

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
September 16, 2019

Regular Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 6:07 p.m.

Roll Call

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

Pledge of Allegiance

Trustee Mathews led the Pledge of Allegiance.

The Board had a moment of silence for former Trustee Mary Lou Mason who passed away on May 18, 2019 and for Trustee Hidalgo's granddaughter, Hannah Hidalgo, who passed away on August 4, 2019.

Special Recognition

The board recognized Marty Anderson, an LCC alum and Lansing Fire Department firefighter and paramedic, for his assistance in helping to save the life of faculty member Mike Ball, who had gone into cardiac arrest. Thanks to the action of Mr. Ball's wife and Anderson, Ball made a full recovery.

Approval of Minutes

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that the minutes of the June 17, 2019 Regular Board of Trustees meeting be adopted.

Roll call vote:

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

The motion carried.

IT WAS MOVED BY Trustee Buck and supported by Trustee Mathews that the minutes of the July 15, 2019 Special Board of Trustees meeting be adopted.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

Roll call vote:

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

The motion carried.

Additions/Deletions to the Agenda

- Dr. Lisa Webb Sharpe made a correction to the Campus Master Plan to include the Areas of Focus: Competitiveness and Innovation.

Limited Public Comment Regarding Agenda Items

Alex Azima: Alex Azima addressed the Board regarding remarks made by Trustee Proctor's at the May Board Trustees meeting.

Leslie Johnson: Leslie Johnson addressed the Board regarding the adopted June 17, 2019 Board of Trustees meeting minutes. She commented the minutes did not reflect her remarks verbatim. She submitted a FOIA to receive the audio minutes of the May and June Board of Trustees Meetings.

Steve Monti: Steve Monti, representing the Greater Lansing Cannabis Caucus of the Michigan Democratic Party, addressed the Board regarding the proposed revisions to the Drug Free Workplace Policy and the use of medical marijuana. He also addressed the Board regarding LCC's Capital Outlay Plan.

Sam Pernik: Sam Pernik, a resident of Royal Oak in Oakland County and a member of the Michigan Democratic Party Cannabis Caucus, addressed the Board regarding the proposed revisions to the Drug Free Workplace policy and the use of medical marijuana.

Paul Jurczak: Paul Jurczak addressed the Board stating he was in support of his colleague Leslie Johnson.

Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. Certification of Michigan Public Act 265 of 2018, Section 230 of the Education Omnibus Appropriations for FY 2020
- B. Lease Agreement between Lansing Community College (LCC) and Mr. Lloyd Brown for Hangar Storage at Mason Jewett Airport
- C. ~~No Bid Purchase~~
 1. Banner Usage Assessment (REMOVED)

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

D. Sublease between Lansing Community College (LCC) and Capital Area Michigan Works!

Trustee Buck asked that the No Bid for Banner Usage Assessment be removed from the consent agenda.

IT WAS MOVED BY Trustee Proctor and supported by Trustee Buck that the Consent Agenda, removing the No Bid Purchase for Banner Usage Assessment, be approved.

Roll call vote:

Ayes: Hidalgo, Vaive, Abood, Buck, Proctor

Nays: None

Absent: Mathews, Meyer

The motion carried.

Trustee Mathews stepped out of meeting from 6:38 p.m. to 6:40 p.m.

Action Item – No Bid/Banner Usage Assessment

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that the No Bid Purchase for Banner Usage Assessment be approved.

Trustee Buck asked when the company would complete the assessment and would that report be provided.

Dr. Lisa Webb Sharpe stated that the administration would provide the report. She stated that the request is to expand services so consultants from Ellucian can help the college to optimize what is not being utilized. She further stated that the assessment would be completed in a year.

Roll call vote:

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

Nays: None

Absent: Meyer

The motion carried.

Monthly Monitoring Report

The following Monitoring Reports were presented:

- A. Accessibility Initiative
- B. 2019 Five-Year Capital Outlay Plan and FY 2021 Capital Outlay Project Request
- C. Monthly Financial Statements

Policy Development

Trustee Proctor stated that because LCC receives federal funds it must comply with the Drug-free Workforce Act and the Drug Free Schools and Community Act. He stated that revisions to this policy were developed to be in accord with those Acts. He further stated that the Acts require that the college have a policy on a Drug Free Workplace and limitations on alcohol use. Trustee Proctor stated that cannabis is still unlawful under federal law, but has been legalized in Michigan. He stated that the committee has provisioned prescriptive medications and the rewrite attempts to accommodate the issues raised at the last Board meeting. Trustee Proctor made corrections to remove the following language from the suggested policy revisions under IV. General:

You are “under the influence” impaired if any substance ~~you ingest, consume, or inhale as previously defined~~:

The following policy revisions were presented to the Board as first read only:

DRUG FREE WORKPLACE CAMPUS

I. Purpose

Lansing Community College is a drug-free ~~workplace campus and complies with the Drug-Free Workplace Act and the Drug-Free Schools and Community Act~~. The purpose of this policy is to ensure the safety of all employees, to promote productivity and to comply with the ~~Drug Free Workplace Act~~ more fully set forth the College's commitment to maintain a drug-free campus for work and study and to protect students and applicants for admission, as well as employees and applicants for employment, from prohibited drug use and intoxication, consistent with federal, state, and local law, other policies adopted by the Board of Trustees, and rules and standards adopted by the College.

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

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

II. Scope

This policy applies to all ~~College employees, (including student employees), students, volunteers, guests, contractors, and their employees, and temporary workers~~ and visitors (1) on College property, (2) at College sponsored events, or (3) in the conduct of College business or while pursuing an academic program.

III. Definitions

A “substance” includes alcohol, illegal drugs, inhalants, and prescription and over the counter medications.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

"Alcohol" means any is a substance that is a beverage containing alcohol or any food product in which alcohol is a primary ingredient.

An "illegal drug" is any substance that is unlawful to use, possess, sell, or transfer under state or federal law. In cases where federal and state laws conflict, federal law applies. This includes a "prescription drug" when its possession or use is not in compliance with the prescription. This also includes medical marijuana because it is illegal under Federal law.

"Drug paraphernalia" includes any items used or intended for use in making, packaging, concealing, injecting, inhaling, or otherwise consuming illegal drugs or inhalants.

A "prescription drug" is any substance prescribed for an individual by a licensed health care provider and used in accordance with the prescription.

An "inhalant" is any substance that produces mind-altering effects when inhaled.

An "over-the-counter medication" is a substance used in treating a disease or condition or relieving pain that may be obtained without a prescription.

"College Premises Property" includes buildings, grounds, structures and real estate, and parking lots vehicles that are owned, rented, leased or otherwise utilized by or under the control of LCC; LCC provided vehicles and other vehicles being used for LCC sanctioned purposes.

IV. General

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

A. Employees

All individuals working on employees of the College premises are expected to report for work fit for duty; that is, and to being able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of any substance covered by this policy.

Off-the-job and on-the-job involvement with any covered substance, as previously defined, can have adverse effects upon the workplace, the integrity of the College's ability to serve our students, the safety of other employees, the well-being of our employees' families, and the ability of the College to maintain a drug-free work environment campus. The College therefore wants to emphasizes that it has zero tolerance for staff employees who arrive at work under the influence of any substance as previously defined, and/or whose ability to work is impaired, in any way by the consumption of any substance as previously defined. The College also has zero tolerance for those who use illegal drugs or consume inhalants on College premises. You are "under the influence" impaired if any substance you ingest, consume, or inhale as previously defined:

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

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

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

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

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

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

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

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

~~As required by In accordance with the Drug-Free Workplace Act, the Drug-Free Schools and Communities Act, and applicable College policies, any employees found to be in violation of the above prohibition shall be subject to (1) mandatory participation in a drug substance abuse assistance or rehabilitation program; as a condition of continued employment; and/or (2) disciplinary action, up to and including discharge or dismissal, as determined by the College for the following reasons:~~

1. Failure to comply with mandated drug or alcohol testing.
2. Failure to timely report being charged with or convicted of a violation of any state or federal criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance in the workplace or in any situation with a nexus to LCC employment, as noted above.
3. Any other violation of this policy.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

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

~~Failure to timely report such conviction shall subject an employee to disciplinary action, up to and including discharge. Any employee who is convicted as described above may be subject to (1) participation in a drug abuse assistance or rehabilitation program as a condition of continued employment; and/or (2) disciplinary action, up to and including discharge.~~

B. Students

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

1. Use, possession, purchase, sale, dispensation, distribution, or manufacture of any substance, as previously defined.
2. Being impaired by any substance as previously defined.
3. Use, possession, purchase, sale, dispensation, or distribution of drug paraphernalia

As required by the Drug-Free Schools and Communities Act, any student found to be in violation of the above prohibitions shall be subject to disciplinary actions as outlined in the Student Code of Conduct up to and including expulsion.

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

C. Counseling and Rehabilitation Services

The College offers educational and referral services to employees and students aimed at preventing substance abuse and assisting in rehabilitation, if desired, through referral to agencies offering such services. Interested employees should contact the Human Resources Office. Interested students should contact the Center for Student Support. All inquiries are confidential.

D. Drug and Alcohol Prevention Program (DAAPP)

The College has a Drug and Alcohol Prevention Program that is distributed annually and ongoing to all employees and students. The College conducts a Biennial Review of the DAAPP. The DAAPP includes descriptions of drug and alcohol awareness programs; descriptions of health risks associated with the abuse of drugs or alcohol; available counseling or rehabilitation assistance; and disciplinary sanctions imposed for violations of College policy, federal, state, and local laws. The DAAPP may be accessed here at the College website. <https://www.lcc.edu/campuslife/documents/daapp.pdf>

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

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

V. Responsibility

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

There was a lengthy Board discussion regarding the policy revisions.

Linkage Planning/Implementation

Community Linkage – President’s Report

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

Chair’s Report – Appoint Voting Delegate for ACCT Leadership Congress

Chair Hidalgo stated that Trustee Meyer would serve as the Board’s ACCT voting delegate.

Chair’s Report – Revised Board of Trustees Meeting Calendar

IT WAS MOVED BY Trustee Abood and supported by Trustee Buck that the October Board of Trustee Meeting be moved to Monday, October 28, 2019.

Roll call vote:

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

The motion carried.

Trustee Hidalgo stated that a faculty member has filed a complaint earlier this year against one of the trustees. He stated he has talked with the Board’s counsel and suggested that outside counsel review the complaint and hopefully have a report by the next meeting.

Chair’s Report – Free Feminine Hygiene Products on Campus

Trustee Vaive spoke on the barriers to success that can affect students at LCC. She stated that just as a lack food or homelessness can affect a student’s attendance, so can the lack of immediate access to feminine hygiene products. She further stated that she would like to college to offer free pads and tampons in all women’s and single use restroom and for the board to continue to think about offering products in the men’s restroom.

Trustee Proctor stated that because this is a cost to the college, he asked what she would anticipate as the cost and what the basis for her assessment is. He also asked if this would extend to visitors on campus.

Trustee Vaive stated that she thought \$5,000 was a good starting point that will affect students and other members of the community. She stated that the college could used the money as a pilot to assess whether providing free products is effective or not.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

Trustee Mathews stated she had concerns for a person going into the men's restroom and their invasion of privacy regarding their identification. She stated that she would not be in agreement of putting products in the men's restroom.

Trustee Aboot asked why this matter was coming before the Board.

Dr. Lisa Webb Sharpe stated that this was coming before the Board because Trustee Vaive's original request was to provide a cost for putting feminine hygiene products in all restrooms. She stated that information was sent to the board with an estimate based on that original request. She further stated that they also looked at the cost of installing dispensers and canisters in the men's restrooms and individual stalls in single use restrooms. Dr. Sharpe stated that the board needs to weigh in on this decision because it is a significant cost to the college.

Trustee Buck asked if the current machines are designed to be set to free distribution.

Chris MacKersie stated that the current dispensers would have to be retrofitted because of their age and the new dispensers they purchase would be able to set to dispense free products.

Trustee Vaive stated that she is only asking the Board to think about providing them in men's restrooms moving forward and was not asking for a vote on that tonight. She also stated that she was not suggesting that the college install expensive dispensers, but could easily put out a basket.

Dr. Sharpe stated during the original request they were getting the cost of putting basic machines in all restrooms. She stated she did not know the request would be for free products. She further stated that they could look at putting out a basket of products, but would have to assess that idea because they would not want products to get wet.

IT WAS MOVED BY Trustee Vaive and supported by Trustee Aboot that LCC provide free menstrual products in the women's and single-use restrooms in the amount of \$5,000 and we reassess when the \$5,000 has been spent.

Trustee Proctor stated that his preference would be for the Administration to look at the best way to come up with a mechanism to accommodate the economic challenges that some of LCC's students and the people who visit the campus may have regarding these products before the college commits to providing them. He stated he would like to know the scope of the issue and how the college is going to accommodate it.

Dr. Sharpe stated that they would look at what type of holding mechanism they can use to put out products. She stated that they would not have a way to ascertain how the products will be used because they will not be able to monitor if the intended population is using the products.

Trustee Vaive stated that her intended population is anyone that comes on campus and needs a product.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

Trustee Buck responded to Trustee Vaive that the concern is how the administration will show the board that the college has succeeded in reaching the intended community. He stated there would not be people sitting in the restroom to monitor who is taking products, so how would the administration be able to report back.

Trustee Vaive stated that her definition of success would be that the products are being used. She stated that if the baskets need to be refilled then the college is fulfilling a service that was needed.

Trustee Hidalgo stated he was okay with \$5,000 and with the administration coming up with the system for d and reporting back to the Board.

Roll call vote on the motion:

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

The motion carried

Trustee Proctor stated that the proposal is so vague that he does not think the college can deal with it adequately. He stated that the Board should allow the administration to look into Trustee Vaive's request and see what it would take to meet what she perceives to be a need. He further stated that he does not see how it would help to propose \$5,000 to layout some products that the college cannot monitor as to how it is successful. Trustee Proctor stated that he is voting no because he does not think the request is specific and clear enough to do what the Board is attempting to do.

Chair's Report – Presidential Search Update

Trustee Buck read the following statement:

On June 17, 2019, the Board of Trustees directed that an executive search firm be engaged to recommend, develop, coordinate, implement, and assist the Board of Trustees in the recruitment process for the position of President of Lansing Community College. Under this direction, a Request for Proposals (RFP) was issued by our Purchasing Department. Proposals were received, and a RFP Review Committee consisting of Trustees Meyer, Proctor, and myself was charged with reviewing those proposals. We were aided by Purchasing Director Seleana Samuel and our Board Executive Assistant Benita Duncan in this endeavor.

The RFP Review Committee has met and reviewed the proposals of which there were nine. The Committee felt comfortable recommending four firms to be interviewed by the Board of Trustees. After the interviews would conclude, the Board of Trustees could then hold a vote to select a firm.

The Committee also discussed the format of the interviews. It is recommended that each firm be offered a 1-hour interview of which 30 minutes would be a presentation and 30

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

minutes for Q&A. The goal would be that the questions are uniform, so each potential firm had to field the same questions. Follow up questions from their answers would be at the discretion of Trustees.

A financial profile would be provided before the interviews, so the Board could focus what was being proposed as distinct from what it would cost. All fee proposals were well within what has been budgeted.

Statements of work would also be provided to the Board in advance.

In the interest of fairness, I would personally recommend that the potential firms be asked to remain outside the boardroom during other firms' interviews, so that no firm gets advance notice of our questions. Allow me to be very clear, however, that our open sessions are open to anyone, so the firms' representatives may remain in the boardroom at their option.

There are other regulations with the RFP process that would assist us with that endeavor.

The proposed date of the interviews is Tuesday, October 29, 2019. The proposed schedule is as follows:

*4:00 p.m. – 5:00 p.m. Interview #1
5:00 p.m. – 6:00 p.m. Interview #2
6:00 p.m. – 6:30 p.m. Short Recess
6:30 p.m. – 7:30 p.m. Interview #3
7:30 p.m. – 8:30 p.m. Interview #4*

After a short recess, the Chairperson would entertain discussion and possible motion and vote on the matter of selecting a firm.

Purchasing Director Samuel will coordinate scheduling the time slots with the potential firms.

Please note that Board should allot for an opportunity for public comment during this meeting both before and after the interviews.

On behalf of the RFP Review Committee, I would like to extend my thanks to Director Samuel and Executive Assistant Duncan on their fine work.

IT WAS MOVED BY Trustee Buck and supported by Trustee Proctor that the Board of Trustees will hold a special meeting to interview the four firms recommended by the RFP Review Committee on October 29th 2019. The college's will compile financial profiles and statements of work from the firm's and supply them to the board in advance of this date. The college will be responsible for coordinating with the four firms being interviewed. The interview times are, 4:00 p.m., 5:00 p.m. 6:30 p.m., and 7:30 p.m. There will be a short recess between interviews from 6:00 - 6:30 p.m. After the final interview there will be a short recess and after the Chair would entertain discussion and possible motion to select a firm. Each firm will be ask to provide a 30-minute presentation based off the agenda we provide to them. There will be 30 minutes for questions and answers by board

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

members. There will be an opportunity for public comment before and after these interviews. Our board rules will otherwise govern the conduct of the meeting.

Roll call vote:

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

The motion carried.

Committee Reports – Audit Committee Update

On the behalf of Trustee Meyer, Trustee Proctor gave the following Audit Committee update:

1. Approval of the September 9, 2019 Audit Committee meeting minutes.
2. Comprehensive Annual Financial Audit Report – Rehmann
3. FY2019 Year-end General Fund Transfers

Board Members Reports – Foundation Board Update

Trustee Buck provided a brief Foundation Board update.

Unfinished Business

There was no Unfinished Business.

New Business

There was no New Business.

Public Comment

Dawn Cousino: Dawn Cousino addressed the Board regarding upcoming college events.

Steve Pernik: Steve Pernik addressed the Board regarding Trustee Vaive's request to offer the free menstruation products and the Drug Free Workplace Policy.

Eva Menefee: Eva Menefee addressed the board regarding the school year and MAHE.

Ed Bryant: Ed Bryant addressed the Board regarding the STEAM fest.

Jeff Wilson: Jeff Wilson addressed the Board regarding the Drug Free Workplace Policy and thanked the Board for considering offering free feminine products.

September 16, 2019 Regular Board of Trustees Meeting
Adopted Minutes

Brandon Dryer: Brandon Dryer, from the City of Charlotte, addressed the Board regarding the process for the City of Charlotte to be a part of the LCC School District.

Board Comment

Trustee Mathews spoke about a commercial on Fox 47 with the Mackinaw building in the background.

Closed Session

There was no Closed Session.

Adjournment

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

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

Nays: None

Absent: Meyer

The motion carried.

The meeting adjourned at 8:49 p.m.

Submitted,



Executive Assistant & Liaison to the Board
Benita Duncan