

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
March 25, 2020

Special Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 12.09 p.m.

Roll Call

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

Pledge of Allegiance

Trustee Meyer led the Pledge of Allegiance.

Approval of Minutes

IT WAS MOVED BY Trustee Proctor and supported by Trustee Mathews that the minutes of the February 17, 2020 Regular Board of Trustees meeting be adopted.

Roll call vote:

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

The motion carried.

Consent Agenda – Action Items

The following items were presented under the consent agenda:

- A. Change Order
 - 1. Internal Audit Services
- B. ~~FY2021 Tuition Rates and Student Support Fee Rates (REMOVED)~~
- C. Lease Extension Agreement between Lansing Community College (LCC) and the Louis J. Eyde Family, LLC.
- D. Request for Proposal
 - 1. Employee Dental and Vision Benefits
 - 2. ~~Gannon Building Partial Roof Replacement (REMOVED)~~
- E. Statement of Practice Related to COVID-19

Trustee Vaive asked that the FY2021 Tuition Rates and Student Support Fee Rates and the RFP for the Gannon Building Partial Roof Replacement be removed from the Consent Agenda for discussion.

IT WAS MOVED BY Trustee Mathews and supported by Trustee Vaive that the Consent Agenda, removing the FY2021 Tuition Rates and Student Support Fee Rates and the RFP for the Gannon Building Partial Roof Replacement, be approved.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Consent Agenda – FY2021 Tuition Rates and Student Support Fee Rates

IT WAS MOVED BY Trustee Abood and supported by Trustee Meyer that FY2021 Tuition Rates and Support Fee Rates be approved.

Trustee Vaive stated that Peter Spadafore has been very vocal about not letting the parking garage pass. She asked how the previous tuition increased that was approved by the Board impacts everything else if the parking garage is not built.

Dr. Knight stated that it is imperative that the existing Gannon ramp be demolished and replaced. He stated that the college will proceed with making parking regardless and continue to work toward the site on Shiawassee and Capitol. He said the administration hopes that will happen.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Consent Agenda – RFP for Gannon Building Partial Roof Replacement

IT WAS MOVED BY Abood and supported by Trustee Hidalgo that the RFP for Gannon Building Partial Roof Replacement be approved.

Trustee Mathews asked when the roof replacement is scheduled to start.

Dr. Lisa Webb Sharpe answered in June or July.

Trustee Vaive asked if the state is still in a shelter in place order will the college delay the project.

Dr. Knight stated that if there is a restriction on construction workers working, the administration would wait until that restriction is lifted.

Trustee Vaive stated that she hopes that even if there is not a specific order stating that construction work is non-essential, that unless it was in dire need, the college would delay the project for the safety of the construction workers.

Dr. Knight stated that the college would do nothing counter to the Governor's orders or suggestions. He stated that the college would not jeopardize anyone's safety.

Trustee Vaive clarified that she understands that, but if the Governor says construction is okay, but we are still in a shelter in place, she would hope that projects would be delayed.

Trustee Abood stated that the current order right now allows them to do construction projects and home improvement projects.

Dr. Knight stated that the college would delay it until it was safe to proceed and within governmental guidelines.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Action Item – College Policy/Emergency Preparedness (REVISED)

IT WAS MOVED BY Trustee Proctor and supported by Trustee Abood that the revised Emergency Preparedness college policy be approved.

EMERGENCY PREPAREDNESS MANAGEMENT

I. Purpose

The purpose of this policy is to provide for the establishment of a college emergency management program that is aligned with Presidential Policy Directive 8 and the Michigan Emergency Management Act Public Act 390 of 1976 as amended, and to provide a means through which the President or Designees and the Board of Trustees may exercise and discharge responsibilities vested in them by this policy in emergency situations described in this policy.

II. Scope

When circumstances within the property governed by Lansing Community College indicate that the occurrence or threat of occurrence of widespread or severe damage, injury or loss of life or property exists, the President, or designees, may declare a College state of emergency. Such a declaration shall be forwarded to the Chief Executive Official of the local government entity where the emergency or disaster occurs, and promptly filed with the Department of State Police, Emergency Management Division. This declaration shall not be continued or renewed for a period in excess of 7 days except with the consent of the Board of Trustees, except as otherwise provided by declaration of emergency by the Governor under PA 390 of 1976, as amended.

If the President, or designees, invokes such power and authority, the President shall, as soon as reasonably expedient, convene the Board of Trustees for one or more emergency meetings in accordance with the open meetings act to perform its normal governing duties as the situation demands, and will report to that body relative to the emergency. Nothing in this policy shall be construed as abridging or curtailing the powers of the Board of Trustees unless specifically provided herein.

III. General

The College Emergency Management program will align with Presidential Policy Directive 8 (PPD-8) and the Michigan Emergency Management Act, PA 390 of 1976, as amended. In keeping with the aforementioned guidance, Lansing Community College will apply the concepts and principles of the National Incident Management System (NIMS) and the Incident Command System (ICS), which provides a standardized approach for incident management, regardless of cause, size, location, or complexity.

There is an established Emergency Preparedness Planning Team (EPPT) which is charged with assisting the Director of Emergency Management in the development and maintenance of the College's Emergency Operations Plan, Continuity of Operations Plan, and Training and Exercise Plan.

Emergency Operations Plan (EOP) means the plan developed and maintained by the college for the purpose of detailing how the college will respond to various hazards, whether natural or human-caused. The EOP will be built around comprehensive, ongoing assessment of the College's unique physical, social, and environmental characteristics, including the geographic location of the campuses, the number and types of buildings, and the availability of campus and community resources. The plan will provide for the access and functional needs of the whole college community.

The plan will include, but not be limited to:

- US Department of Labor, Occupational and Safety Health Act of 1970

- Michigan Occupational Safety and Health Administration, General Industry Safety and Health Standards
- National Fire Protection Association Standards
- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Continuity of Operations Plan (COOP)

The Continuity of Operations Plan (aka business continuity plan) will help ensure essential functions continue during an emergency and its immediate aftermath. Essential functions include but are not limited to business services such as payroll and purchasing, internal and external communications, enterprise computing systems, facility mechanical, electrical, and plumbing systems, safety and security, and continuity of teaching and learning.

Training and Exercise Plan (TEP)

The Training and Exercise Plan supports the EOP and COOP by establishing core training objectives and frequency of trainings, drills, and exercises to ensure that students, employees, and on-site business partners understand their roles, responsibilities, and expectations.

A) Definitions

As used in this policy:

Act means the Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.

Disaster means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including, but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, outbreak, epidemic, pandemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.

District Coordinator means the state police emergency management district coordinator. The district coordinator serves as the liaison between local emergency management programs and the state police, emergency management and homeland security division. All properties of the college reside in state police region one (of eight regions).

Disaster relief force means all persons identified in the LCC emergency operations plan having duties or responsibilities to perform a specific disaster or emergency related task during a declared state of emergency or disaster.

Emergency means (1) any incident which significantly disrupts the operations or mission of the college or (2) any occasion or instance in which the governor determines state assistance is needed to supplement local efforts and capabilities to save lives, protect property and the public

health and safety, or to lessen or avert the threat of a catastrophe.

Emergency Management Director means the person designated to administer the college's emergency management and preparedness program.

Emergency management program means a program established by the college to design and develop plans, procedures, and processes to help prepare, coordinate, and communicate across college boundaries, both inside and outside, in all matters pertaining to emergency preparedness, prevention, response, mitigation, and recovery.

Emergency operations plan means the plan developed and maintained by the college for the purpose of detailing how the college will respond to various hazards, whether natural or human-caused.

College state of emergency means a declaration by the college President, or designees, which authorizes certain actions as described in this policy.

Incident Command Team (ICT) represents the Command function as defined by the National Incident Management System (NIMS).

Essential Functions means a subset of organizational functions that are determined to be critical activities. These essential functions are then used to identify supporting tasks and resources that must be included in the college's continuity planning process.

Essential records means those records the college needs to meet operational responsibilities under emergency conditions (emergency operating records) or to protect the legal and financial rights of the college and those affected by government activities (legal and financial rights records).

B) Emergency Management Director; Emergency Management Department

There is established a department of Emergency Management within the Administrative Services Division for the purpose of coordinating all emergency and pre-disaster prevention, mitigation, preparedness, response and recovery activities within the college. Subject to the direction and control of the President, the Executive President of Finance, Administration, and Advancement, the Executive Director of Administrative Services, and the Director of Emergency Management shall have responsibility for the organization and administration of the department.

C) College State of Emergency Declaration

If a disaster or emergency occurs that has not yet been declared to be a state of disaster or state of emergency by the Governor, and the President, or the President's designees, determines that the situation necessitates immediate action, to help control the emergency affecting the College, the President or the President's designees may request the Governor declare

that a state of disaster or state of emergency exists at the College. The Emergency Management Director shall immediately contact the District Coordinator in accordance with Public Act 390 of 1976, as amended. Notification shall also be sent to the Chief Executive Official of the local government entity where the emergency or disaster occurs.

D) Federal, State or Local Declaration of Emergency

In the event of a federal, state, or local declaration of emergency that directly affects college operations or the safety and welfare of students, employees, contractors, guests and visitors, the bylaws and policies of the board of trustees that require approval by the board before action may be taken by college administrators are suspended during the period such declaration of emergency remains in effect.

E) Presidential Powers During Emergency Declaration(s)

During this period the President of the college is authorized to take the necessary temporary actions to ensure the continuity of college operations. Any actions taken by the President under this section that would ordinarily require board of trustees' approval shall be communicated to the board chair either orally or in writing as soon as practicable. If the board chair is unavailable, the action taken shall be communicated orally or in writing to the next ranking board officer who is available. If the president is unavailable to take necessary temporary actions, the next ranking officer of the college shall have such responsibility as set forth in this section.

The provisions of this section apply only in the event of a federal, state, or local declaration of emergency.

F) Volunteers, appointment of

The Executive Leadership Team (ELT) of the college is authorized to appoint volunteers to augment its personnel in time of emergency to implement emergency functions assigned in the Emergency Operations Plan. Such individuals are part of the disaster relief force and shall be subject to the rules and operational control set forth by the Executive Leadership Team of the college through whom the appointment was made, and may be reimbursed for all actual and necessary travel and subsistence expenses.

G) Rights of Disaster Relief Force

In accordance with the policy, personnel of the disaster relief force while on duty shall have the following rights:

- a) Employees of the College serving as members of a disaster relief force shall have the powers, duties, rights, privileges, and immunities and

shall receive the compensation incidental to their employment for the period of such service.

- b) Persons serving as members of a disaster relief force who are not employees of the College shall be entitled to the same rights and immunities as are provided for by law.

H) Liability

This Policy incorporates by reference Section 30.411 of PA 390 of 1976 and as such:

- a) To the extent allowed by that Act and by the Community College Act, the College, its, Board members, employees agents and representatives shall not be liable for the death of or personal injury to any person or persons and/or for damage to property, including any criminal liability, as a result of any activity exercised under this Policy and/or Section 30.411 of PA 390 of 1976 as amended unless that person's act or omission was the result of that person's gross negligence or willful misconduct.
- b) Further, the right of a person to receive benefits or compensation to which he/she may otherwise be entitled to under the Workers Compensation Law and the Pension Law, an Act of the State of Michigan or an Act of the United States Congress will not be effected as a result of said activity, as described in Section 30.411 of PA 390 of 1976 as amended.
- c) Further, any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the College the right to inspect, designate or use the whole or any part or parts of the real estate or other premises for purposes of sheltering persons as provided in Section 30.411 of PA 390 of 1976 as amended shall not be civilly liable for negligence causing the death of or injury to any person on or about the real estate or premises or for loss due to damage to the property of the person.
- d) To the extent allowed under law and by the College's By-Laws, the College shall indemnify and defend its Board Members, employees, agents and representatives against any claims as a result of any activity exercised under this Policy and/or Section 30.411 of PA 390 of 1976 as amended unless that person's act or omission was the result of that person's gross negligence or willful misconduct.

I) Temporary Absence of President

During the temporary absence of the President from the College or the inability of the President to perform the duties of the office, the designees shall act in the President's place for the purpose of performing emergency duties of the President.

The President shall designate, in writing, the name(s) and title(s) of the designee(s). A copy of the letter shall be provided to the Board Chair, designee(s) and Director of Administrative Services. The President shall make such designations on or before the first board meeting of the calendar year and may modify those designations from time to time with written notice to the Board Chair, designee(s) and Director of Administrative Services.

IV. Responsibility

Subject to the Board's authority, responsibility for the interpretation and administration of this policy is delegated to the President.

Adopted: 11/19/2007 (Emergency Management)
Revised: 9/15/08, 12/17/2018 (renamed: Emergency Preparedness), 3/25/2020
(renamed: Emergency Management)

IT WAS MOVED BY Trustee Proctor and supported by Trustee Mathews the following additional revisions to the policy be approved.

B) Emergency Management Director; Emergency Management Department

There is established a department of Emergency Management within the Administrative Services Division for the purpose of coordinating all emergency and pre-disaster prevention, mitigation, preparedness, response and recovery activities within the college. The Director of Emergency Management, subject to the direction and control of the President, the Executive Vice President of Finance, Administration, and Advancement, and the Executive Director of Administrative Services, ~~and the Director of Emergency Management~~ shall have responsibility for the organization and administration of the department.

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Roll call on the main motion:

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

Nays: None

Absent: None

The motion carried.

IT WAS MOVED BY Trustee Proctor and supported by Trustee Hidalgo to suspend the Board's Bylaws so the Board can take immediate action to approve the amendments to the policy. *(NOTE: This motion was done retrospectively.)*

Roll call vote:

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

Nays: None

Absent: None

The motion carried.

Board Comments

Trustee Mathews asked the Board members to revisit its Mutual Commitments and the Ethics and Standards of Conducts for Trustees college policy. She stated that going back to those things is imperative.

Trustee Abood stated that the college should comply with the letter of the executive order given and put in place. He stated that Dr. Knight should not, but himself at risk and stay at home.

Public Comment

Mark Kelland: Mark Kelland, faculty member, addressed the Board regarding faculty concerns with students who have limited or no access to the internet.

Jeff Wilson: Jeff Wilson addressed the Board regarding students who don't do well in an online environment and asked what the college could do to help them.

Martine Rife: Martine Rife addressed the Board regarding the positive feedback she has received from students using the Brainfuse online tutoring service. She stated there are students that have worked hard to get good grades and would hate for them to get a pass/fail grade.

Dr. Knight stated that the college could give students a choice of pass/fail or a letter grade.

Alex Azima: Alex Azima addressed the Board regarding students who may not learn well on line. He also stated the possibility of using Zoom for instruction because he felt it had better connectivity and allowed for better interaction.

Adjournment

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

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

Nays: None
Absent: None

The motion carried.

The meeting adjourned at 1:13 p.m.

Submitted,


Executive Assistant & Liaison to the Board
Benita Duncan