans, Than Johnson, Les Smithers, Vice Chair Jim Doyle, Chairperson Faye Flack, and President Rafinski

Excused: Alicia Hupp

Others Present: Jane Cape, Dean of Business and Applied Technologies; Callie Cary-Devine\*, Development Associate; Kris Culp, Director of College Relations/Executive Director of the Foundation; Kelly Hall, Director of Institutional Research, Planning and Grants; Joseph Jackson, Vice President for Business Affairs; Romy Lu, Director of Information Technology; Mellanie Toles, Assistant to the President; and Kathy Wilcox, Staff Senate Representative

## **Recognition of Guests/Public Comment**

Chairperson Flack welcomed the guests listed above and asked them to introduce themselves.

There were no public comments.

## **Approval of Minutes**

Chairperson Flack asked for a motion to approve the minutes of the Regular Board Meeting held on September 19, 2006. Trustee Bell made a motion to approve the minutes as written. Trustee Baader seconded, and the motion passed unanimously.

## **Presentation**

Kris Culp, Director of College Relations and Executive Director of the Foundation, delivered a presentation entitled "Resource Development: The Next Steps." She began by introducing the Foundation's new Development Associate, Callie Cary-Devine, to the group.

Ms. Culp reported that the Foundation fund balance has grown from \$7,236 in June 1970 to \$11.9 million in June 2006, indicating that much of the growth has been due to the tremendous efforts and leadership of Trustees Buroker and Bell over the years in addition to President Rafinski's support. She noted that of the 1,200 community colleges nation-wide, only 150 of them have assets of \$1 million or more, so we are in an elite group and serve as a model for other community colleges.

Ms. Culp indicated that the Major Gifts Campaign has raised \$11.2 million to date, with \$1 million in new gifts. Success of the campaign demonstrates the power of focus, the value of awareness, and the importance of relationships.

The Foundation's next steps will include completion of the Major Gifts Campaign, promotion of the Education Wall of Honor for the Sara T. Landess Technology and Learning Center, and continuation of efforts to permanently fund the Champion City Scholars program. Ongoing goals of the Foundation include growing the donor pool and conducting donor recognition research. In order to reach these goals, staffing, marketing/awareness, and continued engagement of the College Board of Trustees, Foundation Board of Directors, and the Circle of Friends will be vital.

A brief question-and-answer period followed the presentation. It was agreed that the Board of Trustees can play a greater role in raising friends and increasing awareness about the Foundation by discussing it in social settings. The suggestion was also made for Trustees to host small group functions after the new building is completed to stay connected with donors. It was noted that information regarding the strength of our Foundation should also be shared with Greene County residents.

Chairperson Flack thanked Ms. Culp for her insightful presentation and for her continued efforts on behalf of the Foundation and the College.

\*Callie Cary-Devine departed the meeting at 7:00 p.m.

### **Quarterly Financial Statements**

The fiscal year-to-date comparison and balance sheet at September 30, 2006, and statement of restricted income and charges from July 1, 2006, through September 30, 2006, were distributed prior to the meeting. Color charts depicting fiscal year-to-date comparisons of general fund income as a percentage of budget, general fund expenses as a percentage of budget, and expenditures by object code as a percentage of budget were also distributed.

### **Sara T. Landess Technology and Learning Center Progress Report**

Staffing for the project averages 50-55 workers per day representing the various Trades. Work completed over the past month includes:

#### Site work:

- Pond construction – 85% complete
- Landscaping – 10% complete
- Relocation of underground utilities – 100% complete
- Curbs and pole lighting in west parking lot – 100% complete
- Earthwork and site demo – 95% complete
- Storm and sanitary sewer – 100% complete
- Water line – 98% complete

#### Building foundations/enclosure work:

- Concrete floor slabs – 80% complete
- Exterior framing/sheathing – 70% complete
- Framing of interior walls – 90% complete at north end
- Gyp board hanging – 10% complete
- Concrete foundations – 100% complete
- Rough carpentry – 20% complete
- Roof – 90% complete at north end

Change orders processed to date total \$185,000. Additionally, the College paid \$17,000 to Columbia Gas for their involvement in the relocation of the gas lines; \$12,500 for additional underground utility location; and \$2,400 for utility surveying. These changes/additional costs, to date, have been absorbed by the

contingency allowance (\$150,000) included in the original base bids and the construction contingency originally set aside of \$729,125.

Over the next month, the following work is scheduled to take place:

- Site work – Completion of the west parking lot/drive including curbs, sidewalks, asphalt, striping, and seeding. Completion of the pond clay liner, rip rap, grading, and seeding.
- Basement – Mechanical room piping and equipment.
- Building foundations/enclosure – Underground plumbing, exterior framing/sheathing (south side), roof decking (south side), electrical underslab rough-in, begin installation of metal panels, roofing, and concrete slab work.
- Building finishes – Continuation of interior metal stud walls, setting door frames, north above-ceiling rough-in, toilet room waste and vents, first floor switchgear, and duct work rough-in.

Contractors have been working diligently to complete the new west parking lot and the west entrance to Rhodes Hall in order to minimize inconvenience to students.

A signage team is currently working on interior and exterior wayfinding and building signage, and soon a team will be formed to plan artwork for the new building.

Students, faculty and staff continue to receive updates on the progress of construction including wayfinding impediments via the College's e-mail system and CampusCruiser. They have been encouraged to communicate safety/security concerns directly to the Vice President for Business Affairs. The construction progress can be followed live via the webcam (<http://cam.clarkstate.edu/>) on the College's web page.

Through September, 37.2% of the total contract had been paid to contractors. Bond proceeds have been invested with Security National Bank and National City Bank and the total portfolio is currently earning 5.41%.

The annexation petition has been signed by the College and submitted to the Clark County Commission for hearing. Annexation is planned to be effective January 2007.

## **Human Resources Update**

*Filled Positions:*

### Exempt

- Corey Holliday, Director of Admissions, promotion effective 10/02/06
- Jennifer Dietsch, Director of Marketing, effective 11/06/06

### Non-Exempt

- Kristan Runyan, Part-Time Reference Librarian, effective 10/09/06
- Amy Korpieski, Part-Time Reference Librarian, effective 10/09/06
- Eric Ebbs, ANGEL Project Assistant (contract position), effective 10/09/06
- Debra Ranard, ANGEL Project Assistant (contract position), effective 10/09/06
- Kimberly Sanford, ANGEL Project Assistant (contract position), effective 10/09/06
- Frank Wildman, ANGEL Project Assistant (contract position), effective 10/09/06
- Debra Sector, Administrative Support, Truck Driver Training Institute, effective 10/16/06
- Christine Brown, Administrative Assistant, Workforce Investment Board, Area 7, effective 10/16/06
- Heidi Pease, Women's Softball Coach (contract position), effective 01/08/07

*Resignation:*

Exempt

- Mekelle Branch, Regional Representative, Workforce Investment Board, Area 7, effective 10/20/06

*Advertised Positions/Searches/Interviews:*

Exempt

- Grants Writer
- Retention Specialist
- Area 7 Regional Representative
- Trainer, Truck Driver Training Institute

Non-Exempt

- Administrative Support – Health and Human Services
- Part-Time Trainers – Truck Driver Training Institute
- Testing Technician
- Admissions Specialist

Faculty

- Instructional Faculty - Associate Degree Registered Nursing

**Major Gifts Campaign Update**

Campaign revenue is \$8.0 million in private funds and \$1.7 million in public funding for a total of \$9.7 million to date. (Note: the bequest from Dr. Elliott is not yet included, as it has not been received.)

Campaign activities in the last month follow:

- We continue to make calls on priority prospects who have not yet made a commitment to the campaign; a number of proposals are pending.
- We are moving forward on the vendor campaign.
- Many donors attended the last beam signing event on September 8, 2006.
- The Foundation marketing committee is working on additional strategies for the Education Wall of Honor, and this initiative will be a major focus of the October Foundation Board meeting.
- We continue to work with donors to select their naming opportunities.

**Liaison Reports**

Clark State Foundation

- The Foundation Board of Directors replaced their regular October meeting with an informal gathering at Kris Culp's home in honor of new Board members.
- The Circle of Friends gala will be May 12, 2007, which is Mother's Day weekend; several strategies to tie into the holiday are being planned. The Founder's Award selection committee has chosen the recipient for 2007; an announcement will be forthcoming. The event will be held at the Courtyard by Marriott.

Council of Governments

- Early Childhood Education Center enrollment for September was approximately 93% of capacity, due to children who recently started kindergarten.
- The Center expansion is well underway, and the project is still scheduled for completion in mid-November.

- The Center's finances are in good order; revenue is ahead of budget at this time.
- The Center is awaiting news regarding grants they applied for from the Turner Foundation and Clark County Waste Management. They also recently applied for an AEYC grant related to family stability.

### **Report of the President**

President Rafinski provided a written report to the Board. In addition, she reported that discussions are being held on the state level regarding how to reconfigure workforce development for greater efficacy and efficiency. She also indicated that we plan to co-locate the JVS Adult Education unit and our Corporate and Community Services unit at the Brinkman Educational Center in the future to gain efficiency and better serve those markets.

### **Report of the Board Chairperson**

In an effort to make sure the Board is represented at all major college events, Chairperson Flack reviewed the list of upcoming events. She indicated that she will attend the Phi Theta Kappa Induction Ceremony, Futures Assembly, All-Ohio Academic Team Luncheon, Student Recognition Event, and Scholarship Recognition Event. She asked that Trustees let Mellanie Toles know if they can attend the Soul Food Sampling, Ohio Legislative Summit, OACC Annual Meeting, and Holocaust Awareness Event. Updated lists of events will be distributed at each future Board meeting.

### **Board Members' Open Forum**

Discussion ensued regarding State Issue 3 and whether the College should take an official stand on it. It was agreed that the College should remain neutral on the issue as they have done with other political issues in the past.

Trustees Evans, Johnson, and Smithers provided highlights of the recent ACCT Leadership Congress in Orlando, Florida, as follows:

- Trustee Johnson attended a presentation entitled "Good Boards/CEO's Behaving Badly: Conflicts in Ethical Behavior and Leadership." He distributed handouts of the presentation to the Board.
- Trustees Johnson and Smithers attended a presentation about a college that is partnering with high schools in their service district to deliver courses in their facilities, which is a great recruitment tool.
- The Clark State presentation went very well. The group emphasized the importance of listening to donors and their desires in successful fundraising efforts.
- Trustee Smithers and President Rafinski served on a panel regarding the Board and Presidential evaluation processes. Many attendees were very interested in the Board self-evaluations.
- Trustee Smithers served on a committee charged with judging the five finalists of the Charles Kennedy Equity Awards. He briefly discussed some of the programs that were implemented at those colleges.
- Trustees Evans and Smithers attended a presentation regarding St. Petersburg Community College's "Brother to Brother" program to increase retention of minority males. The college uses students as mentors, and at one group meeting, perceptions of their campus were discussed. The students noted that they had many programs on campus for women, but few for men. Also, there were few men in administrative positions in any of the student services offices, let alone minority men. Once the President heard those comments, he set aside funding to hire people to elevate their program to a higher level. The importance of having a Diversity Office on campus was also discussed.

Discussion ensued regarding the number of female-dominated programs we have at Clark State and the percentage of female staff members we have in our student service areas. It was noted that we need to continue to focus on all of the various forms of diversity to ensure that all people feel welcome.

Vice Chair Doyle indicated that he shared a table with Senator Austria at the Springfield Chamber of Commerce Annual meeting last week. Senator Austria encouraged us to keep moving quickly regarding Greene County since time is of the essence.

Plans were discussed for Trustee Hupp's farewell from the Board. Mellanie Toles will check with Trustee Hupp regarding possible dates for the event.

Trustee Bell questioned whether Item D in the Vehicle Use Procedures, which indicates that depending on the severity of an accident, "the College's insurance company may look to the employee's personal automobile policy to cover its losses," is correct. Vice President Jackson is to investigate the issue. (Since the procedures do not require Board action for alteration, the Board agreed that the policy could be acted upon and the procedures could be changed later, if necessary.)

\*\*Trustee Baader departed the meeting at 7:50 p.m.

### **Action Items**

The following items were presented for Board approval:

#### ***Personnel Recommendations ~ 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:

##### New Hire

- Jennifer Dietsch, Director of Marketing (1.0 FTE), effective 11/06/06

##### Promotion

- Corey Holliday, Director of Admissions (1.0 FTE), effective 10/02/06

Impact on students and/or student learning: The above listed employees will either interface directly with students or support learning in some aspect of their positions.

Implications for budget, personnel, or other resources: No impact to budget, as these positions were already built into the budget.

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

#### ***Vehicle Use Policy Revisions***

In an effort to reduce the liability exposure to the College in relation to transporting students and guests in College vans as well as providing a more definitive policy and procedure for College employees, the following Vehicle Use Policy has been prepared. Both the draft policy and procedures were reviewed by Administrative Council and posted for comment by College employees. (The procedures were also distributed to the Board for informational purposes.)

3358:5-11-04 Vehicle use policy.

(A) The purpose of this policy is to establish standard requirements and procedures regarding the use of college-owned vehicles by college employees. This policy is intended to ensure the safety and

well-being of college employees, students and guests; to facilitate the efficient and effective use of college resources; to minimize the college's exposure to liability; to monitor the use of college-owned vehicles; and to comply with Internal Revenue Service regulations.

- (B) All college vehicles shall be driven in a safe and courteous manner by drivers over the age of eighteen. Only college employees are authorized to drive college vehicles unless special authorization is given by the vice president for business affairs.

Impact on students and/or student learning: Implementation of the Vehicle Use policy and procedures is intended to increase safety and well-being of students.

Implications for budget, personnel, or other resources: The efficient and effective use of College resources results in a reduction of expenses.

It was requested that the Board of Trustees approve the Vehicle Use Policy as noted as presented.

### ***Independent Contractor Services Contract Policy***

Over the past several months, the College has been working with the Attorney General's (AG's) office in revising the contract that is provided to independent contractors in order to be compliance with AG-acceptable legal language. Additionally, the College developed the following policy. It was deemed important to formalize the policy and procedures in relation to hiring independent contractors in order to lessen the risk and liability to the College in mis-classifying individuals as independent contractors when they should legally be hired as employees. (The procedures and revised contract that will be utilized were also distributed to the Board for informational purposes.)

#### 3358:5-11-04 Independent contractor status policy.

- (A) The law treats employees and independent contractors differently. Independent contractors are often exempt from labor and employment legislation while employees are usually covered. Failure to properly classify independent contractors can lead to unemployment tax liability, insurance or benefits suits, wage and hour claims, etc.
- (B) To determine whether a worker is an independent contractor or an employee under common law, the relationship between the worker and the college must be examined. All evidence of control and independence including behavioral control, financial control and the type of relationship itself should be considered.
- (1) Behavioral control covers facts that show whether the college has a right to direct or control how the work is done through instructions, training, or other means.
  - (2) Financial control covers facts that show whether the college has a right to direct or control the financial and business aspects of the worker's job. This includes:
    - (a) The extent to which the worker has unreimbursed business expenses.
    - (b) The extent of the worker's investment in the facilities used in performing services.
    - (c) The extent to which the worker makes his or her services available to the relevant market.

(d) How the college pays the worker.

(e) The extent to which the worker can realize a profit or incur a loss.

(3) Type of relationship covers facts that show how the parties perceive their relationship. This includes:

(a) Written contracts describing the relationship the parties intended to create.

(b) The extent to which the worker is available to perform services for other, similar businesses.

(c) Whether the college provides the worker with employee-type benefits such as insurance, retirement plan, vacation pay or sick pay.

(d) The permanency of the relationship.

(e) The extent to which services performed by the worker are a key aspect of the regular business of the college.

(C) The Internal revenue service uses twenty factors for classifying workers as independent contractors. Other agencies use a sample A-B-C test or some variation to determine independent contractor status.

Impact on students and/or student learning: None.

Implications for budget, personnel, or other resources: As the College reviews the current list of independent contractors, if it is determined that they should be classified as employees, there may be an impact on the budget in relation to salaries and benefits.

It was requested that the Board of Trustees approve the Independent Contractor Status Policy as presented.

### ***Information Technology Security Policy***

In an effort to reduce the liability exposure to the College arising from a breach of security pertaining to College information assets, the following Information Technology Security Policy has been prepared. Both the draft policy and procedures were reviewed by Administrative Council and posted for comment by College employees. (The procedures were also distributed to the Board for informational purposes.)

#### 3358:5-XX-XX IT Security Policy

A. Information Technology (IT) assets are comprised of computing equipment, network infrastructure, operating systems, applications, data, and all technologies that support the information and computing needs of the college.

B. The college is responsible for the security and integrity of data it acquires about employees, independent contract workers, students, board members, student and employment applicants, and users of its facilities.

- C. IT assets must be protected from various security threats such as theft, vandalism, virus infections, denial of service attacks, and other activities that would breach their confidentiality, compromise their integrity, or prevent their availability.
- D. Appropriate security measures for authentication, authorization, and accounting will be implemented and maintained to ensure the confidentiality, integrity, and availability of IT assets and the security of information.
- E. While implementing security measures is needed to protect the college's IT assets, too much security could limit their usability and cause intolerable inconvenience to the users. The security measures must balance between restrictions and convenience, as well as the cost to implement security measures.
- F. The college will implement measures to make the college compliant with federal, state, and local requirements for IT security.
- G. The college will designate an Information Security Officer (ISO) responsible for enforcing the measures necessary to protect the IT assets of the college and the security of personal information.
- H. Departments will work with the ISO to make sure that the IT assets in their possession are secured as specified in the IT security procedures.
- I. All college employees, independent contract workers, students and board members, will be appropriately informed of the college's IT security policy and procedures.
- J. Failure to comply: Violation of any of the Clark State IT Security Policy and Procedures may result in disciplinary or other appropriate action.

Impact on students and/or student learning: Implementation of the policy and procedures is intended to safeguard the confidentiality, integrity, and accountability of students' information, and provide students a safe and uninterrupted computing environment required for effective learning.

Implications for budget, personnel, or other resources: The implementation of the policy and procedures will require College resources in terms of budget, personnel, and equipment.

It was requested that the Board of Trustees approve the Information Technology Security Policy as presented.

*Trustee Johnson made a motion to approve the action items above as presented. Trustee Buroker seconded, and the motion passed unanimously.*

## **Adjournment**

Trustee Smithers made a motion to adjourn the meeting, and Trustee Johnson seconded. The motion passed unanimously, and the meeting adjourned at 7:55 p.m.